

AGENDA

BOARD OF MAYOR AND ALDERMEN

February 19, 2013
Mayor and all Aldermen

7:30 p.m.
Aldermanic Chambers
City Hall (3rd Floor)

1. Mayor Gatsas calls the meeting to order.
2. The Clerk calls the roll.
3. Mayor's FY 2014 Budget Presentation.

A motion would be in order to move the presented budget to the next regular Board meeting following the public hearing to be scheduled by the City Clerk at the earliest possible time offered by the City Charter.

CONSENT AGENDA (ITEMS 4-26)

4. Mayor Gatsas advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Accept BMA Minutes

5. Minutes from meetings held September 4, 2012 (BMA) and October 16, 2012, (Sp BMA Rezoning).

Approve under supervision of the Department of Highways

6. Pole Petitions:

11-1400 (8) Lowell/Jane Street
11-1406 (1) So. Willow Street
11-1407 (1) Riverdale Avenue

Approve under supervision of the Department of Highways, subject to funding availability

7. Sidewalk Petitions:
387-389 Orange Street

Information to be Received and Filed

8. Comcast franchise fee payment accounting documentation.
9. Communication from William Sanders, Finance Officer, regarding final CPI-U for 2014 budget.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

10. Resolutions:
- "Amending the FY 2013 Community Improvement Program, by transferring, authorizing and appropriating funds in the amount of One Hundred Twenty Thousand Five Hundred Dollars (\$120,500) for the FY 2013 CIP 412613 Fire Station Alerting System."
- "Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Twelve Thousand Five Hundred Dollars (\$12,500) for the FY 2013 CIP 810413 Odd Fellows Hall Improvements Project."
- "Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty One Thousand Eight Hundred Fifty One Dollars (\$381,851) for the FY 2010 CIP 612210 Neighborhood Stabilization Project."

“Amending the FY 2013 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Eight Thousand Dollars (\$28,000) for FY 2013 CIP 611513 Rapid Rehousing–Housing Relocation and Stabilization.”

COMMITTEE ON HUMAN RESOURCES/INSURANCE

11. Communication from Leon LaFreniere, Planning and Community Development Director, regarding a reorganization of CIP staff.

REPORTS OF COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT

12. Recommending that the request from Mayor Gatsas to create a special account within CIP to accept the donation from MembersFirst Credit Union for underwriting and printing costs of the City newsletter be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)

13. Recommending that the following recommendations for sewer abatement requests submitted by Fred McNeill, Chief Engineer, be accepted:
568 Rimmon Street
1334 Hanover Street
40 Sullivan Street
456 North Adams Street
245 Lindstrom Lane
246 Blevens Drive
437 Elgin Avenue
37 Thistle Way
(Aldermen Roy, Shea and Craig voted yea, Alderman Greazzo voted nay and Alderman Gamache was absent)

14. Recommending that the request from SNHPC for a prioritized list of projects for Manchester for possible inclusion in the FY 2015 - FY 2024 Ten-Year Plan be approved.

A prioritized list from the Public Works Director has also been included.
(Unanimous vote with the exception of Alderman Gamache who was absent)

15. Recommending that the Fire Chief be permitted to accept grant funds for a Fire Station Alerting System with the 20% match to come from the Hackett Hill Fire Station Project.
(Unanimous vote with the exception of Alderman Gamache who was absent)
16. Recommending that the request for acceptance and reallocation of funds in the amount of \$381,851 for CIP project #612210 - Neighborhood Stabilization Program I be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)
17. Recommending that the request for acceptance and reallocation of funds in the amount of \$12,500 for CIP project #810413 - Odd Fellows Improvements Project be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)
18. Recommending that the request for a transfer of funds and a name change to bring the CIP into alignment with the Substantial Amendment and HUD's focus on Rapid Rehousing be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)
19. Recommending that the request from the Director of Planning & Community Development to change the terms of assistance for the Lead Hazard Control Program be approved.
(Aldermen Roy, Shea and Craig voted yea, Alderman Greazzo voted nay and Alderman Gamache was absent)
20. Recommending that the request for lien subordination totaling \$56,480 for 211 Douglas Street property be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)

COMMITTEE ON HUMAN RESOURCES/INSURANCE

21. Recommending that the updated FMLA policy be approved.
(Unanimous vote)

22. Recommending that the ordinance related to military leave for employees, submitted by the Chief of Police, be approved and forwarded to the Committee on Bills on Second Reading for technical review.
(Unanimous vote)

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

23. Recommending that the following regulations governing standing, stopping, parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

NO PARKING ANYTIME – EMERGENCY ORDINANCE:

On Woodland Avenue, both sides, from Hanover Street to Trinity Street

Alderman Osborne

On Belmont Street, west side, from Massabesic Street to Cedar Street

Alderman Osborne

On Orange Street, south side, from Beech Street to Maple Street

Alderman Ludwig

RESCIND 15 MINUTE PARKING – EMERGENCY ORDINANCE:

On Belmont Street, west side, from Massabesic Street to Cedar Street (Ord. 9839)

Alderman Osborne

RESCIND NO PARKING LOADING ZONE:

On Hanson Street, from a point 80 feet east of Elm Street to a point 110 feet easterly (Ord. 3114)

Alderman Long

RESCIND STOP SIGN:

On Hanson Street at Elm Street – NEC (Ord. 0856)

Alderman Long

RESCIND ONE HOUR PARKING:

On Hayward Street, north side, from Hall Street to Belmont Street (Ord. 3128)

Alderman Shea

On Second Street, west side, from a point 200 feet north of Blaine Street to a point 200 feet northerly (Ord. 6088)

On Second Street, west side, from Walker Street Northback Street to a point 40 feet northerly (Ord. 6087)

Alderman Greazzo

On Ash Street, east side, from North Street to a point 138 feet south of Webster Street(Ord. 2569)

Alderman Ludwig

RESCIND Parking 1 Hour for Public on Police Business only:

Chestnut Street, west side, from Manchester Street to Merrimack Street (Ord. 8271)

Alderman Long

RESCIND Parking for Police Vehicles only:

Manchester Street, south side, from a point 25 feet east of Chestnut Street to a point 90 feet east (Ord. 8274)

Alderman Long

Manchester Street, south side, from a point 155 feet east of Chestnut Street to Pine Street (Ord. 8373)

Alderman Long

RESCIND One Hour Parking – Public on Police/Fire Business:

Merrimack Street, north side, from Chestnut Street to a point 90 feet east (Ord. 6497)

Alderman Long

Parking 10 hours 8:00 a.m.-8:00 p.m. Monday-Friday (single space meters):

Merrimack Street, north side, from Chestnut Street to a point 90 feet east

Alderman Long

Parking 10 hours 8:00 a.m.-8:00 p.m. Monday-Friday (pay and display):

Merrimack Street, south side, from Chestnut Street to a point 133 feet east

Alderman Long

Manchester Street, south side, from Chestnut Street to Pine Street

Alderman Long

Chestnut Street, west side, from Manchester Street to Merrimack Street

Alderman Long

Parking for Fire Department Vehicles only:

Merrimack Street, south side, from a point 133 feet east of Chestnut Street to Pine Street

Alderman Long

RESCIND NO PARKING ANYTIME:

On Ash Street, east side, from Webster Street to a point 138 feet southerly (Ord. 2568)

Alderman Ludwig

STOP SIGNS:

On Clement Street at Dickey Street – NWC, SEC

Alderman Greazzo

(Unanimous vote with the exception of Alderman Gamache who was absent)

24. Recommending that the request the abi Innovation Hub for the use of a portion of Arms Parking Lot for a fundraising event scheduled for Thursday, May 23, 2013, be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)

25. Recommending that the request from the NH Fisher Cats and Clear Channel Media Entertainment for the use of Arms Parking Lot for a skyshow/fireworks event to be held on Sunday, May 26, 2013, be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)

26. Recommending that the request from the National MS Society for the use of Arms Parking Lot for their 2013 Walk MS Manchester Event on Sunday, April 14, 2013, be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

REGULAR BUSINESS

27. Nomination(s) to be presented by Mayor Gatsas, if available.

28. Confirmation(s) to be presented by Mayor Gatsas:

Sara Beaudry to succeed Brother Paul Crawford (term-limited) as a member of the Office of Youth Services Advisory Board, term to expire January 1, 2016;

Thomas Puthota to succeed himself as an alternate member of the Zoning Board of Adjustment, term to expire March 1, 2016;

Allen Hendershot to succeed himself as an alternative member of the Zoning Board of Adjustment, term to expire March 1, 2016;

Bill Bevelaqua to succeed himself as a member of the Zoning Board of Adjustment, term to expire March 1, 2016;

Michael O'Donoghue to succeed Craig Donais (term-limited) as a member of the Personnel Appeals Board, term to expire March 1, 2016;

Angela Richardson to succeed herself as a member of the Personnel Appeals Board, term to expire March 1, 2016;

Ladies and Gentlemen, what is your pleasure?

29. Legislative Updates.
30. A motion is in order to recess the meeting to allow the Committee on Finance to meet.
31. Mayor Gatsas calls the meeting back to order.
32. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?
33. Report(s) of the Special Joint Committee on Education, if available.
Ladies and Gentlemen, what is your pleasure?
34. Report(s) of the Committee on Lands and Buildings, if available.
Ladies and Gentlemen, what is your pleasure?

35. Report(s) of the Committee on Accounts, Enrollment & Revenue Administration, if available.

Ladies and Gentlemen, what is your pleasure?

36. Report(s) of the Committee on Administration/Information Systems, if available.

Ladies and Gentlemen, what is your pleasure?

37. Resolutions: **(A motion is in order to read by titles only.)**

"Amending the FY 2013 Community Improvement Program, by transferring, authorizing and appropriating funds in the amount of One Hundred Twenty Thousand Five Hundred Dollars (\$120,500) for the FY 2013 CIP 412613 Fire Station Alerting System."

"Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Twelve Thousand Five Hundred Dollars (\$12,500) for the FY 2013 CIP 810413 Odd Fellows Hall Improvements Project."

"Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty One Thousand Eight Hundred Fifty One Dollars (\$381,851) for the FY 2010 CIP 612210 Neighborhood Stabilization Project."

"Amending the FY 2013 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Eight Thousand Dollars (\$28,000) for FY 2013 CIP 611513 Rapid Rehousing–Housing Relocation and Stabilization."

A motion is in order that the resolutions ought to pass and be enrolled.

38. Ordinances: **(A motion is in order to read by titles only.)**

"Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.06 by amending the definitions for Commercial Motor Vehicle and Trailer."

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by clarifying the definition of a commercial vehicle in section §70.36(C) Stopping, Standing or Parking Prohibited.”

These ordinances having had their final reading by title only, the question is on passing same to be ordained.

NEW BUSINESS

- A. Communications
- B. Aldermen

TABLED ITEMS

(A motion is in order to remove any item from the table.)

- 39. Petition to release and discharge a portion of Hayward North Back Street.
(Note: Tabled 4/03/2012)

ADJOURNMENT

- 40. If there is no further business, a motion is in order to adjourn.

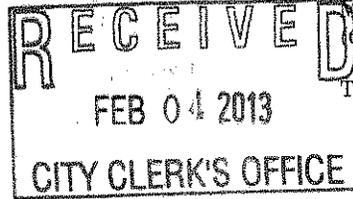


**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System



February 1, 2013

Office of the City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace pole(s) located in City of Manchester, New Hampshire.

Enclosed for your review find three copies of PSNH Petition and Pole License number 11-1400 for City of Manchester review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Manchester**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Customer Operations Support - Licensing
Public Service of New Hampshire
PO Box 330
Manchester, NH 03105-9989
Tel. 603-634-2218
E-Mail: pinkel@nu.com

Enclosure(s)

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

January 28, 2013

To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:

PUBLIC SERVICE OF NEW HAMPSHIRE
&
Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE

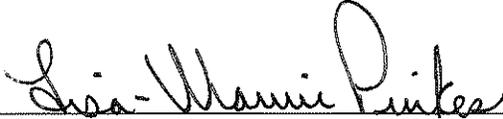
request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License eight (8) pole(s), 1077/13Y, 1182/77Y, 762/8Y, 762/8, 762/7, 762/2, 16/34S, 894/5S located on Lowell/Jane Street in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE".

Plan No. 11-1400
Dated: 1/28/2013

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Lisa-Marie Pinkes, Licensing Specialist

Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE

BY: 
Right of Way Department

Conditions upon which The Pole Location License cited on reverse side is Granted:

1. Excavations, obstructions or encumbrances shall at all times be properly guarded, barricaded or fenced during the whole time the highway is excavated, obstructed or encumbered, and lights shall be maintained throughout the night so that all excavations, obstructions and encumbrances may be readily seen.
2. The grantee hereby agrees to indemnify and save harmless the City of Manchester, NH, for all claims for damages or injury whatsoever that may arise from the excavation, obstruction, encumbrance or occupation of said highway, and the applicant shall be accountable for all damage that may occur on account of said excavation, obstruction, encumbrance or occupation of the aforesaid highway made or created in violation of the terms of this License; the City of Manchester in no case assuming any responsibility or liability by reason of the issuing of this grant.
3. Shade trees shall neither be cut down, cut, trimmed or otherwise injured by the grantee, unless special permission shall have been granted by the abutting owner or owners, or the city.
4. The grantee shall neither grant permission to place signs, or advertisements, (Excepting only city street signs) nor permit the same to be attached to or displayed on or upon any pole or poles within the City of Manchester, and said grantee shall remove or cause to be removed all such signs or advertisements which may be so placed by any corporation, firm, person or persons.
5. The grantee shall paint all poles within the City of Manchester, unless such poles are of the creosote treated type or it is otherwise specified in this grant, the standard color to be dark green.
6. The highway shall be left in as good condition and repair upon the completion of the work necessitated by this grant as existed previously, and the Department of Highways may restore the highway to as good condition and repair, or cause the same to be restored under its direction, and the grantee shall reimburse the City for any and all liability and expenses occasioned by reason of such work.
7. All poles shall be of wood or other suitable material, and the wires shall be run along and across the highway between the points named herein, and shall be maintained at least 18 feet above the surface of the ground.

"In accordance with the requirements of RSA 72:23, I(b) the licensee(s) and any other entity now or hereafter using or occupying municipal property pursuant to the is license shall be responsible for the payment of, and shall pay, all properly assessed personal and real property taxes no later than the due date. Failure to pay duly assessed personal and real property taxes when due shall be cause to provide a written notice to said licensee to show cause by a date certain specified in the notice to said license should not be terminated for nonpayment of the sums due.

The changes to the within license set for in the preceding paragraph shall take effect April 1, 2005, and shall remain in effect until changed in accordance with the requirements of RSA 231:163."

POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 2

In the Board of Mayor and Aldermen of the City of Manchester, New Hampshire,
on 2/19/13. It appearing that the public good requires it, it is hereby

ORDERED

That PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary in the public way, or ways, hereinafter referred to as requested in the petition of said Companies dated the 28th day of January, 2013.

All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, NH, and this license is granted, subject to its approval by the Surveyor of Highways and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be 60 feet and 25 feet; height of structures 52 feet and 20 feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, or of the side-walk, and of underground conduits and cables are designated or defined as shown upon a plan marked "POLE LOCATION PLAN - PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE" No. 11-1400, dated 1/28/2013 attached to and made a part of this order. All of said wires and cables except such as are vertically attached to poles and structures shall be placed in accordance with the National Electrical Safety Code in effect at the time of petition and/or license is granted.

Underground conduits, wires and cables shall be not less than current minimum requirements of the National Electrical Safety Code below the surface of the roadway.

This license is granted as to the following public ways or parts of ways in Manchester, New Hampshire.

License eight (8) pole(s), 1077/13Y, 1182/77Y, 762/8Y, 762/8, 762/7, 762/2, 16/34S, 894/5S located on Lowell/Jane Street in the City of Manchester.

Granted By Vote of Board of Mayor
and Aldermen, subject to approval
of surveyor of Highways at meeting
of said Board held 2/19/13

Approved
Dept. of Highways

BY: _____
_____, Surveyor

ATTEST _____
Matthew Normand, City Clerk

Received 2/1/13 at Manchester and recorded in Records of Pole Location Licenses.
Vol., W, Page 1, filed and an attested copy delivered to the said Public Service of New
Hampshire and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

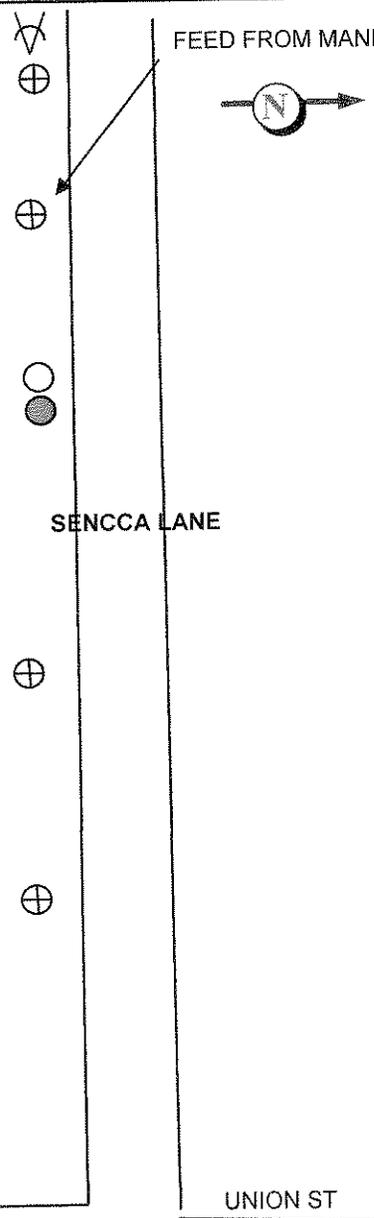
ATTEST _____
Matthew Normand, City Clerk

POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and
Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

DATE	<u>01/28/2013</u>	LICENSE NO.	<u>11-1400</u>
MUNICIPALITY:	<u>Manchester</u>	STATE HWY. DIV. NO.	<u>5</u>
STREET / ROAD:	<u>Lowell/Jane Street</u>	STATE LICENSE NO.	
PSNH OFFICE:	<u>Hooksett</u>	WORK REQUEST#	<u>1839390</u>
PSNH ENGINEER:	<u>Bob Prescott</u>	WORK FINANCIAL #	<u>9Y121316</u>
TELCO ENGINEER:	<u>Roberto Diaz</u>	TELCO PROJECT #	

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL	REMOVE	REF	100% LTS	J/O	100% TEL	Span	DIST. FROM	Remarks	DOC REQ
LTS	TEL			POLE	PB								
<u>1077/13S</u>	<u>26/12</u>											STUB POLE	
<u>1077/13</u>	<u>26/12.5</u>									10'		RISER POLE 1077/13 TO POLE 1077/13Y	
<u>1077/13Y</u>	<u>26/13</u>	<u>45'-1</u>										3-75 KVA 120/208 BANK	M
										118'		POLE 1077/14 TO POLE 1077/13Y	
<u>1077/14</u>	<u>26/14</u>												
<u>1077/15</u>	<u>26/15</u>											37.5 KVA TRANSFORMER	

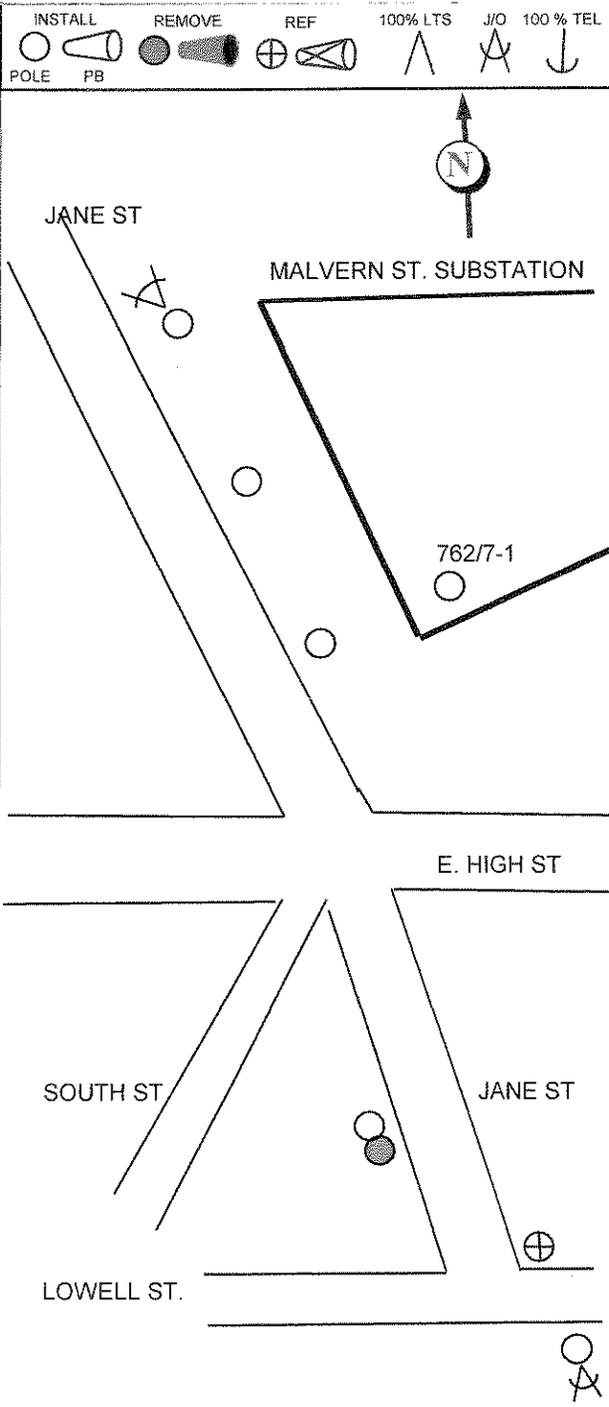


POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and
Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

DATE	<u>01/28/2013</u>	LICENSE NO.	<u>11-1400</u>
MUNICIPALITY:	<u>Manchester</u>	STATE HWY. DIV. NO.	<u>5</u>
STREET / ROAD:	<u>Lowell/Jane Street</u>	STATE LICENSE NO.	
PSNH OFFICE:	<u>Hooksett</u>	WORK REQUEST#	<u>1839390</u>
PSNH ENGINEER:	<u>Bob Prescott</u>	WORK FINANCIAL #	<u>9Y121316</u>
TELCO ENGINEER:	<u>Roberto Diaz</u>	TELCO PROJECT #	

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL			REMOVE			REF	100% LTS	J/O	100% TEL	Span	DIST. FROM	Remarks	DOC REQ
LTS	TEL			POLE	PB												
762/8Y	NO TEL	45'-2															M
762/8	NO TEL	45'-2															M
762/7	NO TEL	50'-2															PP M
762/2		40'-3											100'		POLE 762/2 TO POLE 762/3		M
16/34													128'		POLE 762/2 TO POLE 16/34		
16/34S		35'-4															M





**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

RECEIVED
FEB 01 2013
CITY CLERK'S OFFICE

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System

January 31, 2013

Office of the City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace pole(s) located in City of Manchester, New Hampshire.

Enclosed for your review find three copies of PSNH Petition and Pole License number 11-1406 for City of Manchester review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Manchester**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Customer Operations Support - Licensing
Public Service of New Hampshire
PO Box 330
Manchester, NH 03105-9989
Tel. 603-634-2218
E-Mail: pinkel@nu.com

Enclosure(s)

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

January 23, 2013

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE**

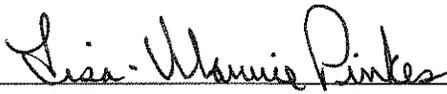
request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one (1) pole(s), 14/51Y located on S.Willow Street in the City of Manchester.

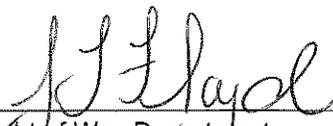
Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE".

Plan No. 11-1406
Dated: 1/23/2013

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Lisa-Marie Pinkes, Licensing Specialist

**Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE**

BY: 
Right of Way Department

Conditions upon which The Pole Location License cited on reverse side is Granted:

1. Excavations, obstructions or encumbrances shall at all times be properly guarded, barricaded or fenced during the whole time the highway is excavated, obstructed or encumbered, and lights shall be maintained throughout the night so that all excavations, obstructions and encumbrances may be readily seen.
2. The grantee hereby agrees to indemnify and save harmless the City of Manchester, NH, for all claims for damages or injury whatsoever that may arise from the excavation, obstruction, encumbrance or occupation of said highway, and the applicant shall be accountable for all damage that may occur on account of said excavation, obstruction, encumbrance or occupation of the aforesaid highway made or created in violation of the terms of this License; the City of Manchester in no case assuming any responsibility or liability by reason of the issuing of this grant.
3. Shade trees shall neither be cut down, cut, trimmed or otherwise injured by the grantee, unless special permission shall have been granted by the abutting owner or owners, or the city.
4. The grantee shall neither grant permission to place signs, or advertisements, (Excepting only city street signs) nor permit the same to be attached to or displayed on or upon any pole or poles within the City of Manchester, and said grantee shall remove or cause to be removed all such signs or advertisements which may be so placed by any corporation, firm, person or persons.
5. The grantee shall paint all poles within the City of Manchester, unless such poles are of the creosote treated type or it is otherwise specified in this grant, the standard color to be dark green.
6. The highway shall be left in as good condition and repair upon the completion of the work necessitated by this grant as existed previously, and the Department of Highways may restore the highway to as good condition and repair, or cause the same to be restored under its direction, and the grantee shall reimburse the City for any and all liability and expenses occasioned by reason of such work.
7. All poles shall be of wood or other suitable material, and the wires shall be run along and across the highway between the points named herein, and shall be maintained at least 18 feet above the surface of the ground.

"In accordance with the requirements of RSA 72:23, l(b) the licensee(s) and any other entity now or hereafter using or occupying municipal property pursuant to the is license shall be responsible for the payment of, and shall pay, all properly assessed personal and real property taxes no later than the due date. Failure to pay duly assessed personal and real property taxes when due shall be cause to provide a written notice to said licensee to show cause by a date certain specified in the notice to said license should not be terminated for nonpayment of the sums due.

The changes to the within license set for in the preceding paragraph shall take effect April 1, 2005, and shall remain in effect until changed in accordance with the requirements of RSA 231:163."

POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 2

In the Board of Mayor and Aldermen of the City of Manchester, New Hampshire,
on 2/19/13. It appearing that the public good requires it, it is hereby

ORDERED

That PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary in the public way, or ways, hereinafter referred to as requested in the petition of said Companies dated the 23rd day of January, 2013.

All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, NH, and this license is granted, subject to its approval by the Surveyor of Highways and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be 60 feet and 25 feet; height of structures 52 feet and 20 feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, or of the side-walk, and of underground conduits and cables are designated or defined as shown upon a plan marked "POLE LOCATION PLAN - PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE" No. 11-1406, dated 1/23/2013 attached to and made a part of this order. All of said wires and cables except such as are vertically attached to poles and structures shall be placed in accordance with the National Electrical Safety Code in effect at the time of petition and/or license is granted.

Underground conduits, wires and cables shall be not less than current minimum requirements of the National Electrical Safety Code below the surface of the roadway.

This license is granted as to the following public ways or parts of ways in Manchester, New Hampshire.

License one (1) pole(s), 14/51Y located on S.Willow Street in the City of Manchester.

Granted By Vote of Board of Mayor
and Aldermen, subject to approval
of surveyor of Highways at meeting
of said Board held 2/19/13

Approved
Dept. of Highways

BY: _____
_____, Surveyor

ATTEST _____
Matthew Normand, City Clerk

Received 2/4/13 at Manchester and recorded in Records of Pole Location Licenses.
Vol., W, Page 2, filed and an attested copy delivered to the said Public Service of New
Hampshire and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

ATTEST _____
Matthew Normand, City Clerk

POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and
Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

DATE 01/23/2013
MUNICIPALITY: Manchester
STREET / ROAD: S.Willow Street
PSNH OFFICE: Hooksett
PSNH ENGINEER: Marc Gagnon
TELCO ENGINEER: Roberto Diaz

LICENSE NO. 11-1406
STATE HWY. DIV. NO. 5
STATE LICENSE NO. _____
WORK REQUEST# 2009835
WORK FINANCIAL # 9Y221493
TELCO PROJECT # _____

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL			REMOVE			REF	100% LTS	J/O	100% TEL	Span	DIST FROM T/W	Remarks	DOC REQ
LTS	TEL			POLE	PB												
NOT TO SCALE																	
14 51	425 48	40-3		⊕									+/- 40'	+/- 1'	Reference Only	M	
14 51Y		45-2													Install Jt pole by LTS	M	
14 51Y-1		45-2											+/- 40'	+/- 1'	Install Jt pole and anchor By LTS		
14 50		40-3												+/- 1'	Reference only	M	

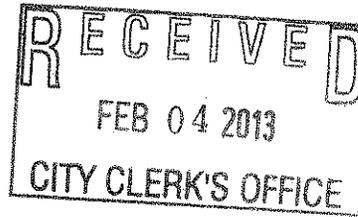


**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System



February 1, 2013

Office of the City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace pole(s) located in City of Manchester, New Hampshire.

Enclosed for your review find three copies of PSNH Petition and Pole License number 11-1407 for City of Manchester review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Manchester**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Customer Operations Support - Licensing
Public Service of New Hampshire
PO Box 330
Manchester, NH 03105-9989
Tel. 603-634-2218
E-Mail: pinkel@nu.com

Enclosure(s)

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

January 25, 2013

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE
&
Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE**

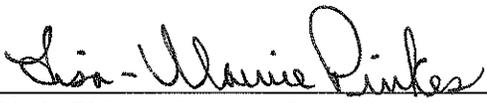
request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one (1) pole(s), 1032/15S located on Riverdale Avenue in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE".

Plan No. 11-1407
Dated: 1/24/2013

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 
Lisa-Marie Pinkes, Licensing Specialist

**Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE**

BY: 
Right of Way Department

Conditions upon which The Pole Location License cited on reverse side is Granted:

1. Excavations, obstructions or encumbrances shall at all times be properly guarded, barricaded or fenced during the whole time the highway is excavated, obstructed or encumbered, and lights shall be maintained throughout the night so that all excavations, obstructions and encumbrances may be readily seen.
2. The grantee hereby agrees to indemnify and save harmless the City of Manchester, NH, for all claims for damages or injury whatsoever that may arise from the excavation, obstruction, encumbrance or occupation of said highway, and the applicant shall be accountable for all damage that may occur on account of said excavation, obstruction, encumbrance or occupation of the aforesaid highway made or created in violation of the terms of this License; the City of Manchester in no case assuming any responsibility or liability by reason of the issuing of this grant.
3. Shade trees shall neither be cut down, cut, trimmed or otherwise injured by the grantee, unless special permission shall have been granted by the abutting owner or owners, or the city.
4. The grantee shall neither grant permission to place signs, or advertisements, (Excepting only city street signs) nor permit the same to be attached to or displayed on or upon any pole or poles within the City of Manchester, and said grantee shall remove or cause to be removed all such signs or advertisements which may be so placed by any corporation, firm, person or persons.
5. The grantee shall paint all poles within the City of Manchester, unless such poles are of the creosote treated type or it is otherwise specified in this grant, the standard color to be dark green.
6. The highway shall be left in as good condition and repair upon the completion of the work necessitated by this grant as existed previously, and the Department of Highways may restore the highway to as good condition and repair, or cause the same to be restored under its direction, and the grantee shall reimburse the City for any and all liability and expenses occasioned by reason of such work.
7. All poles shall be of wood or other suitable material, and the wires shall be run along and across the highway between the points named herein, and shall be maintained at least 18 feet above the surface of the ground.

"In accordance with the requirements of RSA 72:23, I(b) the licensee(s) and any other entity now or hereafter using or occupying municipal property pursuant to the is license shall be responsible for the payment of, and shall pay, all properly assessed personal and real property taxes no later than the due date. Failure to pay duly assessed personal and real property taxes when due shall be cause to provide a written notice to said licensee to show cause by a date certain specified in the notice to said license should not be terminated for nonpayment of the sums due.

The changes to the within license set for in the preceding paragraph shall take effect April 1, 2005, and shall remain in effect until changed in accordance with the requirements of RSA 231:163."

POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 2

In the Board of Mayor and Aldermen of the City of Manchester, New Hampshire,
on 2/19/13. It appearing that the public good requires it, it is hereby

ORDERED

That PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary in the public way, or ways, hereinafter referred to as requested in the petition of said Companies dated the 25th day of January, 2013.

All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, NH, and this license is granted, subject to its approval by the Surveyor of Highways and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be 60 feet and 25 feet; height of structures 52 feet and 20 feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, or of the side-walk, and of underground conduits and cables are designated or defined as shown upon a plan marked "POLE LOCATION PLAN - PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE" No. 11-1407, dated 1/24/2013 attached to and made a part of this order. All of said wires and cables except such as are vertically attached to poles and structures shall be placed in accordance with the National Electrical Safety Code in effect at the time of petition and/or license is granted.

Underground conduits, wires and cables shall be not less than current minimum requirements of the National Electrical Safety Code below the surface of the roadway.

This license is granted as to the following public ways or parts of ways in Manchester, New Hampshire.

License one (1) pole(s), 1032/15S located on Riverdale Avenue in the City of Manchester.

Granted By Vote of Board of Mayor
and Aldermen, subject to approval
of surveyor of Highways at meeting
of said Board held 2/19/13

Approved
Dept. of Highways

BY: _____, Surveyor

ATTEST _____
Matthew Normand, City Clerk

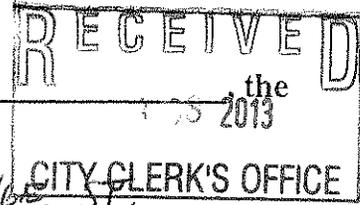
Received 2/14/13 at **Manchester** and recorded in Records of Pole Location Licenses.
Vol., W, Page 3, filed and an attested copy delivered to the said Public Service of New Hampshire and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

ATTEST _____
Matthew Normand, City Clerk



TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

I/we, WILLIAM CARIGNAN
Name(s)



owner(s) of the real estate abutting upon 387-89 ORANGE ST.
Street Address
Manchester, NH 03104

Description (including footage):
78' of sidewalk - Belmont St side to be
reconstructed
4' asphalt sidewalk

desire that:

- A sidewalk be constructed along said frontage
- A sidewalk be reconstructed along said frontage
- Curbing be installed along said frontage
- Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed: William Carignan
Owner

389 Orange St. Manchester NH
Mailing Address

Phone #: 603 625-6089

Date: 2-1-12



Comcast Cable
54 Regional Drive
Concord, NH 03301
www.comcast.com

January 28, 2013

Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, N.H. 03101

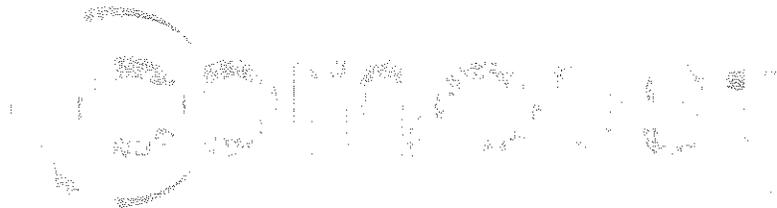
Dear Mayor and Aldermen:

Enclosed is the Comcast franchise fee payment for the fourth quarter of 2012, along with a backup detailed accounting sheet. If you have any questions regarding this payment, please feel free to contact me at 603-224-1871 ext. 202.

Sincerely,

Bryan Christiansen
Manager of Government & Community Relations

Enclosed:
Check number: 510265721, \$411,325.48





System Name: Comcast of New Hampshire, Inc.
 Email: Patrick_Moore@cable.comcast.com
 Phone: 610-650-2999

Vendor ID:	154772
Contract Name:	Manchester NH
Statement Period:	Oct - Dec, 2012
Payment Amount:	\$411,325.48
Statement Number:	72072
CUID:	None
System ID:	8773-2000-1800

MANCHESTER CITY OF NH
 BOARD OF MAYOR & ALDERMAN PEG
 1 CITY HALL PLAZA
 MANCHESTER, NH, 03101

This statement represents your payment for the period listed above.

Revenue Category	Amount
Expanded Basic Video Service	\$3,496,056.20
Limited Basic Video Service	\$1,442,008.24
Digital Video Service	\$1,842,223.38
Pay	\$677,934.31
PPV / VOD	\$392,716.75
Video Equipment	\$20,248.67
Digital Video Equipment	\$313,562.39
Video Installation / Activation	\$96,189.73
PEG Fees	\$5,718.86
Guide	\$2,012.01
Other	\$43,280.28
Late Fees	\$34,233.38
Write-offs / Recoveries	(\$139,675.57)
Total	\$8,226,508.62
Franchise Fee %	5.00 %
Franchise Fee	\$411,325.48

To the best of my knowledge and belief, the above is a true and correct statement for the accounting of the gross revenues received by this corporation for the period.

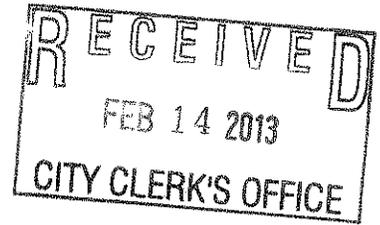


 Pat Moore
 Analyst



William E. Sanders
Finance Officer

CITY OF MANCHESTER
Finance Department



February 13, 2013

Board of Mayor and Aldermen
C/o Matthew Normand
Office of the City Clerk
One City Hall Plaza
Manchester, NH 03101

RE: Final CPI – U for 2014 Budget

Dear Honorable Board,

This letter serves to advise that the final calendar year 2012 CPI-Urban increase was 1.70%. The 3-year average for use in preparation of the FY 2014 budget is 2.17% computed as follows:

2010	1.60%
2011	3.20
2012	<u>1.70</u>
	6.50
	÷ 3
	<u>2.17%</u>

Respectfully submitted,

William E. Sanders
Finance Officer

CC: Tom Brennan
Karen DeFrancis
Guy Beloin

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, by transferring, authorizing and appropriating funds in the amount One Hundred Twenty Thousand Five Hundred Dollars (\$120,500) for the FY 2013 CIP 412613 Fire Station Alerting System.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2013 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funding from the United States Department of Homeland Security to purchase equipment required for the installation of a Fire Station Alerting System; and

WEREAS, the Board of Mayor and Aldermen wishes to transfer the previously approved funding amount from Hackett Hill Fire Station;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By decreasing and transferring:

FY 2013 CIP 411913 – Hackett Hill Fire Station - \$24,100 Bond
(from \$2,350,000 Bond to \$2,325,900 Bond)

By adding:

FY 2013 CIP 412613 Fire Station Alerting System - \$121,500 Federal/Bond
(\$24,100 Bond, \$96,400 Federal)

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Twelve Thousand Five Hundred Dollars (\$12,500) for the FY 2013 CIP 810413 Odd Fellows Hall Improvements Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2012 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept and re-allocate additional money received for administrative costs of managing the Hillsborough County CDBG grant to offset expenses at Odd Fellows Hall;

WHEREAS, the Board of Mayor and Aldermen wishes to reduce the amount of Bond funding allocated to the project due to the addition of CDBG funding;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By increasing:

FY 2013 CIP 810413 Odd Fellows Improvements Project - \$12,500 CDBG

By decreasing:

FY 2013 CIP 810413 Odd Fellows Improvements Project - \$12,500 Bond

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty One Thousand Eight Hundred Fifty One Dollars (\$381,851) for the FY 2010 CIP 612210 Neighborhood Stabilization Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, the 2010 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept additional federal funds from the Community Development Finance Authority for the successful completion of the Odd Fellows Hall Improvements project;

NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

By increasing:

FY 2010 CIP 612210 Neighborhood Stabilization Project - \$381,851 Federal

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Eight Thousand Dollars (\$28,000) for FY 2013 CIP 611513 Rapid Rehousing–Housing Relocation and Stabilization.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2013 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to approve a transfer of funds from one City grant to a second;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By decreasing:

FY 2013 CIP 611213 –Homeless Prevention-Housing Relocation and Stabilization- \$28,000 ESP
(from \$49,866 ESP to \$21,866 ESP)

By increasing:

FY 2013 CIP 611513 – Rapid Rehousing-Housing Relocation and Stabilization - \$28,000 ESP
(from \$26,000 ESP to \$54,000 ESP)

By changing the name of FY 2013 CIP 611213 Innovative Homeless Prevention/Intervention to Homeless Prevention-Housing Relocation and Stabilization

Resolved, that this Resolution shall take effect upon its passage.



CITY OF MANCHESTER

PLANNING AND COMMUNITY DEVELOPMENT

Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

Date: February 11, 2013

To: Honorable Board of Mayor and Aldermen

From: Leon L. LaFreniere, AICP
Director, Planning & Community Development

Subject: CIP Staff Re-organization

Please find attached a proposed re-organization of the CIP Division of the Planning & Community Development Department. This proposal was precipitated by the retirement of the City's long term CIP Manager. While his departure has resulted in management capacity issues within our department, it represents an opportunity to take a fresh look at how we can gain the best value from our human resource expenditures.

I would respectfully request that this proposal be referred to the next meeting of the Human Resources Committee for their consideration.



CITY OF MANCHESTER

PLANNING AND COMMUNITY DEVELOPMENT

Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

Date: February 11, 2013

To: Honorable Human Resources Committee

From: Leon L. LaFreniere, AICP 
Director, Planning & Community Development

Subject: CIP Staff Re-organization

The departure of the City's long term CIP Manager represents an opportunity to take a fresh look at how we can gain the best value from our human resource expenditures. We have analyzed the current needs of the department and have determined that minor changes to the structure of the department complement would provide additional capacity for a comparable financial expenditure.

The following is an attempt to outline the modifications to the staff complement that I would like to submit for consideration.

The first step would be to **eliminate the CIP Manager position from the complement**. This position is currently classified as a Planner IV, Grade Level 23. The incumbent within this position would have been compensated at a rate of just over **\$95,000**.

The second step would be to **create two Planner II positions** at a Grade Level 19. The projected cost associated with the creation of these two positions would be approximately **\$93,800**. One of these positions would be assigned to the CIP Division of the department to address current critical needs. The second position would be assigned to the Growth Management Division, allowing for a planner position to be assigned the duties of a Neighborhood Planner. This individual would divide his or her time between CIP and Growth Management functions. The position of Neighborhood Planner has been previously funded through grants. It is anticipated that the Planner II positions would be filled from within, allowing for new hires at entry level steps within Grade for vacated positions.

Several benefits would be realized as a result of this proposal, some of which are identified as follows:

- Specific City needs would be addressed by fulfilling staffing requirements necessary to insure that Federal reporting requirements are met, and that customer service requirements are addressed in a timely fashion;
- Additional staff resources would be available to improve customer service at effectively no additional cost above historic funding levels, allowing more focused customer support for planning department applicants;
- Filling positions to perform CIP related functions will permit us to access available program administration revenue currently not chargeable; and
- Staffing at this level will support the various departmental functions including CIP budget preparation, grant application and administration, Board of Mayor and Alderman assistance and completion of Federal reporting requirements. With existing staff shortages we do not currently have the ability to support these activities at an appropriate level.

I trust this information satisfactorily explains the proposal that I am submitting for the Board's consideration. I feel that it is critical we fill these positions as soon as possible. There has been a significant increase in the oversight requirements associated with the utilization of Federal funds, which is happening across the country and is not isolated to Manchester. I believe the staffing level requested is the minimum required to both address these requirements and to efficiently administer other planning responsibilities of the department.

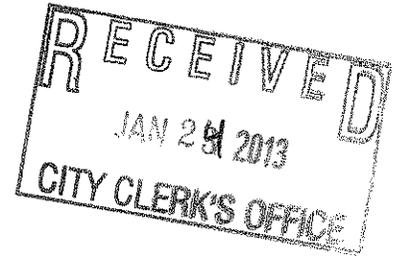
The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Mayor Gatsas to create a special account within CIP to accept the donation from MembersFirst Credit Union for underwriting and printing costs of the City newsletter be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long horizontal flourish at the end.

Clerk of Committee



CITY OF MANCHESTER

Theodore L. Gatsas
Mayor

January 24, 2013

The Hon. Jim Roy
Committee on Community Improvement
c/o Matthew Normand, City Clerk
One City Hall Plaza
Manchester, NH 03101

RE: City Newsletter

Alderman Roy,

Attached is a copy of the new city newsletter. In the past the quality council produced the *City Chatter Newsletter*. However due to the change in the make-up of the committee the newsletter has not been produced in some time to no fault of the Quality Council or any of the members.

To replace the newsletter my staff has offered to produce the publication with the intention of improving communication amongst city employees and departments. Department heads have welcomed the idea and feel that it will be a welcome addition to the culture here at City Hall.

In developing the publication they wanted to provide it to city employees electronically and in a paper format. Realizing there was an expense to the printing they contacted *MembersFirst Credit Union* to underwrite the printing cost and they graciously agreed; the credit union has long been a valuable community partner with the city and has a proven record of supporting city activities.

After speaking with the city finance officer the cleanest way to accept the donation is to create a special account within CIP. Therefore I respectfully request that the Committee on Community Improvement authorize this action.

Thank you in advance for your consideration. Please feel free to contact me if you have any questions or concerns.

Regards,

Theodore L. Gatsas
Mayor

One City Hall Plaza • Manchester, New Hampshire 03101 • (603) 624-6500
www.manchesternh.gov

Around the City in a sentence . . .

Alphabet: New recreation services, Ft. Lauderdale (now through mid-April), New York (4x daily in March), Las Vegas (June 2-7), book early!

Assessor: Appraisers are beginning inspections for building permits completed after April 1, 2012.

City Clerk: December 12th was a popular day to get married at City Hall. In mid-7 couples tied the knot. Last year 380 wedding ceremonies were performed at City Hall.

Finance: The 2012 audit field work was completed by the outside auditors in December 2012. The final 2012 CAFR (Comprehensive Annual Financial Report) should be ready in February.

Fire: The construction of the Engine 4 Firehouse is moving along nicely and completion is expected in mid-spring.

Elect: Tiffany Lucas formerly of Parks and Recreation has joined the Fleet Maintenance Department.

Health: \$531,682 from the Robert Wood Johnson Foundation, Endowment for Health, New Hampshire Charitable Foundation, Granite United Way and the Cogswell Benevolent Trust was awarded to the Health Department for a 2-year pilot project where three public schools in Manchester will be converted to Community Schools. In addition to being places of

learning, the revamped schools will become destinations where area residents can access a host of supports to improve community health.

Human Resources: If you have a bright idea to save the city money submit it to the "Bright Ideas" care of Human Resources.

Information Systems: with the help of the Fire Department Information Systems received grant funds to expand the City's fiber optic connectivity on the west side and to the new Municipal Complex.

Libraries: the next bargain book sale at \$5 per bag is January 26th from 10am-1pm.

Mayor: Mayor Gassie and his staff proudly participated in "Ugly Sweater Day" during the holidays.

MEDE: ab Innovation HUB moved downtown into the McQuade's Building. Next door Carol Sheehan (Red Arrow) and Neville Perera (Ignite & Hooked) joined forces to open the Rouge Grill.

MTAs: 4 new buses have been ordered and will be delivered in March.

OSE: OYS Director Mary Boldin was named the 2013 Community Hero by MyTown Employment and Training Programs.

Parkings: Look for a new face on the street... we recently welcomed Amanda Staugh to the Parking Division as a part time

... Catch-up quickly on what's going on in all the city departments

Parking Control Officer:
Planning: The Planning Department has recently revised the Developers Handbook for the city of Manchester.

Police: On January 3rd the MPD moved onto the campus of the Manchester Municipal Complex.

Public Works/Parks Facilities, EDD:
 The Parks & Recreation Division in conjunction with the Central High School Key Club opened up the warming hut at Livingston Park during the holiday break.

Solicitor: Andrea Lamy has joined the City Solicitor's Office as the Domestic Violence Prosecutor.

Senior Services: Friends of the Cashin Senior Center can now accept donations through PayPal to help the Senior Activity Center provide better community service to the senior population.

Water Works: After nearly 43 years with the city Tommie Bowen is retiring as the Executive Director of the MAW. David Paris will take over as Executive Director on February 1st.

Welfare: The Bob Powers Food Pantry accepts donations at various locations throughout the city. Non-perishable items only.

DEPARTMENT SPOTLIGHT: Q & A WITH WES ANDERSON OF FLEET MAINTENANCE

Q: What is Fleet Maintenance? Fleet Maintenance is responsible for the maintenance, care, safety and service of the city fleet. The various city departments are the "customers" of fleet maintenance.

Q: Where are you located? Fleet Maintenance is located at the new Municipal Complex on 480 Hayward Street. The building is located behind the Department of Public Works.

Q: What are your hours? The facility is open from 6:00am-11:30pm, Monday-Friday. The department

ment value is over \$39,300,000.

Q: Can you describe one of the new services at the Fleet Maintenance Center? The vehicle wash bay is a new feature. The wash bay has three tools that can help keep City vehicles clean. The first system is a high volume fire hose which is good for washing material that is not stuck out of the bed of a truck. The second system is a hot water/high pressure washer. This system is best for getting caked mud off of a vehicle. The last is the automated vehicle wash system. This system is like a car wash at a gas station. You activate the system

and then follow the lights that will guide you through the car wash. The process takes about 90 seconds to complete. This system is also "green" as it collects water from the wash process, filters it and uses it in the final rinse. The system recovers about 55% of the wash water to use in the rinse process. Operators must remove caked mud with the pressure washer to ensure the mud does not impact the recovery process.

Contact Information for Fleet Maintenance:
 Phone: 624-6474



CITY OF MANCHESTER



(SEE MESSAGE FROM THE MAYOR)

VOLUME 1, ISSUE 1 | TUESDAY, JANUARY 24, 2013

MUNICIPAL COMPLEX IS OPEN FOR BUSINESS

on page 4.

In the next few weeks the vehicle storage facility will be completed at the Manchester Municipal Complex and the campus will reach a fully operational status.

The new campus replaces the old Highway building on Valley Street. It is the new home to the Department of Public Works, the Fleet Maintenance Department and the Manchester Police Department.

The Fleet Maintenance Department was the first department to call the complex home. In late May early June the facility opened it's doors and began servicing and maintaining city vehicles. For more information about this newly formed department check out the Q&A section

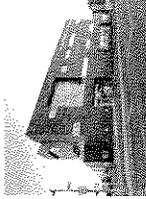
In late June the Department of Public Works moved onto the campus. The new Public Works building is home to the Highway Division, the Parks and Recreation Division and the Facilities Division. Previously all of these divisions were housed in various locations across the city. Having everyone in one building has created increased efficiency and better communication amongst the various divisions.

Just this month the Manchester Police Department made the move to the municipal complex campus and into the Michael L. Briggs Public Safety Building. The new station includes all the amenities needed for a

modern police force including expanded locker rooms, a ten-line gun range and private work stations.

In total there are approximately 490 city employees that call the complex home. In the early spring the city will host a formal ribbon cutting and community celebration. We will be sure to announce the details here so employees have the opportunity to participate.

Take a look inside for a few pictures!



A MESSAGE FROM THE MAYOR

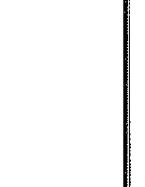
DEPARTS IN A NAME?

Hello Everyone,

I am excited to reveal the inaugural issue of the city newsletter!

In the middle of every month my office will bring you this new publication. We will provide it electronically and thanks to a partnership with Member's First

This brings me to my next topic of discussion, what should we call this newsletter? While my office staff has battled around a couple names nothing has jumped off the page. So we decided that it should be you, the city employees, that name this (continued on page 3)



INSIDE THIS ISSUE:

- **FH: City Holiday Schedule**
- **Wellness Committee Update**
- **Community Partners: Coffee for a Cause**
- **Around the City in a Sentence**
- **Department Spotlight: Fleet Maintenance**

HAPPY ANNIVERSARY!

- Congratulations to these city employees that have reached a milestone, with the City of Manchester in the month of January:
- **5 years:** Mark Breanz Airport
- **Andreea Jordan Health Department**
- **15 years:** Andrew Vincent Police - Traffic Control
- **45 years:** Walter Mizan Parks, Recreation & Cemetery

FYI: USEFUL TIPS AND INFORMATION

City Holiday Schedule: For your scheduling convenience and planning ahead, the following is a list of holidays for the calendar year 2013:

- Tues. Dec. 25 ~ Christmas Day
- * Civil Rights Day, will be celebrated as a floating holiday when deferred as such in CRA * Only MAPS CRA process.
- Maintenance tip of the month from Fleet Maintenance:** Washing your vehicles in the winter is maintenance just like checking your oil. Wash your vehicle once every two weeks to remove the salt which will minimize the corrosion. This frequency will wash off any salt put down to spot treat bridges and sections of streets when they become slippery. Additionally you should wash your vehicle once the pavement dries after every major storm to
- Mon. Feb. 18 ~ President's Day
- Mon. Apr. 22 ** ~ Fast Day
- Mon. May 27 ~ Memorial Day
- Thurs. July 4 ~ Independence Day
- Mon. Sept. 2 ~ Labor Day
- Mon. Oct. 14 ~ Columbus Day
- Tues. Nov. 5 ~ Election Day
- Mon. Nov. 11 ~ Veterans Day
- Tues. Nov. 28 ~ Thanksgiving Day Holiday

remove the road salt that was placed during the snow removal process.

Do you have a library card yet? As a city employee you are eligible for a free library card at your Manchester libraries. The library can:

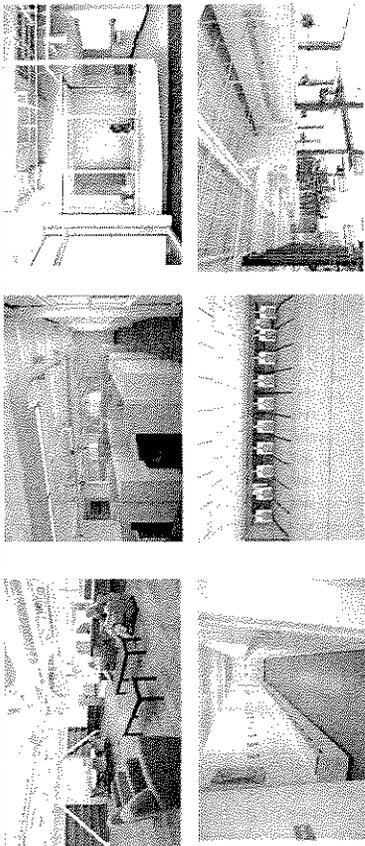
- offer you assistance with your e-reader and has free e-books you can borrow from home
- offer research information via our website right from home (great for all those with children and last minute projects);
- provide discounted museum passes to museums in New Hampshire and Massachusetts;

• go to place for tax forms if you want an early jump on your refund;

- host book discussions in the evening and at lunchtime;
- host children's programs and story times

• host historical lectures such as "The Ledger" with Ed Brandler that will share information about the quarry that was once at Derryfield Park.

Winterfest 2013: OTS is preparing for Winterfest 2013 which offers low and no-cost activities for city youth during winter break. For more details contact Dorothy Krasser at 624.6470.



Top photos: (from R to L) DPW, 2nd Floor Village Area; DPW Work Station; DPW reception Area; Bottom Photos: (from R to L) MPD Locker Room; MPD Range; Fleet Maintenance Facility



Wellness Tip Of the Month:

Exercising 1/2 hour each day will reduce your risk of type 2 diabetes and heart disease

2013 GRADUATION DATES
SAT, JUNE 15, 2013
 9:00AM: WEST HIGH SCHOOL
 1:00PM: MEMORIAL HIGH SCHOOL
 5:00PM: CENTRAL HIGH SCHOOL

WELLNESS COMMITTEE

The Wellness Committee is comprised of 14 representatives from City Departments. The group Mission Statement is to "Promote Health & Wellness of City employees through departmental collaboration." The group encourages personal health & well being through educational opportunities, wellness activities and self improvement guidelines.

The Committee's current goal is to provide monthly preventive care tips to reduce the development of chronic diseases like diabetes and heart disease (see sidebar). The Committee also works to promote the COMPASS Smart Shopper program. COMPASS is a free, voluntary service offered to city employees that provides cost information for area healthcare facilities. By using a more cost-effective

facility the city can avoid higher claims and you will receive a monetary incentive. To learn more visit: compassmartshopper.com

For more information about the committee visit the Wellness tab on the Manchester Human Resources website or contact the group at WellnessCommittee@manchesternh.gov.

COMMUNITY PARTNER: COFFEE FOR A CAUSE

A special thanks to Gus Scriveros of NPG Management who owns several of the Dunkin' Donuts Franchises across the city. Recently Mr. Scriveros through his corporation donated \$10,000 each to the Manchester School District to be used towards building the Virtual Learning Academy Labs (VLAC) at Central and Memorial.

WELLNESS COMMITTEE FEBRUARY ACTIVITY:

The committee is hosting a FREE Eastern Mountain Sports Snowshoe Demonstration on Sunday, February 10th @ The Derryfield Country Club (625 Mammoth Road) from 10:00am to 2:00pm. City Employees that attend will be entered into a raffle for a \$50 EMS gift card. Free Hot Cocoa available.

Auto • Home Loans • Checking

MembersFirst CREDIT UNION

Manchester 603.622.5777
 1000 North Main Street, 2nd Floor
 www.membersfirstnh.org
 800.234.6333
 486 Central Street
 Call 24 Access Line - (603) 647.2499

Thank You!
 A very big THANKS to MembersFirst Credit Union for underwriting the printing cost of this newsletter! Look for information every month from MembersFirst!

CONT: MESSAGE FROM THE MAYOR (CONTINUED FROM PAGE 1)

newletter. If you want to see something featured in this newsletter or have an idea for a story let us know. Give us a call at 624-6500 or e-mail us at mayor@manchesternh.gov. Here in the Mayor's Office we are anxiously awaiting the creativity of city staff. Warm Regards, *Paul Giguere* P.S. This newsletter can also be found on-line at cityview.nh.gov thank everyone for all you do

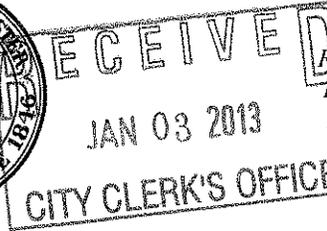
EMPLOYEE EVENTS COMMITTEE UPDATE:
SAT, FEB. 2:
 4:10PM-5:30PM
JFK COLISEUM (THIS EVENT IS FREE, \$5 RENTALS AVAILABLE.)
HOT COCOA AND COFFEE PROVIDED.

IF YOU HAVE AN IDEA FOR THE NEWSLETTER PLEASE SUBMIT TO:
MAYOR@MANCHESTER.NH.GOV

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Harold Sullivan
Rick Rothwell
Bill Skouteris
Philip Hebert

CITY OF MANCHESTER
Highway Department
Environmental Protection Division

Memo

Date: 12/20/12 12-109
To: CIP Committee
Cc: Lisa Hynes – EPD
June George – EPD
From: Frederick McNeill *FJM*
RE: EPD Abatement Requests

The attached table summarizes the abatements reviewed by the Highway Commission at their last monthly meeting on 12/10/12.

Backup documentation for these sewer abatement requests is on file with the City Clerks office. The electronic version of these requests will be forwarded to you as well as the City Clerks office.

Please let me know if you need any additional information.

City of Manchester
Environmental Protection Division
Summary of Abatement Requests
October 25, 2012 to Highway Commission
December 30, 2012 to City Clerk

Number	EPD Acct#	Customer	Property Address	Abatement Request Rec'd	Request Reason	EPD Recommendation	Highway Commission Recommendation
1	148777-18380	Jolicoeur	568 Rimmon St	08/15/12	broken toilet	abate	Abate
2	121247-29990	Vermilyea	1334 Hannover St	10/23/12	tenant issues	deny	Deny
Total Abatements						\$ 635.01	

City of Manchester
Environmental Protection Division
Summary of Abatement Requests
November 30, 2012 to Highway Commission
December 30, 2012 to City Clerk

Number	EPD Acct#	Customer	Property Address	Abatement Request Rec'd	Request Reason	EPD Recommendation	Highway Commission Recommendation
1	134935-11424	King	40 Sullivan St	07/19/12	broken hot water heater	Abate	Abate
2	147119-12762	Lally	456 North Adams St	10/24/12	Deduct not connected	Abate	Abate
3	155747-208972	Remillard	245 Lindstrom Lane	11/01/12	o/s usage - no deduct	Abate	Abate
4	155843-62284	Eddy	246 Blevens Dr	11/02/12	o/s usage - no deduct	Abate	Abate
5	149487-12924	Sweeney	1364 Chestnut St	11/07/12	o/s usage - no deduct	Abate	Abate
6	155651-34192	Janiz	437 Elgin Ave	11/15/12	o/s usage - no deduct	Abate	Abate
7	150247-54698	Gilbert	37 Thistle Way	11/19/12	water leak	Abate	Abate
Total Abatements						\$ 2,836.86	

**CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation**

Date Received: 8/16/2012

Customer Name: Jolicoeur

Account #: 148777-18380

Property Address: 568 Rimmon St

Reason for Request: running toilet

Service Dates: 1/26/12 - 8/13/12

Bill Date: 6/26/12 & 9/25/12

Consumption: 294 ccf

% Increase from Average: 266%

Average Consumption: 111 ccf

Based on: 3 year average
only 3 years of history

Difference: 183 ccf

Other Comments: Plumbers repair bill attached

EPD Recommendation: Meets 250% requirement and
has appropriate back-up.
Recommend approval.
TJm.

Abatement Total: 183 ccf at \$ 3.47/ccf \$ 635.01

Highway Recommendation: Abate

Date: 12/10/12

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Harold Sullivan
Robert R. Rivard
Rick Rothwell
Bill Skouteris

CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Kevin Jolicœur

Address: PO Box 1253
(Street)

Derry NH 03038
(City) (State) (Zip)

Phone Number: 603-231-4801

Customer Account Number: 148777-18380

Address of Property for which Abatement is Requested:
568 Rimmer Street
(Street) (Unit)
Manchester NH 03102
(City) (State) (Zip)

Billing Period: Bill date 6.26.12 + 9/25/12

Amount of Abatement Request: \$200.00

Reason for Abatement Request: We had a broken toilet that we were not aware of.

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.
It was a broken toilet that ran water down the drain when not in use.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.
 Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

Kevin Jolicœur
(Signature)

8.15.12
(Date)

**CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation**

Date Received: 10/23/2012

Customer Name: Vermilyea Account #: 121247-29990

Property Address: 1334 Hanover St

Reason for Request: running toilet

Service Dates: 11/19/09 - 5/19/10 Bill Date: 4/21/10 & 7/20/10

Consumption: 328 ccf % Increase from Average: 315%

Average Consumption: 104 ccf Based on: 5 year average

Difference: 224 ccf

Other Comments: Outside of 90 day request window. Customer also looking to have interest and fees waived as bills were not paid and sent to Tax in October 2010

EPD Recommendation: Denied outside of required submission date.

AFM

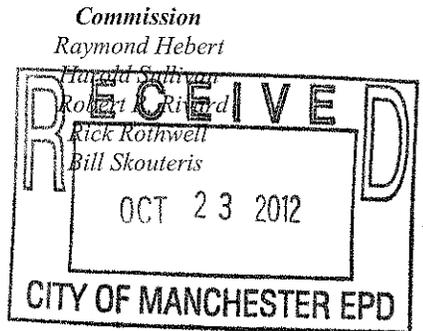
Abatement Total: — ccf at \$ 3.73/ccf \$ —

Highway Recommendation: Deny Date: 12/10/12

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Seth R. Vermilyea

Address: 17 Saw Hill Road
Hooksett, NH 03106
(Street) (City) (State) (Zip)

Phone Number: 603-247-8353

Customer Account Number: water 121241-29990 Sewer 121247-29990

Address of Property for which Abatement is Requested:
1334 Hanover St.
Manchester NH 03275
(Street) (City) (State) (Zip)

Billing Period: 11/2009 → 2/2010 (\$706.14) 2/2010 - 5/2010 (\$653.92) 5/2010 → 8/2010
(cu 171) (cu 157)

Amount of Abatement Request: Total Amount

Reason for Abatement Request: As Explained in enclosed letter.

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.
 Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

[Signature]
(Signature)

10-10-2012
(Date)

October 18, 2012

City of Manchester
Sewer Fee Abatement Request
300 Winston Street
Manchester, NH 03103

To Whom It May Concern:

Please accept this letter along with my Sewer Fee Abatement Request Form to provide details about the sewer bill for my apartment building at 1334 Hanover Street.

I had tenants during the period in question that caused me a multitude of problems during their rental period from 2009-2010. The tenants stopped paying the rent in 10/2009 and in 02/2010 I received a letter from the Water/Sewer Department that said the previous quarter sewer usage was higher than normal. I checked with the tenants to see if there were and leaks or issues with the water, I walked through the building and there was no knowledge or evidence of a problem or leak. I assumed there was a meter problem or that the usage was estimated and the issue would be corrected in the next quarterly bill.

At the same time, the tenant 's electric bill also ran high at \$289 for one month. The tenant destroyed the electric range, damaged the new carpet with cigarette burns and animal feces and backed his car into the outside stairs and concrete basement wall.

I started the process to evict the tenants using the legal system and then received another bill for the sewer which was even higher than the previous quarter. Again I asked all the tenants and found there was still no known problem but I was unable to ask the tenants in the large 3 bedroom apartment that I was evicting because I had already started the process and was not supposed to have contact or enter the apartment with the tenants.

As you can see, I have had numerous difficulties with the tenants. The evidence points to the facts that the tenants were trying to get back at me for evicting them and beside stopping paying the rent they were able to cause me financial problems by running the water unnecessarily and running up the bill.

The court awarded me \$6300 and cost me \$2004 in legal fees to evict the tenants that were renting during the 2009-2010 period; NO money has been received, the legal fees were paid. Although the court understood the problems, agreed with my case and awarded me the judgment against the tenants I am further punished and find a bill for the sewer that is far out of control and out of line with the normal usage of this apartment building that I have owned for about 10 years without previous incident.

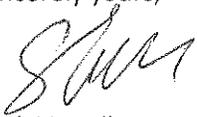
With the 12% interest rate on the bill I have accumulated and the fees involved, I ask that you abate the sewer bill and accept the \$450 I have saved up to pay the bill as it would have been charged at the

normal usage of 38 actual consumption. The recorded actual consumption took a jump to 51 and then to 171 and a final jump to 150 before going back to the normal usage of 38 .

This one building is the only investment building I own and I have tried to sell it off and on over the last 5-6 years. I am married and have two children want to spend more time with them and not have the responsibility of a multi-family and all the tenant issues. To top it all off, unfortunately I was recently laid off from my job where I have worked since graduating from college in 1999. It is being called a re-organization due to the economy. I now have more free time to write you this letter which is long overdue but sure wish I still had my job.

I appreciate your consideration on this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Seth Vermilyea', written in a cursive style.

Seth Vermilyea

17 Saw Hill Road

Hooksett, NH 03106

CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation

Date Received: 7/19/2012

Customer Name: King Account #: 134935-11424

Property Address: 40 Sullivan

Reason for Request: water heater leak

Service Dates: 01/25/12 - 5/7/12 Bill Date: 6/26/2012

Consumption: 226 ccf % Increase from Average: 484%

Average Consumption: 47 ccf Based on: 5yr average

Difference: 179 ccf

Other Comments: _____

EPD Recommendation: Recommend abatement approval due to 484% increase and EPD's investigation.
From 4/30/12

Abatement Total: 179 ccf at \$ 3.47/ccf \$ 621.13

Highway Recommendation: Abate Date: 12/10/12

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Harold Sullivan
Robert R. Rivard
Rick Rothwell
Bill Skouteris

CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Barbara King

Address: 15 Barton Rd

Hollis (City) NH (State) 03049 (Unit)

Phone Number: 603-880-3263 (City) 603-438-9619 cell (Zip)

Customer Account Number: 134935-11424

Address of Property for which Abatement is Requested:
40 Sullivan St

Manchester (City) NH (State) (Unit)

Billing Period: 01/25/12 - 05/07/12

Amount of Abatement Request: \$700-750 reduction in bill

Reason for Abatement Request: Water heater broke resulting in excessive water in basement and high water usage bill and then abnormally high sewer bill.

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

Hot water heater broken, water in basement Basement is sand/dirt and water was absorbed and not sent through sewer.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place. N/A
 Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

Bme
(Signature)

7/19/2012
(Date)

**CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation**

Date Received: 10/24/2012

Customer Name: Lally Account #: 147119-12762

Property Address: 456 North Adams

Reason for Request: deduct meter purchased but not installed

Service Dates: 2008 - 2012 Bill Date: various

Consumption: 756 ccf % Increase from Average: 514%

Average Consumption: 147 ccf Based on: 4 years off season usage

Difference: 609 ccf

Deduct was purchased 6/30/08 and customer given paperwork with instructions to call both EPD & MWW for inspections before credits would begin. In 2009 the customers average off-season bill went from \$110 to \$470 for summer usage, 2010 from \$172 to \$757, 2011 from \$234 to \$887, and 2012 from \$177 to \$960. Deduct has since been connected and

Other Comments: activated. 2012-Summer Consumption 256 ccf off-season consumption 39 ccf

EPD Recommendation: Recommend abatement for 2012 only. because it meets % increase criteria. However, we can not be retro-active. [Signature] 11/30/12

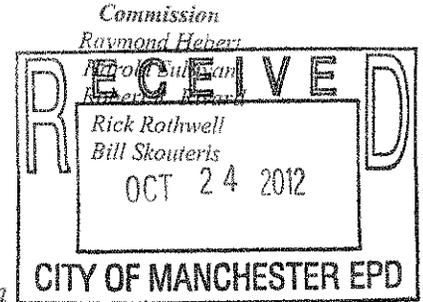
Abatement Total: 217 ccf at \$ 3.47 /ccf \$ 752.99

Highway Recommendation: Abate Date: 12/10/12

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Peter Lally

Address: 456 NORTH ADAMS ST.

MANCHESTER (Street) NH (Unit) 03104 (City) (State) (Zip)

Phone Number: 603 668 7932

Customer Account Number: 147119-12762

Address of Property for which Abatement is Requested: 456 NORTH ADAMS ST.

MANCHESTER (Street) NH (Unit) 03104 (City) (State) (Zip)

Billing Period: NOV 2008 through Oct. 2012

Amount of Abatement Request: APPROXIMATELY \$2400.00

Reason for Abatement Request: SEE ATTACHED

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.

Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

Peter Lally
(Signature)

10-22-12
(Date)

October 22, 2012

I am requesting an abatement for the property at 456 North Adams Street in the city of Manchester in the state of New Hampshire for the period of November 2008 through October 2012.

I realize that this is an extraordinary length of time, however, the circumstances are as follows:

We built a new home and moved into it in November of 2008. The property had an irrigation system installed and it also had a deduct meter installed as well. However, the plumber never hooked up the meter. The plumber never left any of the paperwork as well. As we had just built the home, we assumed that everything was taken care of.

When we received our sewer service bill last week, we were astounded to see that the bill was in the amount of \$645.78. The water bill was in the amount of \$276.17.

Today, October 22, 2012, the inspector checked the system and he determined that all of the water went in to the system and not in to the house, all 716 units. Therefore we are requesting a rebate.

Oct 2011	517.39
Oct 2010	537.51
Oct 2009	240.12

CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation

Date Received: 11/1/2012

Customer Name: Remillard Account #: 155747-208972

Property Address: 245 Lindstrom

Reason for Request: outside water usage - no deduct

Service Dates: 5/29/12 - 8/27/12 Bill Date: 10/10/2012

Consumption: 175 ccf % Increase from Average: 2917%

Average Consumption: 6 ccf Based on: 3 qtr average

Difference: 169 ccf

Other Comments: Customer is new property owner, first summer season.

EPD Recommendation: Recommend abatement approval and recommend customer purchases deduct.

J. J. Remillard 11/30/12

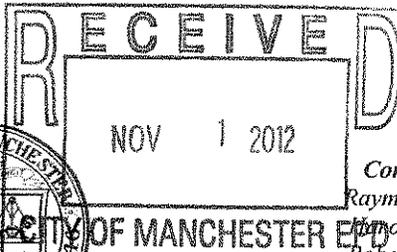
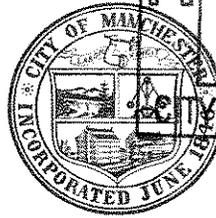
Abatement Total: 169 ccf at \$ 3.47/ccf \$ 586.43

Highway Recommendation: Abate Date: 12/10/12

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Arnold Sullivan
Robert R. Rivard
Rick Rothwell
Bill Skouteris

CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Richard Remillard

Address: 245 Lindstrom Lane

Manchester (Street) NH (Unit)
(City) (State) 03104 (Zip)

Phone Number: 603.668.7679 cell 603.540.2579

Customer Account Number: 155747-208972

Address of Property for which Abatement is Requested:
245 Lindstrom Lane

Manchester (Street) NH (Unit)
(City) (State) 03104 (Zip)

Billing Period: 10-10-12 Service 5/29/12 to 8/27/12

Amount of Abatement Request: 586.43

Reason for Abatement Request: We purchased the new home at the end of February. Only 2 people, my wife and I live in the. A conflict with the builder over the condition of the landscape resulted in our watering the lawn 2x per day showing that we were doing our part to improve the lawn.

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

(over)
Please

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.
 Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

Richard Remillard
(Signature)

10-31-12
(Date)

CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation

Date Received: 11/2/2012

Customer Name: Eddy Account #: 155843-62284

Property Address: 246 Blevens

Reason for Request: outside water usage - no deduct

Service Dates: 6/8/12 - 9/4/12 Bill Date: 10/16/2012

Consumption: 65 ccf % Increase from Average: 424%

Average Consumption: 15 ccf Based on: 3 qtr average

Difference: 50 ccf

Other Comments: Customer is new property owner, first summer season.

EPD Recommendation: Recommend abatement approval because of 424% increase and recommend to customer a deduct meter. FJM 11/30/12

Abatement Total: 50 ccf at \$ 3.47/ccf \$ 173.50

Highway Recommendation: Abate Date: 12/10/12

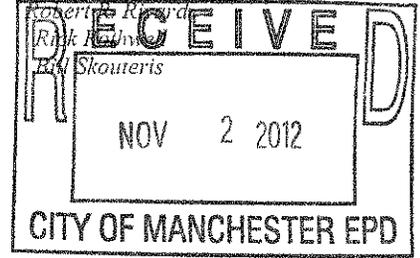
Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Harold Sullivan



CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Joanna Eddy

Address: 246 Blevens Dr
(Street) (Unit)

Manchester, NH 03104
(City) (State) (Zip)

Phone Number: 603-440-3236

Customer Account Number: 155843-62284

Address of Property for which Abatement is Requested:
246 Blevens
(Street) (Unit)

Manchester NH 03104
(City) (State) (Zip)

Billing Period: 6/8/12 - 9/4/12

Amount of Abatement Request: 170.03

Reason for Abatement Request: I purchased this house last Sep. with an irrigation system installed & a previous pool on the property, so I had assumed a deduct meter would have already been installed, but after I received this last bill, it is apparent that there is no deduct meter. I filled a small pool (1,000 gallons) and ran my irrigation system during this period. I promise to install a deduct meter this coming spring. If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

Pay 76.70 which was the amt of my prior bill and equivalent to my usual household usage.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.
 Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

Joanna Eddy
(Signature)

10/31/12
(Date)

CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation

Date Received: 11/7/2012

Customer Name: Sweeney Account #: 149487-12924

Property Address: 1364 Chestnut

Reason for Request: outside water usage - no deduct

Service Dates: 6/11/12 - 9/5/12 Bill Date: 10/17/2012

Consumption: 155 ccf % Increase from Average: 574%

Average Consumption: 27 ccf Based on: 3yr average

Difference: 128 ccf

Other Comments: _____

EPD Recommendation: Recommend abatement approval because of 574% increase and recommend to customer a deduct meter. Jm 11/30/12

Abatement Total: 128 ccf at \$ 3.47/ccf \$ 444.16

Highway Recommendation: Abate Date: 12/10/12

Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



CITY OF MANCHESTER

Sewer Fee Abatement Request Form

Name: Linda Manning-Sweeney & Richard Sweeney

Address: 1364 Chestnut St

Manchester (City) NH (State) 03104 (Unit)
03104 (Zip)

Phone Number: 603-302-7113

Customer Account Number: 149487-12924

Address of Property for which Abatement is Requested:

1364 Chestnut St

Manchester (City) NH (State) 03104 (Unit)
03104 (Zip)

Billing Period: 6/11/12 - 9/5/12

Amount of Abatement Request: \$450.00

Reason for Abatement Request: Installed Sprinkler System. Contractor Said Pay back on second meter would be 8-10 years. First year charge exceeds install amount. Will install meter next spring

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

My previous bill was \$52.41. This bill was \$559.03! Inspector came to house and was informed a sprinkler system was installed. Given the price of heating oil this season this amount compounds expenses that I need to pay.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.

Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

[Signature]
(Signature)

11/6/12
(Date)

**CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation**

Date Received: 11/15/2012

Customer Name: Jariz Account #: 155651-34192

Property Address: 437 Elgin

Reason for Request: outside water usage - no deduct

Service Dates: 6/4/12 - 8/30/12 Bill Date: 10/17/2012

Consumption: 75 ccf % Increase from Average: 536%

Average Consumption: 14 ccf Based on: 3 qtr average

Difference: 61 ccf

Other Comments: Customer is new property owner, first summer season.

EPD Recommendation: Recommend abatement approval because of 536% increase and recommend to customer a deduct meter.
JFM 11/30/12

Abatement Total: 61 ccf at \$ 3.47/ccf \$ 211.67

Highway Recommendation: Abate Date: 12/10/12

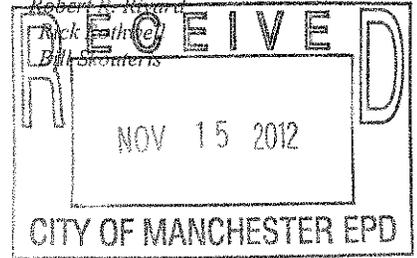
Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Harold Sullivan
Robert F. Rivara
Nick Fathallah
Bill Scouthern



CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: Edward Jaric

Address: 437 ELGIN AVE
(Street) MANCHESTER NH 03104
(City) (State) (Zip)

Phone Number: 207-240-7834

Customer Account Number: 155651-34192

Address of Property for which Abatement is Requested:
437 ELGIN AVE
(Street) MANCHESTER NH 03104
(City) (State) (Zip)

Billing Period: 6-4-12 TO 8-30-12

Amount of Abatement Request: \$100 -

Reason for Abatement Request: I didnt realize that manchester had a deduction meter program, as this is my 1st summer in this home. In my old town, we would just submit a letter stating how much water was used on the lawn + didn't enter the sewer. A credit TO OFF set this large (unexpected) bill would be most appreciated
If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.

Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

[Signature]
(Signature)

11-13-12
(Date)

**CITY OF MANCHESTER
HIGHWAY DEPARTMENT
ENVIRONMENTAL PROTECTION DIVISION
Sewer Abatement Investigation and Recommendation**

Date Received: 11/19/2012

Customer Name: Gilbert

Account #: 150247-54698

Property Address: 37 Thistle Way

Reason for Request: water leak

Service Dates: 6/27/12 - 9/28/12

Bill Date: 11/7/2012

Consumption: 34 ccf

% Increase from Average: 486%

Average Consumption: 7 ccf

Based on: 2yr average

Difference: 27 ccf

Other Comments: _____

EPD Recommendation: Recommend abatement approval based on 486% increase.

FJM 11/30/12

Abatement Total: 27 ccf at \$ ^{1.74}~~3.47~~/ccf \$ 46.98
elderly rate

Highway Recommendation: Abate

Date: 12/10/12

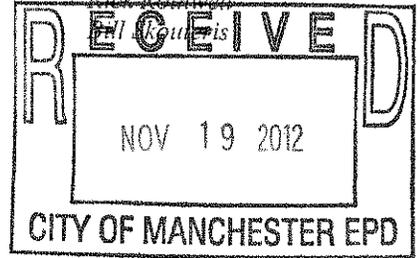
Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director

Frederick J. McNeill, P.E.
Chief Engineer



Commission
Raymond Hebert
Harold Sullivan
Robert R. Rivard
Rick Rothwell
Phil Aguirre



CITY OF MANCHESTER Sewer Fee Abatement Request Form

Name: ALFRED GILBERT

Address: 37 THISTLE WAY
(Street)
MANCHESTER New Hampshire 03109
(City) (State) (Zip)

Phone Number: 603-867-7218

Customer Account Number: ~~150247-54698~~ | 150247-54698

Address of Property for which Abatement is Requested:
37 THISTLE WAY
(Street)
MANCHESTER NH 03109
(City) (State) (Zip)

Billing Period: 6-27-2012 - 9-28-2012

Amount of Abatement Request: \$35.00

Reason for Abatement Request: WATER LEAK ACCUMULATED
UNDER MOBILE HOME IN THE UNDER BELLY
CAUSING MOULD DAMAGE AND DAMAGE UNDER FIXTURE

If abatement request is due to an "extraordinary event" such as a hot water tank failure or a water pipe bursting, please state where the water accumulated (basement, outside, bathroom, etc.) and ultimately where it discharged. If it was in a basement, please indicate if the floor is dirt or concrete.
WATER WAS ABSORBED BY THE SOIL
UNDER MOBILE HOME
SEE ATTACHED DAMAGE ESTIMATE

If abatement request is due to a leaking irrigation system, state if a sewer deduct meter is in place.
 Yes No

Verification that applicant does not have any outstanding debts to the City of Manchester, all work is in compliance with codes/ordinances, and all necessary City permits have been obtained and approved.

[Signature]
(Signature)

11/16/2012
(Date)

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from SNHPC for a prioritized list of projects for Manchester for possible inclusion in the FY 2015 - FY 2024 Ten-Year Plan be approved.

A prioritized list from the Public Works Director has also been included.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



SNHPC

Southern New Hampshire Planning Commission

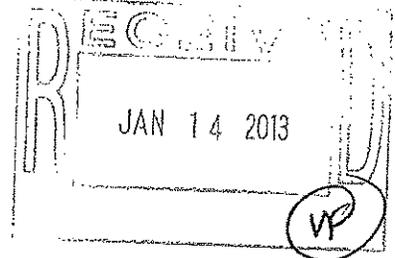
438 Dubuque Street, Manchester, NH 03102-3546, Telephone (603) 669-4664 Fax (603) 669-4350
www.snhpc.org

In Board of Mayor and Aldermen
Date: 01/15/13
On motion of Ald. O'Neil
Seconded by Ald. Roy
Voted to refer to the Committee on
Community Improvement.

January 11, 2013

Ted Gatsas, Mayor
City of Manchester
One City Hall Plaza
Manchester, NH 03101

City Clerk



RE: Update of the State of New Hampshire's Ten-Year Transportation Improvement Program FY 2015 – FY 2024

Dear Mayor Gatsas:

Pursuant to the New Hampshire Department of Transportation's (NHDOT) timetable for the update of the Ten-Year Transportation Improvement Plan (Ten-Year Plan), the Southern New Hampshire Planning Commission (SNHPC) is requesting projects from its member communities and agencies.

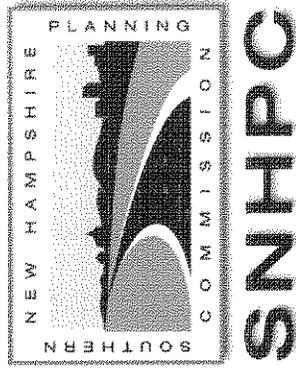
From the initial solicitation of projects to the final approval, the Ten-Year Plan takes approximately two years to complete. Once complete, the initial years of the Ten-Year Plan will form the fiscally constrained SNHPC MPO FY 2015 – FY 2018 TIP.

The current FY 2013 – FY 2022 Ten-Year Transportation Plan, signed into law by the Governor on June 11, 2012, provides a plan to improve the State's infrastructure while realistically reflecting the current limited availability of financial resources. Projects considered essential to the SNHPC region, such as improvements to I-293 Exits 6 and 7 and construction of I-93 Exit 4A, are currently not included in the Plan. Additionally, this financial situation has once again placed limits on the ability of NHDOT to consider adding new projects to the next version of the Plan. However, SNHPC will continue to emphasize the importance of the Ten Year Plan process as a means to 1) establish and document local priorities for transportation improvements; and 2) communicate this information to the State.

Please develop a prioritized list of projects for your community for possible inclusion in the FY 2015 – FY 2024 Ten-Year Plan. To formulate this list, please consider including: 1) new projects; 2) projects deleted from previous versions of the Ten-Year Plan; and 3) projects currently in the FY 2013 – FY 2022 Ten-Year Plan. There are sixteen projects in the City of Manchester currently in the Plan.

Additionally, we also ask that you include any additional projects representing more long-term priorities that are not being considered for inclusion in the Ten-Year Plan at

**FY 2015 - FY 2024 Ten-Year
Highway Plan**



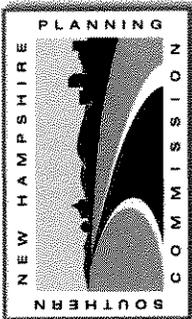
**Southern New Hampshire
Planning Commission**

Monday February 4, 2013

City of Manchester

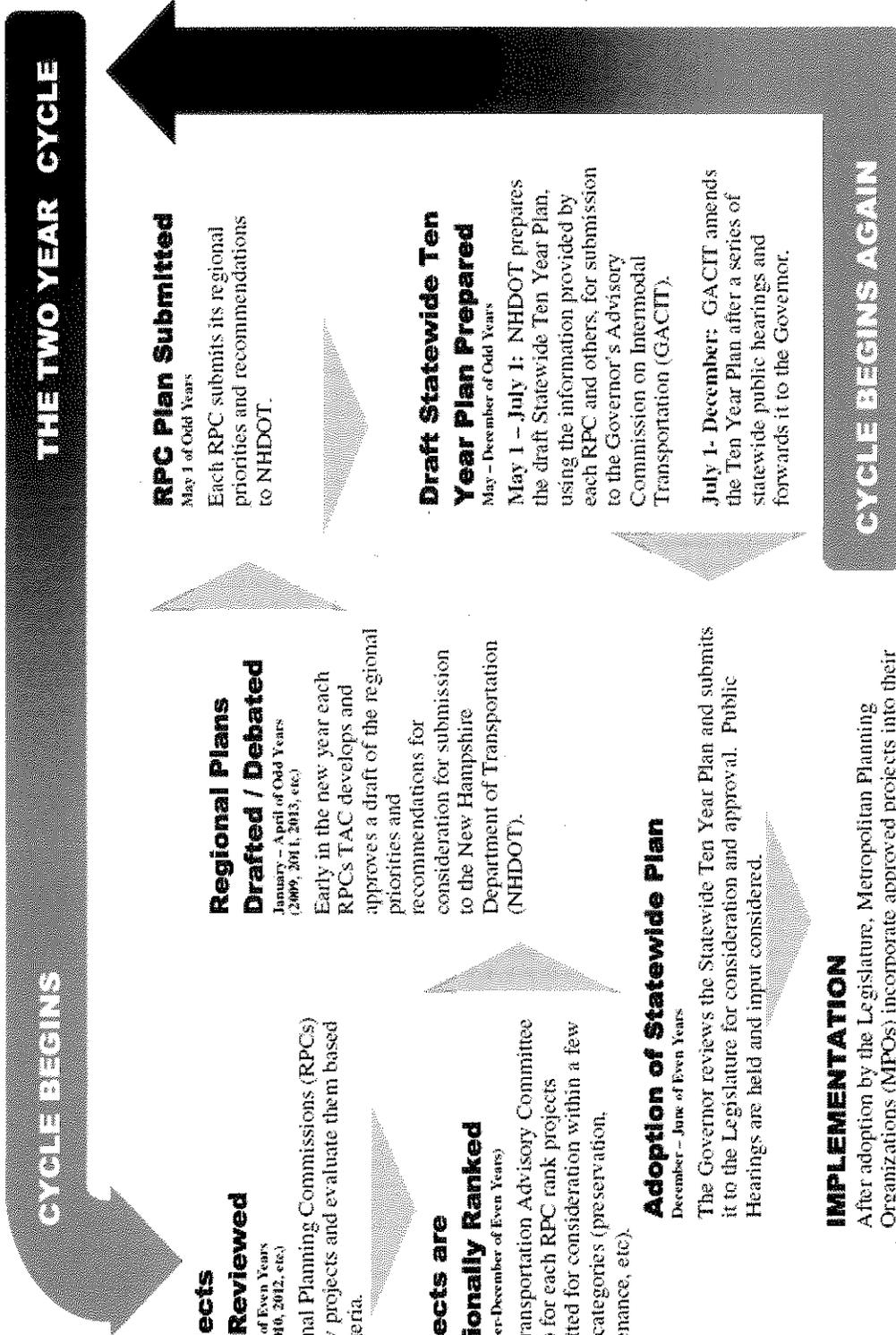
Committee on Community Improvement

*SNHPC Handout #1
Committee on Community Improvement
February 4, 2013*



SNHPC

FY 2015 – FY 2024 Ten Year Highway Plan



Projects are Reviewed
October of Even Years (2008, 2010, 2012, etc.)
Regional Planning Commissions (RPCs) review projects and evaluate them based on criteria.

Projects are Regionally Ranked
(November-December of Even Years)
The Transportation Advisory Committee (TAC) for each RPC rank projects submitted for consideration within a few broad categories (preservation, maintenance, etc).

Adoption of Statewide Plan
December - June of Even Years
The Governor reviews the Statewide Ten Year Plan and submits it to the Legislature for consideration and approval. Public Hearings are held and input considered.

IMPLEMENTATION
After adoption by the Legislature, Metropolitan Planning Organizations (MPOs) incorporate approved projects into their Transportation Improvement Program (TIP) and the STIP is updated.

RPC Plan Submitted
May 1 of Odd Years
Each RPC submits its regional priorities and recommendations to NHDOT.

Draft Statewide Ten Year Plan Prepared
May - December of Odd Years
May 1 - July 1: NHDOT prepares the draft Statewide Ten Year Plan, using the information provided by each RPC and others, for submission to the Governor's Advisory Commission on Intermodal Transportation (GACIT).
July 1- December: GACIT amends the Ten Year Plan after a series of statewide public hearings and forwards it to the Governor.

Regional Plans Drafted / Debated
January - April of Odd Years (2009, 2011, 2013, etc.)
Early in the new year each RPCs TAC develops and approves a draft of the regional priorities and recommendations for consideration for submission to the New Hampshire Department of Transportation (NHDOT).

Southern New Hampshire Planning Commission

Ten Year Transportation Improvement Plan 2015-2024

Current (FY 2013 – FY 2022) Ten Year Transportation Improvement Plan Projects in Manchester

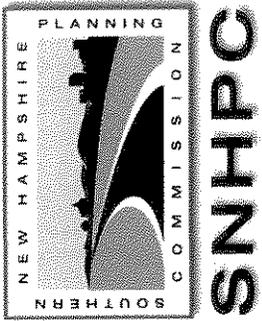
1. Manchester 16099 – F.E. Everett Turnpike – Exits 6 and 7 Reconstruction
2. Manchester 14048 – Central Turnpike – Rehabilitate Turnpike Bridge over Black Brook between Exits 6 & 7
3. Manchester 14966 – I-293/F.E. Everett Turnpike – Exit 4 Bridge Rehabilitation
4. Manchester 15401 – Goffs Falls Road – Bridge Rehabilitation over B&M Railroad
5. Manchester 15837 – US 3 (Elm Street) – Bridge Rehabilitation over B&M Railroad
6. Portsmouth-Manchester 20222 – Bus Service between Portsmouth and Manchester

SNHPC (FY 2013 – FY 2040) Regional Transportation Plan Projects in Manchester

1. Manchester 16099 – F. E. Everett Turnpike – Reconstruction Exits 6 & 7
2. I-293/F.E. Everett Turnpike – Reconstruction of Exit 4
3. Manchester 13512 – Multi-Modal Transportation Center
4. Nashua-Manchester-Concord 13514 – Capital Corridor Passenger Rail Service

State Red-List Bridges In Manchester

1. I-93 NB over RD, BMRR, Merrimack River



FY 2015 - FY 2024 Ten-Year
Highway Plan

Questions/Comments

Southern New Hampshire Planning Commission

**Manchester, NH
Ten Year Transportation Improvement Plan**

Current (FY2013-FY2022) Ten Year Transportation Improvement Plan Projects for Manchester:

1. Manchester 16099 – F.E. Everett Turnpike – Exits 6 and 7 Reconstructions (Contingent on Turnpike System toll increase)
2. Manchester 15401 – Goffs Falls Road – Bridge Rehabilitation over B & M Railroad
3. Manchester 15837 – US 3 (Elm Street) – Bridge Rehabilitation over B & M Railroad
4. Portsmouth-Manchester 20222 – Bus Service between Portsmouth and Manchester
5. Manchester 14048 – Central Turnpike – Rehabilitate Turnpike Bridge over Black Brook between Exits 6 and 7
6. Manchester 14966 – Interstate 293/F.E. Everett Turnpike – Exit 4 Bridge Rehabilitation

SNHPC (FY 2013 – FY 2040) Regional Transportation Plan Projects in Manchester

1. Manchester 16099 – F. E. Everett Turnpike – Reconstruction Exits 6 & 7
2. I-293/F.E. Everett Turnpike – Reconstruction of Exit 4
3. Manchester 13512 – Multi-Modal Transportation Center
4. Nashua-Manchester-Concord 13514 – Capital Corridor Passenger Rail Service

Potential Locations to be added to the next (FY2015-FY2024) Ten Year Transportation Plan Projects for Manchester:

1. *Intersection improvements at Interstate 293 at Wellington Road ramps*
2. *Intersection improvements at Interstate 293/Route 101 at South Willow Street ramps*
3. *South Manchester Rail Trail (Phase III) from Goffs Falls Road to Londonderry town line (approximately 2.1 miles)*

Manchester, NH
Ten Year Transportation Improvement Plan

Proposed (FY2015-FY2024) Ten Year Transportation Plan Projects:

1. * Manchester 16099 – F.E. Everett Turnpike – Exits 6 and 7 Reconstructions
2. * Manchester 15401 – Goffs Falls Road – Bridge Rehabilitation over B & M Railroad
3. * Manchester 15837 – US 3 (Elm Street) – Bridge Rehabilitation over B & M Railroad
4. * Portsmouth-Manchester 20222 – Bus Service between Portsmouth and Manchester
5. Intersections of Campbell Street with Hooksett Road and Hamel Drive
6. * Manchester 14048 – Central Turnpike – Rehabilitate Turnpike Bridge over Black Brook between Exits 6 and 7
7. * Manchester 14966 – Interstate 293/F.E. Everett Turnpike – Exit 4 Bridge Rehabilitation
8. Intersection improvements at Interstate 293 at Wellington Road ramps
9. Intersection improvements at Interstate 293/Route 101 at South Willow Street Ramps
10. South Manchester Rail Trail (Phase III) from Goffs Falls Road to Londonderry town line
11. I-293/F.E. Everett Turnpike – Reconstruction of Exit 4
12. Nashua-Manchester-Concord 13514 – Capital Corridor Passenger Rail Service
13. Manchester 13512 – Multi-Modal Transportation Center

* Denotes projects currently on the FY 2013 – FY2022 Ten Year Transportation Plan

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Fire Chief be permitted to accept grant funds for a Fire Station Alerting System with the 20% match to come from the Hackett Hill Fire Station Project.

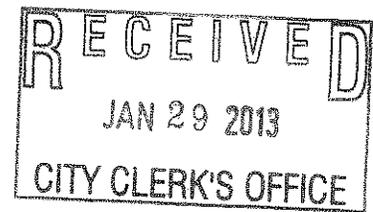
(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee

James A. Burkush
Chief of Department



City of Manchester
Fire Department

TO: Alderman James Roy
FROM: Chief James Burkush
DATE: January 30, 2013
RE: Fire Station Alerting System

The Manchester Fire Department is requesting CIP approval of AFG Grant funding of \$120,500 for the purchase of an IP-based station alerting system. This system would replace an obsolete 14-year old system, which has become unreliable and subject to unexpected malfunctions. Additionally, obtaining replacement parts for the existing system has become exceedingly difficult and expensive. The existing system consists of fifteen alerting units installed throughout the department's ten stations and associated hardware/software operating system. These units are tied into the department's computer aided dispatch and apparatus mobile data terminal system.

The department operates its computer aided dispatch system with an associated alerting system in order to notify suppression companies of pending emergency dispatches. Signal tones and overhead lights (fast-time lights) are tied into the system, to provide an audible and visual signal to firefighters. Interface buttons are provided on each alerting unit to provide a mechanism for company officers to indicate the status of their apparatus upon either response from or return to their station.

CIP BUDGET AUTHORIZATION

CIP#: Project Year: CIP Resolution:
 Title: Amending Resolution:
 Administering Department: Revision:

Project Description:

Federal Grants

Federal Grant:
 Grant Executed:

Environmental

Review Required:
 Completed:

Critical Events

1	Project Initiation	<input type="text" value="9/21/2012"/>
2	Project Completion	<input type="text" value="9/20/2013"/>
3		
4		
5		
		<input type="text" value="9/20/2013"/>

Line Item Budget

	FEDERAL	BOND		TOTAL
Salaries and Wages	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Fringes	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Design/Engineering	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Planning	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Consultant Fees	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Admin	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Land Acquisition	<input type="text" value="\$96,400.00"/>	<input type="text" value="\$24,100.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$120,500.00"/>
Equipment	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Overhead	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Contracts	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Other	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
TOTAL	<input type="text" value="\$96,400.00"/>	<input type="text" value="\$24,100.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$120,500.00"/>

Revisions

Comments:

Funds received from the United States Department of Homeland Security. Twenty Percent match (\$24,100) to be transferred from CIP #411913. Program initiation and completion dates determined by the grantor.

CIP BUDGET AUTHORIZATION

CIP#: Project Year: CIP Resolution:
 Title: Amending Resolution:
 Administering Department Revision:

Project Description:

Federal Grants Federal Grant: **Environmental** Review Required:
 Grant Executed: Completed:

Critical Events

1	Begin Construction	<input type="text" value="8/15/12"/>
2	Complete Construction	<input type="text" value="5/15/13"/>
3		
4		
5		
		<input type="text" value="5/15/2013"/>

Line Item Budget

	BOND			TOTAL
Salaries and Wages	<input type="text" value="\$15,000.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$15,000.00"/>
Fringes	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Design/Engineering	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Planning	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Consultant Fees	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Admin	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Land Acquisition	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Equipment	<input type="text" value="\$110,000.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$110,000.00"/>
Overhead	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Contracts	<input type="text" value="\$2,050,000.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$2,050,000.00"/>
Other	<input type="text" value="\$150,900.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$150,900.00"/>
TOTAL	<input type="text" value="\$2,325,900.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$2,325,900.00"/>

Revisions

Comments:

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, by transferring, authorizing and appropriating funds in the amount One Hundred Twenty Thousand Five Hundred Dollars (\$120,500) for the FY 2013 CIP 412613 Fire Station Alerting System.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2013 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funding from the United States Department of Homeland Security to purchase equipment required for the installation of a Fire Station Alerting System; and

WHEREAS, the Board of Mayor and Aldermen wishes to transfer the previously approved funding amount from Hackett Hill Fire Station;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By decreasing and transferring:

FY 2013 CIP 411913 – Hackett Hill Fire Station - \$24,100 Bond
(from \$2,350,000 Bond to \$2,325,900 Bond)

By adding:

FY 2013 CIP 412613 Fire Station Alerting System - \$121,500 Federal/Bond
(\$24,100 Bond, \$96,400 Federal)

Resolved, that this Resolution shall take effect upon its passage.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request for acceptance and reallocation of funds in the amount of \$381,851 for CIP project #612210 - Neighborhood Stabilization Program I be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

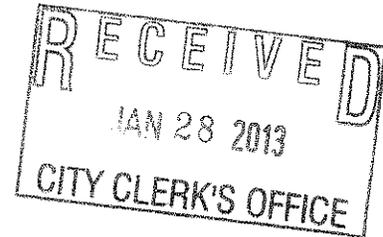
MEMORANDUM

To: Alderman Jim Roy,
Chairman, CIP Committee

From: Leon L. LaFreniere, AICP
Director, Planning and Community Development

Date: February 4, 2013

Re: CIP #612210 – Neighborhood Stabilization Program 1



New Funding

The City has received an additional \$381,851 from the NH Community Development Finance Authority to be used for Neighborhood Stabilization Program activities. This additional allotment is available immediately. Staff recommends offsetting the amount of Bond funding required for the Odd Fellows project by applying this additional funding to it.

Respectfully, I request that the Committee recommend accepting and reallocating these funds and sending approval of the CIP Budget Authorization and Resolution to the full Board.

CIP BUDGET AUTHORIZATION

CIP #: Project Year: CIP Resolution:
 Title: Amending Resolution:
 Administering Department: Revision:

Project Description:

Federal Grants Federal Grant: **Environmental** Review Required:
 Grant Executed: Completed:

Critical Events

1	Program Initiation	<input type="text" value="7/7/09"/>
2	Program Completion	<input type="text" value="3/31/13"/>
3		
4		
5		

Expected Completion Date:

Line Item Budget

	FEDERAL			TOTAL
Salaries and Wages	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Fringes	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Design/Engineering	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Planning	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Consultant Fees	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Admin	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Land Acquisition	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Equipment	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Overhead	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Contracts	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Other	<input type="text" value="\$8,816,851.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$8,816,851.00"/>
TOTAL	<input type="text" value="\$8,816,851.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$8,816,851.00"/>

Revisions #1-Increases budget by \$380,000
 #2- Project Completion Date was extended to March 9, 2013 to allow for complete disbursement of escrowed NSP funds set aside for Relocation activity.
 #3-Increases budget by \$315,000. / #4-Increases budget by \$381,851 Federal and extends project completion date.

COMMENTS

Planning Department/Startup Form - 07/01/09 Total Funded:

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty One Thousand Eight Hundred Fifty One Dollars (\$381,851) for the FY 2010 CIP 612210 Neighborhood Stabilization Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, the 2010 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept additional federal funds from the Community Development Finance Authority for the successful completion of the Odd Fellows Hall Improvements project;

NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

By increasing:

FY 2010 CIP 612210 Neighborhood Stabilization Project - \$381,851 Federal

Resolved, that this Resolution shall take effect upon its passage.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request for acceptance and reallocation of funds in the amount of \$12,500 for CIP project #810413 - Odd Fellows Improvements Project be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

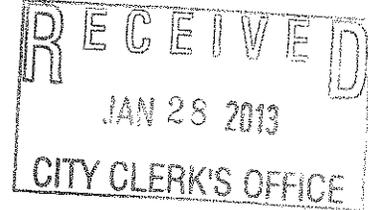
Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

MEMORANDUM



To: Alderman Jim Roy,
Chairman, CIP Committee

From: Leon L. LaFreniere, AICP 
Director, Planning and Community Development

Date: February 4, 2013

Re: CIP #810413 – Odd Fellows Improvements Project

New Funding

The Hillsborough County received funding through the Community Development Block Grant program to benefit the Manchester Community Resource Center in the Odd Fellows Building. The grant supplied an additional \$12,500 for Administration costs associated with its management. Staff recommends offsetting the amount of Bond funding required for the Odd Fellows project with this additional funding received.

Respectfully, I request that the Committee recommend accepting and reallocating these funds and sending approval of the CIP Budget Authorization and Resolution to the full Board.

CIP BUDGET AUTHORIZATION

CIP#: 810413 Project Year: 2013 CIP Resolution: 6/12/2012
 Title: Odd Fellows Improvements Project Amending Resolution: 2/19/2013
 Administering Department: Planning and Community Development Revision: #3

Project Description: To assist in the development of the Odd Fellows Hall.

Federal Grants Federal Grant: No **Environmental** Review Required: Yes
 Grant Executed: N/A Completed: Yes

Critical Events

1	Program Initiation	9/18/2012
2	Program Completion	6/30/2013
3		
4		
5		
		6/30/2013

Line Item Budget

	CDBG	BOND	CASH	TOTAL
Salaries and Wages	\$0.00	\$0.00	\$0.00	\$0.00
Fringes	\$0.00	\$0.00	\$0.00	\$0.00
Design/Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00
Consultant Fees	\$0.00	\$0.00	\$0.00	\$0.00
Construction Admin	\$0.00	\$0.00	\$0.00	\$0.00
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Overhead	\$0.00	\$0.00	\$0.00	\$0.00
Construction Contracts	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$599,500.00	\$987,500.00	\$435,000.00	\$2,022,000.00
TOTAL	\$599,500.00	\$987,500.00	\$435,000.00	\$2,022,000.00

Revisions

- #1-Adds \$1,000,000 Bond from CIP 711807 & Adds \$100,000 CDBG from re-programming of FY13 projects.
- #2-Adds \$237,000 CDBG through Hillsborough County for MCRC; \$400,000 Anticipated Sale of 177 Lake Avenue & \$35,000 Cash Citizens Bank Award.
- #3- Adds \$12,500 Hills. Cty CDBG to reduce Bond by \$12,500 & increases the amount earmarked in CIP 612210 NSP

Comments:

Original CDBG funds (\$250,000) were received as Program Income from loan payoff. Funds received in the amounts of: \$1,000,000 Bond from CIP Project 711807 & \$100,000 CDBG from re-programming FY13 projects. Funds received in the amounts of: \$237,000 CDBG dedicated to Manchester Community Resource Center (MCRC) through Hillsborough County; \$35,000 Cash from Citizen Bank Award; \$400,000 Cash from anticipated sale of 177 Lake Ave.; & \$490,845.68 earmarked in CIP 612210 Neighborhood Stabilization Program I (NSP I).

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Twelve Thousand Five Hundred Dollars (\$12,500) for the FY 2013 CIP 810413 Odd Fellows Hall Improvements Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2012 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept and re-allocate additional money received for administrative costs of managing the Hillsborough County CDBG grant to offset expenses at Odd Fellows Hall;

WHEREAS, the Board of Mayor and Aldermen wishes to reduce the amount of Bond funding allocated to the project due to the addition of CDBG funding;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By increasing:

FY 2013 CIP 810413 Odd Fellows Improvements Project - \$12,500 CDBG

By decreasing:

FY 2013 CIP 810413 Odd Fellows Improvements Project - \$12,500 Bond

Resolved, that this Resolution shall take effect upon its passage.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request for a transfer of funds and a name change to bring the CIP into alignment with the Substantial Amendment and HUD's focus on Rapid Rehousing be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



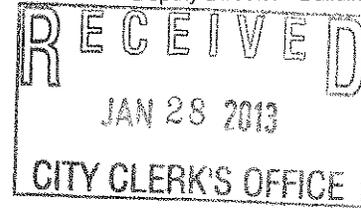
CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations



MEMORANDUM

To: Alderman Jim Roy,
Chairman, CIP Committee

From: Leon L. LaFreniere, AICP 
Director, Planning and Community Development

Date: February 4, 2013

Re: CIP # 611513 Rapid Rehousing-Housing Relocation and Stabilization
CIP # 611213 Homeless Prevention

Existing Funding

The U.S. Department of Housing and Urban Development (HUD) approved an Emergency Solutions Grant (ESG) award to the City for City FY 2013 in the amount of \$149,692. In addition to this award, HUD granted to the City \$47,126 in a second allocation, which was awarded approximately at the start of the City FY 2013. These ESG awards are subject to new requirements under the HEARTH Act.

In order to meet the requirements in the HEARTH Act and the City's Substantial Amendment to the Consolidated Plan, we need to align and direct funds with a primary focus on Rapid Rehousing activities. FY 2013 CIP awarded The Way Home two grants for Rapid Rehousing and for Homeless Prevention CIP projects. This requested transfer of funds will bring the CIP into alignment with the Substantial Amendment and HUD's focus on Rapid Rehousing.

Additionally, a name change is requested in order to clarify ESG-funded Homeless Prevention activities as described in the HEARTH Act

Respectfully, I request that the Committee recommend the transfer of \$28,000 from one grant CIP #611213 (Homeless Prevention-Housing Relocation and Stabilization) to another CIP # 611513 (Rapid Rehousing-Housing Relocation and Stabilization). Additionally, I respectfully request that the Committee authorize a name change of one existing grant (CIP #611213 Innovative Homeless Prevention) to another name (Homeless Prevention-Housing Relocation and Stabilization).

CIP BUDGET AUTHORIZATION

CIP#: 611213 Project Year: 2013 CIP Resolution: 6/12/2012
 Title: Homeless Prevention - Housing Relocation & Stabilization Amending Resolution: 2/19/2013
 Administering Department: The Way Home Revision: 2

Project Description: Funding to support Housing Counseling and Housing Advocate staff support at The Way Home Resource Center and the Homeless Services Center.

Federal Grants Federal Grant: Yes **Environmental** Review Required: Yes
 Grant Executed: Completed: Yes

Critical Events

1	Project Initiation	7/1/2012
2	Program Completion	6/30/2014
3		
4		
5		
		6/30/2014

Line Item Budget

	ESP			TOTAL
Salaries and Wages	\$0.00	\$0.00	\$0.00	\$0.00
Fringes	\$0.00	\$0.00	\$0.00	\$0.00
Design/Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00
Consultant Fees	\$0.00	\$0.00	\$0.00	\$0.00
Construction Admin	\$0.00	\$0.00	\$0.00	\$0.00
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Overhead	\$0.00	\$0.00	\$0.00	\$0.00
Construction Contracts	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$21,866.00	\$0.00	\$0.00	\$21,866.00
TOTAL	\$21,866.00	\$0.00	\$0.00	\$21,866.00

Revisions

#1- Budget increased from \$43,292 to \$49,866 due to the receipt of additional funds.
 #2 - Budget decreased by \$28,000 to \$21,866 due to transfer to CIP project 611513; change in completion date from 6/30/2013 to 6/30/2014; project name change.

Comments:

Authorization of spending ESP (ESG) funds is contingent upon HUD grant execution.

CIP BUDGET AUTHORIZATION

CIP#: Project Year: CIP Resolution:
 Title: Amending Resolution:
 Administering Department Revision:

Project Description:

Federal Grants Federal Grant: **Environmental** Review Required:
 Grant Executed: Completed:

Critical Events

1	Project Initiation	<input type="text" value="7/1/2012"/>
2	Project Completion	<input type="text" value="6/30/2014"/>
3		
4		
5		

Line Item Budget

	ESP			TOTAL
Salaries and Wages	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Fringes	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Design/Engineering	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Planning	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Consultant Fees	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Admin	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Land Acquisition	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Equipment	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Overhead	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Construction Contracts	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>
Other	<input type="text" value="\$54,000.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$54,000.00"/>
TOTAL	<input type="text" value="\$54,000.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$0.00"/>	<input type="text" value="\$54,000.00"/>

Revisions

Comments:

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Eight Thousand Dollars (\$28,000) for FY 2013 CIP 611513 Rapid Rehousing–Housing Relocation and Stabilization.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2013 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to approve a transfer of funds from one City grant to a second;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By decreasing:

FY 2013 CIP 611213 –Homeless Prevention-Housing Relocation and Stabilization- \$28,000 ESP
(from \$49,866 ESP to \$21,866 ESP)

By increasing:

FY 2013 CIP 611513 – Rapid Rehousing-Housing Relocation and Stabilization - \$28,000 ESP
(from \$26,000 ESP to \$54,000 ESP)

By changing the name of FY 2013 CIP 611213 Innovative Homeless Prevention/Intervention to Homeless Prevention-Housing Relocation and Stabilization

Resolved, that this Resolution shall take effect upon its passage.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from the Director of Planning & Community Development to change the terms of assistance for the Lead Hazard Control Program be approved.

(Aldermen Roy, Shea and Craig voted yea, Alderman Greazzo voted nay and Alderman Gamache was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



CITY OF MANCHESTER

PLANNING AND COMMUNITY DEVELOPMENT

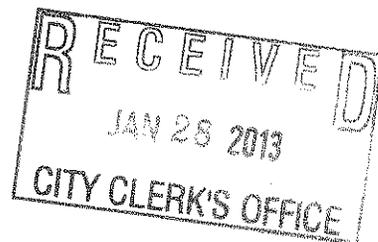
Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

MEMORANDUM



To: Alderman Jim Roy,
Chairman, CIP Committee

From: Leon L. LaFreniere, AICP 
Director, Planning and Community Development

Date: January 25, 2013

Re: CIP #612611 – 2010 Lead Hazard Reduction Demonstration Grant Program

The Planning & Community Development Department currently administers the City's Lead Hazard Reduction Demonstration Grant Program as funded by HUD. The terms of this grant require that we achieve certain benchmarks regarding the number of lead safe dwelling units realized. Currently we are struggling to meet those benchmarks due to a low level of interest in program participation.

City staff has determined that the long-term debt associated with the existing grant/loan terms serves as an impediment to participation in the program. In recent months several property owners that we have spoken to have suggested that they would be more willing to participate were it not for the uncertainty of undertaking additional long-term debt in the current economy.

As a result, city staff is proposing changes to the program designed to increase participation and ensure that the City continues to meet its obligations in accordance with our grant agreement. The primary program change would involve restructuring the terms of assistance from the current scenario of zero interest loans that are repaid upon sale of the property, to a zero interest loan that would be forgiven after a five year compliance period. If this change is approved staff would also recommend that mortgages recorded on properties previously assisted be treated similarly, and forgiven after a period of five years. The mortgages would only be forgiven if the owner demonstrates that they have fully complied with all other program requirements.

It is important to recognize that the primary goal of this program is to eliminate lead hazards in Manchester's housing stock. The City of Manchester is currently the only municipality in the region that does not offer loans that are forgiven after the compliance period has expired. Examples of other lead hazard control program structures in the region are as follows: The City of Nashua operates a program that provides assistance to property owners in the form of grants that require a three year compliance period; New Hampshire Housing Finance Authority operates a statewide program in which grants are provided to property owners to assist with the removal of lead hazards; and Lawrence Massachusetts operates a grant program with a three year compliance period much like Nashua.

Since 2003, the City has received three grants totaling \$6,643,111 from the United States Department of Housing and Urban Development resulting in the elimination of lead hazards in 362 housing units. Unfortunately, due to the City's aging housing stock there are several thousand housing units with lead hazards that have not been addressed. According to the 2000 US Census data, 34,041 (77%) of the City's 44,247 housing units were constructed before 1978 and therefore may contain potential lead hazards. Recent data compiled by the NH Childhood Lead Poisoning Prevention Program documented 93 lead poisoned children statewide. 34 of those poisonings or 36% occurred in the City of Manchester.

The current grant being administered totaled \$3.9 million dollars. The City has completed and cleared lead hazards in 78 housing units through the eighth quarter of the fifteen quarter grant period. In accordance with the grant agreement, the City must clear lead hazards in a minimum of 250 housing units before the end of the grant period. As a result, the City will have to process applications resulting in projects that eliminate lead hazards in a minimum of 25 units per quarter through the end of the grant period. Based on the applications that we currently have in our pipeline, it is anticipated that we will complete and clear lead hazards in a maximum of 18 housing units in the ninth quarter of the grant. If the City is unable to meet its quarterly performance benchmarks during the grant period, the ability of the City to apply for and secure funding through this program in future years may be negatively impacted.

Respectfully, it is the staff's recommendation that the Committee favorably consider this request to change the terms of assistance for the Lead Hazard Control Program from a zero interest loan that is repaid upon sale of the property to a zero interest loan that would be forgiven after a period of five years of program compliance.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request for lien subordination totaling \$56,480 for 211 Douglas Street property be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

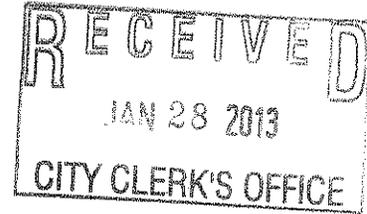
Planning and Land Use Management
Building Regulations
Community Improvement Program
Zoning Board of Adjustment

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

MEMORANDUM



To: Alderman Jim Roy,
Chairman, CIP Committee

From: Leon L. LaFreniere, AICP
Director, Planning and Community Development

Date: February 4, 2013

Re: CIP #612611 2010 Lead Hazard Reduction Demonstration Grant Program –
Mortgage Subordination 211 Douglas Street (Six Unit Apartment Building)

Newton Kershaw of Regions First, LLC, the entity that recently completed the renovation of 211 Douglas Street has contacted this office to request the subordination of a City lien totaling \$56,480 placed upon this property. The lien was placed due to the use of lead hazard remediation funds being used in the renovation of the property.

As noted in the attached letter, the requested subordination will allow the developer to acquire a lower rate mortgage on the property thereby reducing operational costs and correspondingly, its economic viability. Mr. Kershaw represents that no cash is being taken out in the refinancing and that the City's security instrument will remain in second position. As such it is the staff's recommendation that the Committee favorably consider this lien subordination.



440 Hanover St., Manchester, NH 03104
603.666.8534 fax 603.623.0372

January 23, 2013

Newton Kershaw
Manager
1st Lighthouse Holdings, LLC
440 Hanover St
Manchester, NH 03104

Todd Fleming
Project Manager
City of Manchester
Community Improvement Program
1 City Hall Plaza
Manchester, NH 03101

Dear Todd,

I am writing to request a subordination of the City's lien on 1st Lighthouse's property at 211 Douglas St in Manchester. This lien was placed in exchange for monies granted to pursue lead abatement and renovation at the property, and all six apartments at this location were certified as lead safe in June, 2012. Subordinating this debt will allow 1st Lighthouse to secure long-term financing for the property and thus facilitate the ongoing provision of safe affordable housing.

As a leader in housing and lead safety, Elm Grove Companies has collaborated with CIP on numerous projects, to the benefit of Manchester's residents. We thank you for your efforts and look forward to further opportunities to work together.

Regards,

 1/23/13

Newton Kershaw III
Manager
1st Lighthouse Holdings, LLC

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that the updated FMLA policy be approved.

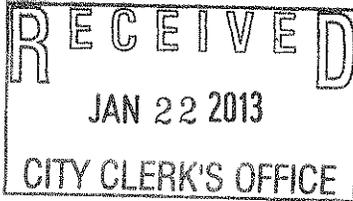
(Unanimous vote)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee

Jane Gile
Human Resources Director



CITY OF MANCHESTER
Human Resources Department

Memo

January 17, 2013

To: William Shea, Chair, Human Resources and Insurance Committee

From: Jane Gile, HR Director 

RE: Updated FMLA Policy

Per the request of a majority of the Committee at the January 7, 2013 meeting, the updated FMLA Policy presented to the Committee has been revised with regard to the existing policy requirement that Worker's Compensation leave also be designated as FMLA leave. The section pertaining to the treatment of Worker's Compensation leave on Page 9 of the updated FMLA Policy is deleted and is replaced as follows:

Worker's Compensation Absences

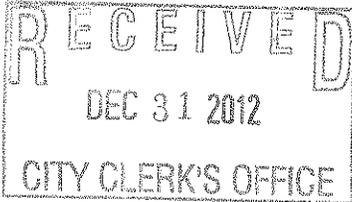
An employee on a leave of absence when approved for Worker's Compensation due to a work related injury/illness will not have that time charged against his/her 12-week FMLA entitlement. If an employee is denied Worker's Compensation, and has an injury or illness that constitutes a "serious health condition" as defined under the FMLA, the leave of absence from work will be designated as FMLA leave.

It is requested that the updated FMLA policy submitted to the Committee on January 7th, with the proposed revision to the section pertaining to Worker's Compensation Absences, be approved and forwarded to the full Board of Mayor and Aldermen.

Jane Gile
Human Resources Director



CITY OF MANCHESTER
Human Resources Department



Memo

December 28, 2012

To: William Shea, Chair, Human Resources and Insurance Committee
From: Jane Gile, HR Director 
RE: Updated FMLA Policy

The Human Resources Department has conducted a review of the city's FMLA policy and has updated it as indicated in the attached document.

Dan Chapman, HR Analyst, who administers the policy for the City of Manchester performed the review. He has outlined the sections containing significant changes and has highlighted the same in the attached document. This should assist in identifying those areas requiring closer examination.

The substantive changes are in accordance with federal law and also reflect the city's policy relative to the changes, specifically Military Exigency Leave and Military Caregiver Leave. Also, the document further clarifies city practice concerning the right to designate leave as FMLA, clarifies the use of paid leave prior to unpaid leave and describes what type of paid leave is substituted for unpaid leave.

The previous FMLA document was unclear relative to the definition of family member when using paid sick leave; the policy now reflects policy in accordance with City Ordinance 33.081 (D).

The policy has been reviewed by the Solicitor's office and we believe is ready for final approval by the Board of Mayor and Aldermen.

City of Manchester – Family and Medical Leave Policy

Summary of Changes/Revisions to 2009 FMLA Policy

Although I have re-written many sections to provide clarification and improve the grammar and organization of the policy, the following sections represent the most significant changes (which have been highlighted in the attached 2012 FMLA Policy):

1. Establishes the role of the City FMLA Administrator within Human Resources.
2. Specifies the responsibility of the FMLA Administrator to respond to an employee's request for FMLA Leave (as required of employers by the FMLA), and refers the reader to the Federal Wage & Hour Division "Notice of Eligibility" form which will replace the City of Manchester eligibility form created by the previous HR Analyst.
3. Expands the definition of family member beyond spouse, parent and child (as defined in the FMLA), to include "blood relatives or wards living in the same household", so that the City's FMLA Policy is consistent with City Ordinance 33.081 – Sick Leave, (D), which allows employees eligible for sick leave to use their sick leave (with Department Head approval) to care for their blood relatives or wards living in the same household when FMLA leave is approved.
4. Provides clarification regarding how and what type of paid leave (as permitted by the FMLA and required under the City's FMLA Policy) will be substituted for unpaid FMLA leave. Also states the City's practice (which was not included in the 2009 FMLA Policy) of limiting the substitution of paid sick leave for the birth of a child to 6 weeks for the mother's maternity disability, and 2 weeks for the father to provide care for the spouse's maternity disability, unless the mother's health care provider certifies that additional leave is required due to medical necessity.
5. Clarifies and strengthens the City's right to designate any leave that qualifies as FMLA leave, regardless of whether the employee requests FMLA leave.
6. Corrects an inaccurate statement that Military Exigency Leave is not available for family members of a member of a regular component of the Armed Forces being deployed to a contingency operation in a foreign country.
7. Completely replaces the "Administrative Process" section of the 2009 policy, due to the replacement of all City of Manchester FMLA Notice and Certification forms with the Federal Wage & Hour Division recommended forms.

8. Corrects and clarifies the definition of a “Covered Service Member” under Qualifying Exigency Leave. As previously indicated, a member of a regular component of the Armed Forces being deployed to a contingency operation in a foreign country is a covered service member under Qualifying Exigency Leave.
9. Corrects and clarifies the definition of a “Covered Service Member” under Military Caregiver Leave to include honorably discharged veterans, and provides a definition of “serious injury or illness” and “outpatient status” that was not included in the 2009 FMLA Policy.
10. Adds the following statement to the requirement that employees on Intermittent FMLA Leave consult with their Department Head to work out a mutually agreeable schedule: “The FMLA Administrator will provide guidance and assistance as requested”.



City of Manchester

Family and Medical Leave Policy

October, 2012

**CITY OF MANCHESTER
FAMILY AND MEDICAL LEAVE POLICY**

Guidance regarding this policy will be provided by the Human Resources Department, One City Hall Plaza, Manchester, NH. Tel: 624-6543.

The City reserves the right to make changes to this policy in order to comply with changes in the Family and Medical Leave Act of 1992 (the FMLA), and/or court decisions which may affect the language of this policy. This policy has been updated to comply with new FMLA regulations that became effective in 2009 and 2010. The changes to the City FMLA Policy incorporate revisions to the FMLA, including leave due to a qualifying military exigency and leave to care for a "covered military service member" (including veterans) with a serious injury or illness.

Policy Statement

It is the policy of the City of Manchester to grant up to 12 weeks of leave during a 12-month period to eligible employees for the birth, adoption, or placement into foster care of a child, for the serious health condition of specified family members, the employee's own serious health condition or for a qualifying military exigency. The City grants up to 26 weeks of leave during a 12-month period when leave is taken by a spouse, son, daughter, parent or next of kin to care for a seriously ill or injured "covered service member" (see "Military-Related FMLA Leave"). FMLA leave will be paid, unpaid, or a combination of both, depending on the circumstances as specified in the City of Manchester Family and Medical Leave Policy (see "Substitution of Accrued Paid Leave"). The Family and Medical Leave Policy will be administered by the City's FMLA Administrator.

①

Eligibility

An employee is eligible for FMLA leave if he/she has been employed by the City for at least 12 months, and has worked at least 1,250 hours (does not include any paid or unpaid time off) in the 12-month period immediately preceding the request for leave. The twelve months do not need to be consecutive and may be based on separate periods of employment as specified in FMLA regulations. Once the FMLA Administrator has made a determination as to whether an employee is eligible for FMLA leave, the FMLA Administrator will advise the employee of the determination, his/her rights and obligations under the FMLA, as well as the consequences of failing to meet such obligations. (see "Notice to the Employee Regarding Eligibility for FMLA Leave").

②

Leave Entitlement

An eligible employee is entitled to up to 12 weeks of unpaid leave (26 weeks for military caregiver leave) within a 12-month period for any of the following reasons:

- A. The birth of a child of the employee and to care for the newborn child;
- B. The placement with the employee of a child for adoption or foster care;
- C. To provide care for the employee's spouse, child, parent or other blood relative or ward (residing in the same household) with a serious health condition;

③

- D. To take medical leave when the employee is unable to perform any of the essential functions of the position due to a serious health condition;
- E. A qualifying military-related exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation (see Military-Related FMLA Leave);
- F. To provide care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin of the covered service member (see "Military-Related FMLA Leave").

The 12-Month Period

The 12-month period is measured forward from the date an employee's first FMLA leave begins. The next 12-month period begins the first day FMLA leave is taken after completion of any previous 12-month period.

In the case of leave taken to care for a covered service member with a serious injury or illness, an employee who does not take all 26 workweeks of leave to care for the covered service member during the single 12-month period, will forfeit any remaining military caregiver leave.

Substitution of Accrued Paid Leave

As allowed under the FMLA, the City requires the substitution of accrued paid leave for unpaid FMLA leave time, as follows:

- Accrued sick (and/or sick leave bank credits, if awarded), vacation, and personal leave (if applicable), in that order, will be substituted for unpaid FMLA leave when leave is taken for the employee's own serious health condition. Employees eligible for sick leave have the option of using such sick leave, upon approval of his/her department or office head, for absence due to the serious health condition of a spouse, child or other blood relative or ward residing in the same household when FMLA leave is approved, or may use other accrued paid leave such as Vacation or Personal leave*.

* Note: The City will allow the substitution of paid sick leave for the mother during the period of maternity disability, typically up to 6 weeks, unless the mother's health care provider certifies that additional leave is required due to medical necessity, and will allow 2 weeks of paid sick leave to be substituted for unpaid FMLA leave for the father to provide care for the spouse (residing in the same household), unless the mother's health care provider certifies that additional leave is required due to medical necessity.

- Accrued vacation, then personal leave (if applicable), in that order, will be substituted for the unpaid FMLA leave in the case of parental care for and bonding with a newborn child, the adoption of a child, the placement of a foster child, to provide care for a parent, spouse or child who does not reside in the employee's household, or for a qualifying military exigency.
- Up to 26 weeks of leave may be taken during a single 12-month period by a spouse, son, daughter, parent or next of kin, to care for a covered service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list, for a serious injury or illness. Note that up to 12 weeks of accrued sick leave, vacation or personal leave, if awarded, will be substituted for unpaid FMLA

leave when leave is taken for this purpose. Accrued vacation and personal leave will be substituted for the remaining 14 weeks prior to going on unpaid leave.

- In no case can use of leave be credited as **FMLA** leave after leave has ended and employee has returned to work.

Retention of Health Benefits

While an employee is on FMLA leave, the City will continue to provide health care coverage (medical and/or dental) to the employee who has such coverage, so long as the employee continues to pay his/her portion of the monthly health care premium(s). An employee who is on unpaid FMLA leave status must forward payment for his/her portion of the monthly health care premium(s) by the 15th of the month for which the premium is due.

The City's obligation to maintain health insurance coverage ceases if an employee's share of the premium is more than 30 days late.

Maintaining Benefits Other Than Health Care

While an employee is on paid FMLA leave, all benefits to which the employee would normally be entitled will continue.

When an employee is on unpaid FMLA leave for more than 10 calendar days in a month, he/she will not accrue benefits, for example, vacation, sick leave, personal leave, etc.

FMLA leave time is considered continued service for purposes of pension vesting and seniority.

Right to Reinstatement

Upon return from FMLA leave an employee is entitled to be reinstated to his/her previous job or to a position with equivalent pay, benefits and substantially equivalent duties.

An employee on FMLA leave has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period, except if the FMLA leave is on a non-paid status, then such unpaid time shall not count towards seniority and benefit calculations as determined by existing policies. Therefore, an employee whose position is eliminated or who is laid off while he/she is on FMLA leave is not entitled to be reinstated upon completion of the FMLA leave.

Designation of FMLA leave

It is the City's responsibility and right to designate leave as FMLA leave. FMLA leave may be designated upon request by the employee, or when the City has sufficient information concerning the leave status of an employee to presume that the employee has a qualifying serious health condition as defined under the FMLA. The City's FMLA Administrator will request and obtain sufficient information from the employee to determine whether the leave qualifies as FMLA leave, to include a medical certification from the employee's or family member's health care provider. In addition, the FMLA Administrator or a physician authorized by the City may contact the health care provider for purposes of clarification and authentication of the medical certification (whether

5

initial certification or recertification) after the City has given the employee an opportunity to cure any deficiencies with the certification as set forth in the FMLA regulations. Once the FMLA Administrator has determined that leave qualifies as FMLA leave, the employee will be notified that the leave is approved for FMLA leave and will be counted towards the employee's FMLA leave entitlement (see "Notice to the Employee Regarding the Designation of FMLA Leave").

Notice and Medical Certification

When requesting FMLA leave employees will be required to provide:

1. Sufficient information to determine if the requested leave may qualify for FMLA leave protection and the anticipated timing and duration of the leave. Sufficient information may include the inability to perform job functions, a family member's inability to perform daily activities or other need for care by the employee, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees must also inform the City if the requested leave is for a reason for which FMLA leave was previously approved and taken (see "Request for FMLA Leave" form).

If the need for the leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the City's normal call-in procedures, absent unusual circumstances.

2. Medical certification supporting the need for leave due to a serious condition affecting the employee or an employee's immediate family member must be provided within 15 calendar days of the City's request to provide the certification (additional time may be permitted in some circumstances). If the employee fails to do so, the City may delay the commencement of FMLA leave, withdraw any designation of FMLA leave or deny the leave, in which case the leave of absence would be treated in accordance with our standard leave of absence and attendance policies. Second or third medical opinions and periodic re-certifications may also be required
3. Periodic reports (at least every 30 days) during the leave to the Department Head regarding the status of the employee's leave and intent to return to work.
4. Medical certification of fitness for duty before returning to work, if the leave was due to the employee's serious health condition. The City will require this certification to address whether the employee can perform the essential functions of his/her position.

Again, failure to comply with the foregoing requirements may result in delay or denial of FMLA leave.

Serious Health Condition

An employee is entitled to take FMLA leave if he/she suffers from a serious health condition that prevents him/her from performing the essential functions of his/her job, or if he/she is needed to provide care for a family member with a serious health condition. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care--for example, an overnight stay in a hospital, hospice, or residential medical care facility; or
- any period of incapacity requiring absence of more than 3 calendar days from work, school, or other regular daily activities, and which also involves: (1) two visits to a health care provider, which must occur within 30 days of the beginning of the period of incapacity *unless* extenuating circumstances exist preventing a follow-up visit from occurring as planned by the health care provider; or (2) one visit to a health care provider *and* a regimen of continuing treatment, such as prescription medication. In both cases, the first (or only) in-person treatment must occur within seven (7) days of the first day of incapacity; or
- prenatal care, complications with pregnancy, giving birth, recovery from birth; or
- continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if left un-treated, would likely result in a period of incapacity of more than 3 calendar days. For chronic conditions requiring periodic visits for treatment, such visits must take place at least twice a year.
- an injury or illness incurred by a service member (including a member of the National Guard or Reserves) in the line of duty on active duty in the Armed forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

Note: Questions about what illnesses are covered under this policy should be directed to the Human Resources Department.

Medical Certification

The City requires an employee to submit medical certification from a health care provider showing that the employee or family member has a serious health condition that qualifies for FMLA leave. Such medical certification must be provided to the Human Resources Department within 15 days from the date the employee receives the certification form, unless it is not practicable due to circumstances beyond the employee's control and despite the good faith efforts of the employee to obtain the certification.

The medical certification must be complete and sufficient. A certification is considered incomplete if one or more of the applicable entries have not been completed. A certification is considered insufficient if the information provided is vague, ambiguous, or non-responsive. The need for leave must be documented by the employee's or family member's treating healthcare provider through our medical certification process (see definition of "serious health condition").

The FMLA Administrator may request a second opinion with a provider of the City's choice, at the City's expense. If the initial and subsequent opinions conflict, the City has the option to require the employee to obtain certification from a third health care provider, again at the City's expense. The third opinion is final and binding. The third health care provider must be approved jointly by the FMLA Administrator and the employee.

Recertification

The City requires recertification every 30 days while the employee is on leave, unless the medical certification indicates that the minimum duration of the condition is more than 30 days. Recertification may be requested earlier when:

- The employee requests an extension of the leave; or
- Circumstances described by the original certification have changed significantly (e.g., the duration of the illness, the nature of the illness); or
- The City receives information that casts doubt upon the continuing validity of the certification. In all cases, the City requires recertification every 6 months while the employee is on leave.

Confidentiality of Medical Records

Records and documents relating to medical certifications, recertification or medical histories of employees or employees' family members shall be maintained at the Human Resources Department, in files/records separate from the employee's personnel file, and treated as confidential medical records, except that

1. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;
2. First aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and
3. Government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.

Fitness-for-Duty Certification

When an employee who has been on FMLA medical leave (due to his/her serious health condition) is ready to return to work, the City will require a fitness-for-duty certification, signed by the employee's health care provider, prior to the start of work, stating that the employee is able to return to work.

If the employee decides not to return to work at the end of his/her FMLA medical leave because he/she has not recovered from his/her serious health condition, the FMLA Administrator may verify that the employee is unable to return to work by requesting another medical certification.

Other Employment and Overtime

Because the purpose of FMLA is to allow an employee to help balance work and family life by taking reasonable leave to meet personal and family obligations and to tend to vital needs at home, the acceptance or continuance of other employment during a consecutive FMLA Leave period is inconsistent with the purpose of FMLA. For this reason, the acceptance or continuation of other employment, including overtime and outside details, during any consecutive FMLA Leave period is prohibited. If an employee on FMLA leave violates this provision, the employee will be subject to disciplinary action.

Employees taking intermittent leave or a reduced-leave schedule may continue other employment during the FMLA leave periods; however, employees must give priority to the efficient operations of the City and their department, as opposed to those of the second employer, when scheduling the FMLA leave.

Health Care Provider

A person who qualifies as a "health care provider" is responsible for issuing certification of an employee or family member's illness. See "Definitions" for a more detailed definition of "Health Care Provider."

Intermittent and Reduced Schedule Leave

An employee has the right to take FMLA medical leave on a reduced schedule or intermittent leave basis for the employee's serious health condition or to care for a family member with a serious health condition, if the intermittent or reduced leave is "medically necessary" and such medical leave can be best accommodated through an intermittent or reduced leave schedule as certified by a health care provider.

- A reduced leave schedule consists of a reduction in either the normal hours per day or hours per week that an employee works.
- Intermittent leave is leave taken at varying times of the week or day. It may be taken in blocks as small as one hour.

To qualify, the employee or family member must have a serious health condition and the intermittent leave or reduced leave schedule must be certified as medically necessary by a health care provider. Employees who take intermittent leave for planned medical treatment have an obligation to make a "reasonable effort" to schedule treatment so as not to unduly disrupt their department's operations.

A mother or father who takes FMLA family leave to care for his/her newborn or adopted child or recently placed foster care child, who does not have a serious health condition, may take leave intermittently or on a reduced leave schedule with the agreement of the Department Head.

If an employee is taking intermittent leave, the City may temporarily transfer the employee to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave. The alternative position must have equivalent pay and benefits but need not have equivalent duties. Benefits such as vacation and sick leave accrual will be reduced proportionately based on the number of hours worked.

Leave for Purposes Not Covered Under FMLA

If an employee requests and is granted authorized leave for a purpose that does not qualify as FMLA leave (e.g., leave to care for a parent-in-law, or a blood relative other than a Spouse, Child or Parent who does not live in the same household), that leave time will not be charged against the 12-week FMLA entitlement. Thus, an employee who takes two weeks of authorized vacation leave to care for a parent-in-law will still have 12 weeks of FMLA leave remaining when he/she returns from the vacation leave.

Employee's Notice of No Intent to Return to Work

If an employee unequivocally advises his/her Department Head that he/she does not intend to return to work, or fails to return to work (without having been granted additional leave), without good reason, at the conclusion of the FMLA medical leave, the employment relationship is deemed terminated, and the employee's entitlement to reinstatement, continued leave, and health benefits (subject to COBRA) ceases. Also, the City is entitled to recover its cost of the health care premium (while on unpaid leave) directly from the employee.

"Good reason" in this case would be because of the continuation, recurrence, or onset of the employee's or family member's serious health condition, or circumstances beyond the employee's control.

Spouses Employed By the City

A husband and wife who are eligible for FMLA leave and are both employed by the City of Manchester are permitted to take no more than a combined total of 12 weeks of FMLA leave for the birth or adoption of a child, the placement of a foster care child, or the care of a family member with a serious health condition.

Each will, however, be entitled to the difference between the amount he or she has taken individually and 12 weeks, for his/her personal qualifying serious health condition within the same 12-month period.

Worker's Compensation Absences

An employee on a leave of absence due to worker's compensation status will have that time charged against his/her 12-week FMLA entitlement if the employee's illness/injury qualifies as a serious health condition as defined under the FMLA.

Fraudulently Taking FMLA Leave

An employee who fraudulently obtains FMLA leave is not protected by the FMLA's job restoration or maintenance of health benefits provisions and may be subject to disciplinary action up to and including discharge.

Military-Related FMLA Leave

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

Military Caregiver Leave

Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. The military family member must be a "covered service member," which means: (1) a current member of the regular Armed Forces, National Guard or Reserves, (2) who is undergoing medical treatment,

recuperation, or therapy; is otherwise in outpatient status, or is otherwise on the temporary disability retired list, (3) for a serious injury or illness that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. Military Caregiver leave is also available to care for veterans of the regular Armed Forces or the National Guard or Reserves (see definition of "Covered Service Member").

Military Caregiver Leave applies on a per-injury/per-illness basis for each service member. Consequently, an eligible employee may take separate periods of caregiver leave for each and every covered service member, and/or for each and every serious injury or illness of the same covered service member. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any "single 12-month period."

Within the "single 12-month period" described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e. birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the "single 12-month period," an eligible employee may take up to 16 weeks of FMLA leave to care for a covered service member when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave is required to provide a Certification for Leave to Care for a Covered Service Member Form completed by an authorized health care provider, an Invitational Travel Orders (ITOs) or Invitational Travel Authorization (ITAs). Confirmation of the family relationship to the seriously injured or ill covered service member will be required when an employee supports his or her request for FMLA leave with a copy of an ITO or ITA.

Qualifying Exigency Leave

Eligible employees may take unpaid "Qualifying Exigency Leave" to tend to certain "exigencies" arising out of active duty or a call or order to active duty of a "covered military member". Up to 12 weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy. Although Qualifying Exigency leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed 12 weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above).

Under recent amendments to the FMLA, an eligible employee who is the spouse, son, daughter, or parent of a covered military member, may take qualifying exigency leave to attend to any qualifying exigency while the covered military member is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation as either of the following:

- A member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- A member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty.

The Department of Labor has defined a **qualifying exigency** by referring to a number of broad categories in which employees can use FMLA leave, including the following:

- *Short-notice deployment*: to address any issue that arises out of short notice (with seven days or less) of an impending call or order to active duty

- *Military events and related activities:* to attend any official military ceremony, program, or event related to active duty or a call to active duty status or to attend certain family support or assistance programs and informational briefings.
- *Childcare and School activities:* To arrange for alternative childcare; to provide childcare on a urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meeting with staff at a school or daycare facility.
- *Financial and legal arrangements:* to make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits
- *Counseling:* to attend counseling (by someone other than a health care provider) for the employee, the covered military member, or for a child or dependent when necessary as a result of duty under a call or order to active duty.
- *Temporary rest and recuperation:* to spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to five days of leave for each instance of rest and recuperation.
- *Post-Deployment activities:* to attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the covered military member's active duty status. This also encompasses leave to address issues that arise from the death of a covered military member while on active duty status.
- *Mutually agreed leave:* Other events that arise from the close family member's duty under a call or order to active duty, providing that the City and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave is required to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service, a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship with the military member, within 15 days.

Qualifying Military Caregiver and Exigency Leaves will be governed by, and handled in accordance with the FMLA and applicable regulations and nothing within this policy should be construed to be inconsistent with those regulations.

Recordkeeping

The City will keep a record of an employee's FMLA-related leaves for at least 3 years.

Note: More specific information regarding the records which will be maintained is contained under "Records Maintenance."

FMLA Administrative Process

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Employees shall notify their Department Head (or designee) regarding the need for FMLA leave. The Department Head (or designee) will notify the Human Resources Department as soon as possible regarding the employee's request.

- ▶ **City of Manchester FMLA Request Form** should be completed by the employee requesting FMLA leave.
(see Attachment 1)
- ▶ **Certification for Employee's Serious Health Condition Form** should be completed by the employee's health care provider and submitted to the Human Resources Department no later than 15 days following the request for FMLA leave.
(see Attachment 2)
- ▶ **Certification for Family Member's Serious Health Condition Form** should be completed by the family member's health care provider when taking FMLA leave to provide care for a family member.
(see Attachment 3)
- ▶ **Certification for Serious Health Condition of Covered Service Member Form** should be completed by an authorized health care provider as defined in the FMLA Military Caregiver Leave provisions. An Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) will also satisfy this certification requirement. Family members may also be required to provide confirmation of the family member's relationship to the seriously injured or ill service member.
(see Attachment 4)
- ▶ **Certification of Qualifying Exigency For Military Family Leave Form** should be completed by the employee family member of the covered military service member. Employee family members will also be required to submit a copy of the covered military member's active duty orders and other documentation from the military certifying that the covered military member is on active duty (or has been notified of an impending call to active duty) in support of a contingency operation.
(see Attachment 5)

Note: An employee may lose his/her protection under the law by failing to comply with applicable notice and/or certification requirements.

Notice to the Employee Regarding Eligibility for FMLA Leave.

Upon receipt of a request for FMLA Leave by the FMLA Administrator, the employee will receive a completed **Notice of Eligibility and Rights and Responsibilities Form**. This form will indicate whether the employee is eligible for FMLA leave, and if so, the rights and obligations of the employee and employer.
(see Attachment 6)

Notice to the Employee Regarding the Designation of FMLA Leave.

Once all required certifications/supporting documentation has been received and reviewed by the FMLA Administrator, the employee will receive a completed **FMLA Designation Notice Form**, which will indicate whether the employee's request for FMLA leave has been approved. The form

will also specify additional requirements while on FMLA leave, or whether additional information is required to determine if the leave qualifies as FMLA leave.
(see Attachment 7)

DEFINITIONS

Family Members

- Spouse: as defined or recognized under New Hampshire state law;
- Child: a biological, adopted, or foster care child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability”; or
- Parent: a biological parent or an individual who stands or stood “in loco parentis” to an employee when the employee was a child. This does not include parents-in-law.
- In Loco Parentis: an individual who has/had day-to-day responsibility to care for and financially support that child. A biological or legal relationship is not necessary.
- Next of kin of a covered service member: the nearest blood relative other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: Blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

Covered Service Member – Qualifying Exigency Leave

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- A military member who is on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation as either of the following:
 - A member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
 - A member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty.

Covered Service Member – Military Caregiver Leave

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- A **covered service member** is both of the following:
 - A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
 - A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a

member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

- A **veteran** is a person who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable.
- A **serious injury or illness** is both of the following:
 - In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
 - In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves), at any time during the period of five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy, has a qualifying injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.
- **Outpatient status** means the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Health Care Provider

A health care provider is defined as a licensed doctor of medicine or osteopathy, authorized to practice medicine or surgery by the state in which the doctor practices; or any others capable of providing health care services including only: podiatrists, dentists, clinical psychologists, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of his/her practice, under state law; or licensed nurse practitioners, nurse-midwives, physician assistants, and clinical social workers authorized to practice and performing within the scope of their practice as defined under state law; or Christian Science practitioners listed with the First Church of Christ, Scientist, in Boston, Massachusetts; or any health care provider from whom the City or the City's group health plans' benefits managers will accept certification of the existence of a serious health condition to substantiate a claim for benefits; and a health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his/her practice as defined under such law.

Serious Health Condition

For purposes of the FMLA, "serious health condition" entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves:

- 1) Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment there for, or recovery there from), or any subsequent treatment in connection with such inpatient care; or
- 2) Continuing treatment by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - a) a period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment there for, or recovery there from) of more than three consecutive calendar days from work, school, or other regular daily activities, and which also involve: (1) two visits to a health care provider, which must occur within 30 days of the beginning of the period of incapacity unless extenuating circumstances exist preventing a follow-up visit from occurring as planned by the health care provider; or (2), one visit to a health care provider and a regimen of continuing treatment such as a prescription. In both cases, the first (or only) in-person treatment must occur within seven (7) days of the first day of incapacity.
 - b) any period of incapacity due to pregnancy, or for prenatal care.
 - c) continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if left un-treated, would likely result in a period of incapacity of more than 3 calendar days. For chronic conditions requiring periodic visits for treatment, such visits must take place at least twice a year.
 - d) an injury or illness incurred by a service member (including a member of the National Guard or Reserves) in the line of duty on active duty in the Armed forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

COBRA

Under the Consolidated Omnibus Budget Reconciliation Act (COBRA), enacted April 7, 1986, most employers who sponsor group health insurance plans are required to offer covered employees and their dependents the chance to extend their health coverage for a specified period of time at group rates under certain circumstances when insurance coverage would otherwise end.

Records Maintenance

The following records must be maintained:

1. Basic payroll and identifying employee data, including name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.
2. Dates FMLA leave is taken by FMLA eligible employees (e.g., available from time records, requests for leave, etc., if so designated). Leave must be designated in records as FMLA leave; leave so designated may not include leave required under State law or an employer plan which is not also covered by FMLA.
3. If FMLA leave is taken by eligible employees in increments of less than one full day, the hours of FMLA leave must be recorded.
4. Copies of employee notices of leave furnished to the employer under FMLA, if in writing, and copies of all general and specific written notices given to employees as required under FMLA and the associated regulations. Copies may be maintained in employee personnel files.
5. Any documents (including written and electronic records) describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.
6. Premium payments of employee benefits.
7. Records of any dispute between the employer and an eligible employee regarding designation of leave as FMLA leave, including any written statement from the employer or employee of the reasons for the designation and for the disagreement.

For employees not covered by or exempt from the Fair Labor Standards Act (FLSA), the City need not keep a record of actual hours worked provided that:

1. Eligibility for FMLA leave is presumed for any employee who has been employed for at least 12 months; and
2. With respect to employees who take FMLA leave intermittently or on a reduced leave schedule, the employer and employee agree on the employee's normal schedule or average hours worked each week and reduce their agreement to a written record.

Records and documents relating to medical certifications, recertifications or medical histories of employees or family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files, except that:

1. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;
2. First aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and
3. Government officials investigating compliance with FMLA shall be provided relevant information upon request.

City of Manchester FMLA Policy Responsibilities and Procedures

Purpose

To outline Employee, Department Head and Human Resources Department responsibilities relative to the City's Family and Medical Leave Policy.

Procedures

FMLA Administrator/Human Resources Department Responsibilities

- Review employee requests for FMLA leave and provide Employees and Department Heads with a determination on employee's eligibility for FMLA leave and if the leave qualifies for FMLA status.
- Provide Department Heads and others with up-to-date information and guidance on FMLA issues and/or changes in the law.
- Provide appropriate FMLA forms, fact sheets and posters to Departments for posting and/or employee use.
- Advise employees of their rights and obligations under the law, as well as the consequences of failing to meet obligations
- Within five business days of an employee requesting leave, absent extenuating circumstances, provide notification to the employee of their eligibility for FMLA leave.
- When the FMLA Administrator has enough information to determine whether the leave is being taken for a FMLA-qualifying reason (for example, after receiving a certification), notify the employee whether the leave will be designated and will be counted as FMLA leave within five business days, absent extenuating circumstances.
- If the leave is not granted, advise the employee of the reasons why the leave request was not granted
- Ensure that appropriate medical certification, recertification and fitness-for-duty certification is provided by the employee within the specified time periods, as outlined in the City's Family and Medical Leave Policy
- Maintain records and documents relating to medical certifications, recertifications, or other medical information for employees or employees' family members in files separate from employee personnel files/records. These records will be treated as confidential, except as provided for in the City's Family and Medical Leave Policy and will be maintained for at least 3 years.
- Inform other City Departments and others with a need to know, that leave has been designated as FMLA leave.
- Assure health benefits continue through the leave period.

- Assure the appropriate designation of leave on payroll records
- Provide notice to the employee on FMLA leave of any opportunity to change health plans or benefits, when such an opportunity exists.

Employing Department Responsibilities

- At the time leave is requested by the employee, or if an employee is absent from work more than 3 days due to his/her illness or injury, the Department Head, Division Manager and/or immediate supervisor must notify the Human Resources Department immediately so that a determination can be made as to whether the employee is eligible for FMLA leave and whether the leave qualifies as FMLA leave.
- Post FMLA notices that can be readily seen by employees, and make FMLA information and forms available to employees (such as request and certification forms).
- Reinstate the employee to his/her previous job or to an equivalent position, with the same pay, benefits and duties (or substantially the same duties), upon the employee's return to work from FMLA leave.
- Properly record all hours taken as approved FMLA leave in the Payroll system, including intermittent and/or reduced schedule FMLA leave.

Employee Responsibility

- An employee is required to complete the City of Manchester FMLA Request Form and submit it to his/her Department Head at least 30 days in advance whenever the leave is foreseeable, including planned medical treatment for serious injury or illness of a covered service member unless not practical. In the case of unforeseen leave, the employee is required to complete the FMLA Request Form as soon as possible, usually within one or two days of becoming aware of the need for FMLA leave. In the event that the employee does not provide 30 days notice, the FMLA Administrator may ask the employee to explain the reasons why providing such notice was not practicable. Late notice may be grounds for denial of requested FMLA leave. When foreseeable leave is due to a qualifying exigency, notice must be provided as soon as practicable regardless of how far in advance leave was foreseeable.
- An employee is required to provide medical certification showing that he/she or a family member has a serious health condition that qualifies for FMLA leave. The medical certification must be provided to the Human Resources Department/FMLA Administrator within 15 days from the date of the request for leave, or in the case of an emergency, as soon as practicable after the 15 days. The employee must also provide periodic recertification as noted in this policy during the course of the employee's leave. If the request for the leave is as a result of the employee's serious health condition, the employee's class specification (job description) will be attached to the certification form when it is submitted to the employee's health care provider for completion.
- An employee on FMLA leave must report, to his/her Department Head (or designee) and/or the FMLA Administrator, every 30 days regarding his/her leave status and intention as to when the employee will be returning to work.

- Prior to the start of work, the employee must provide his/her Department Head (or designee) and/or the FMLA Administrator with a "Fitness for Duty" letter from his/her health care provider, stating he/she is able to return to work.
- If the employee normally pays a portion of the health care premium(s) the City requires that the employee continues to pay the premium(s). If an employee fails to pay the premium for more than 30 days after the date the premium is due, health care coverage will be discontinued.
- An employee must notify his/her Department Head (or designee) immediately if he/she does not intend to return to work.
- When requesting intermittent leave or a reduced schedule work week, consult with the Department Head (or designee) prior to the scheduling of treatment or leave in order to work out a schedule which best suits the needs of both the Department and the employee, subject to the approval of the health care provider. The FMLA Administrator will provide guidance and assistance as requested.

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CITY OF MANCHESTER

ATTACHMENT 1

REQUEST FOR FAMILY AND MEDICAL LEAVE

Employee Name: _____ Department: _____

Regular Work Schedule (indicate the days and hours worked): _____

I request a family and medical leave under the provisions of the Family and Medical Leave Act (FMLA) and the City of Manchester's Family and Medical Leave Policy. My reason for the request is (please check below:)

_____ The birth of my child (Please check the reason for the requested leave).
I understand the City will require medical certification from a health care provider.

- _____ Mother's pregnancy, delivery and post-partum recuperation
- _____ Mother's or Father's care for and bonding with newborn child

Mother's due date: _____ (or child's date of birth)

_____ The placement of a child with me for adoption or foster care. I understand that I must provide a copy of the legal documents certifying this placement.

Child's date of placement: _____ (or anticipated date)

_____ The need to care for my (circle one) SPOUSE, CHILD, PARENT, BLOOD RELATIVE/WARD (living in same household) who has a serious health condition as defined under the FMLA. I understand the City will require medical certification from a health care provider.

_____ My own serious health condition as defined under the FMLA. I understand the City will require medical certification from a health care provider.

_____ To care for an injured or ill covered service member as defined under the FMLA. I understand the City will require medical certification from a health care provider.

_____ Exigencies as defined under the FMLA pertaining to a covered family member's spouse, child or parent on covered active duty or called to covered active duty with the armed forces, in support of a contingency operation as either of the following:

_____ A member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country. I understand the City will require certification of a qualifying exigency.

_____ A member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty. I understand the City will require certification of a qualifying exigency.

I understand that FMLA leave is unpaid, unless the employer requires that paid time off be taken prior to unpaid leave, and that I am entitled to take up to 12 weeks of FMLA leave (26 weeks for military caregiver leave), on a continuous or intermittent basis, during a 12 month period beginning on the first day of FMLA leave.

I am requesting a continuous leave of _____ days or _____ weeks, commencing on or about _____ and ending on _____.

I am requesting intermittent leave of _____ hours per day and/or _____ days per week, commencing on or about _____ and ending on _____.

I further understand that the City of Manchester FMLA Policy requires that I use all paid time (Sick, Vacation, Personal) prior to any unpaid FMLA leave. When FMLA leave is taken for my own or a family member's serious health condition, accumulated paid time will normally be taken in the order of Sick* (including Sick Bank credits if applicable), then Vacation, then Personal (if applicable). When FMLA leave is taken for parental bonding with a newborn child, the placement of a child due to adoption or foster care, or a qualifying military exigency, accumulated paid time will be taken in the order of Vacation, then Personal (if applicable).

* The City of Manchester FMLA Policy, per City Ordinance, provides for the option of using accumulated Sick leave, upon approval of the Department Head, for absence due to the illness or injury of a spouse, child, or other blood relative or ward residing in the same household, or using other accumulated paid leave such as Vacation or Personal time. Please indicate below the type of accumulated paid leave you are requesting for FMLA leave to provide care for a family member (blood relative) residing in your household (subject to approval of Department Head):

_____ SICK

_____ VACATION/PERSONAL

In order to continue my health benefits coverage while I am on FMLA leave I understand that I must continue to make the appropriate employee contributions. Information concerning when and how to make the contributions will be sent upon approval of FMLA leave.

This Request Form will not be considered valid unless signed by employee and Department Head (or designee).

Employee Signature

Date

Department Head (or designee) Signature

Date

Certification of Health Care Provider for
Employee's Serious Health Condition
(Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division



OMB Control Number: 1235-0003
Expires: 2/28/2015

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies.

Employer name and contact: _____

Employee's job title: _____ Regular work schedule: _____

Employee's essential job functions: _____

Check if job description is attached: _____

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 20 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name: _____
First Middle Last

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Please be sure to sign the form on the last page.

Provider's name and business address: _____

Type of practice / Medical specialty: _____

Telephone: () _____ Fax: () _____

PART A. MEDICAL FACTS

1. Approximate date condition commenced: _____

Probable duration of condition: _____

Mark below as applicable:

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?

No Yes. If so, dates of admission:

Date(s) you treated the patient for condition:

Will the patient need to have treatment visits at least twice per year due to the condition? No Yes.

Was medication, other than over-the-counter medication, prescribed? No Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?

No Yes. If so, state the nature of such treatments and expected duration of treatment:

2. Is the medical condition pregnancy? No Yes. If so, expected delivery date: _____

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions.

Is the employee unable to perform any of his/her job functions due to the condition: No Yes.

If so, identify the job functions the employee is unable to perform:

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

PART B: AMOUNT OF LEAVE NEEDED

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery? No Yes.

If so, estimate the beginning and ending dates for the period of incapacity: _____

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition? No Yes.

If so, are the treatments or the reduced number of hours of work medically necessary?
 No Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

Estimate the part-time or reduced work schedule the employee needs, if any:

_____ hour(s) per day; _____ days per week from _____ through _____

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions? No Yes.

Is it medically necessary for the employee to be absent from work during the flare-ups?
 No Yes. If so, explain:

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency : _____ times per _____ week(s) _____ month(s)

Duration: _____ hours or _____ day(s) per episode

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.

Certification of Health Care Provider for Family Member's Serious Health Condition (Family and Medical Leave Act)

U.S. Department of Labor Wage and Hour Division



OMB Control Number: 1235-0003 Expires: 2/28/2015

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave to care for a covered family member with a serious health condition to submit a medical certification issued by the health care provider of the covered family member. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees' family members, created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies.

Employer name and contact: _____

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II before giving this form to your family member or his/her medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave to care for a covered family member with a serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 29 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form to your employer. 29 C.F.R. § 825.305.

Your name: _____
First Middle Last

Name of family member for whom you will provide care: _____
First Middle Last

Relationship of family member to you: _____

If family member is your son or daughter, date of birth: _____

Describe care you will provide to your family member and estimate leave needed to provide care:

Employee Signature _____ Date _____

SECTION III: For Completion by the HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed above has requested leave under the FMLA to care for your patient. Answer, fully and completely, all applicable parts below. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the patient needs leave. Page 3 provides space for additional information, should you need it. Please be sure to sign the form on the last page.

Provider's name and business address: _____

Type of practice / Medical specialty: _____

Telephone: (_____) _____ Fax: (_____) _____

PART A: MEDICAL FACTS

1. Approximate date condition commenced: _____

Probable duration of condition: _____

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?
___ No ___ Yes. If so, dates of admission: _____

Date(s) you treated the patient for condition: _____

Was medication, other than over-the-counter medication, prescribed? ___ No ___ Yes.

Will the patient need to have treatment visits at least twice per year due to the condition? ___ No ___ Yes

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?
___ No ___ Yes. If so, state the nature of such treatments and expected duration of treatment:

2. Is the medical condition pregnancy? ___ No ___ Yes. If so, expected delivery date: _____

3. Describe other relevant medical facts, if any, related to the condition for which the patient needs care (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

PART B: AMOUNT OF CARE NEEDED: When answering these questions, keep in mind that your patient's need for care by the employee seeking leave may include assistance with basic medical, hygienic, nutritional, safety or transportation needs, or the provision of physical or psychological care:

4. Will the patient be incapacitated for a single continuous period of time, including any time for treatment and recovery? No Yes.

Estimate the beginning and ending dates for the period of incapacity: _____

During this time, will the patient need care? No Yes.

Explain the care needed by the patient and why such care is medically necessary:

5. Will the patient require follow-up treatments, including any time for recovery? No Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

Explain the care needed by the patient, and why such care is medically necessary: _____

6. Will the patient require care on an intermittent or reduced schedule basis, including any time for recovery? No Yes.

Estimate the hours the patient needs care on an intermittent basis, if any:

_____ hour(s) per day; _____ days per week from _____ through _____

Explain the care needed by the patient, and why such care is medically necessary:

7. Will the condition cause episodic flare-ups periodically preventing the patient from participating in normal daily activities? ___ No ___ Yes.

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency: ___ times per ___ week(s) ___ month(s)

Duration: ___ hours or ___ day(s) per episode

Does the patient need care during these flare-ups? ___ No ___ Yes.

Explain the care needed by the patient, and why such care is medically necessary: _____

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.

Signature of Health Care Provider

Date

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210.

DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT.

Certification for Serious Injury or
Illness of Covered Servicemember - -
for Military Family Leave (Family and
Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division



OMB Control Number: 1235-0003
Expires: 2/28/2015

Notice to the EMPLOYER INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave due to a serious injury or illness of a covered servicemember to submit a certification providing sufficient facts to support the request for leave. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. § 825.310. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees or employees' family members, created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies.

SECTION I: For Completion by the EMPLOYEE and/or the COVERED SERVICEMEMBER for whom the Employee Is Requesting Leave INSTRUCTIONS to the EMPLOYEE or COVERED SERVICEMEMBER: Please complete Section I before having Section II completed. The FMLA permits an employer to require that an employee submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a serious injury or illness of a covered servicemember. If requested by the employer, your response is required to obtain or retain the benefit of FMLA-protected leave. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to do so may result in a denial of an employee's FMLA request. 29 C.F.R. § 825.310(f). The employer must give an employee at least 15 calendar days to return this form to the employer.

SECTION II: For Completion by a UNITED STATES DEPARTMENT OF DEFENSE ("DOD") HEALTH CARE PROVIDER or a HEALTH CARE PROVIDER who is either: (1) a United States Department of Veterans Affairs ("VA") health care provider; (2) a DOD TRICARE network authorized private health care provider; or (3) a DOD non-network TRICARE authorized private health care provider INSTRUCTIONS to the HEALTH CARE PROVIDER: The employee listed on Page 2 has requested leave under the FMLA to care for a family member who is a member of the Regular Armed Forces, the National Guard, or the Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness. For purposes of FMLA leave, a serious injury or illness is one that was incurred in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank, or rating.

A complete and sufficient certification to support a request for FMLA leave due to a covered servicemember's serious injury or illness includes written documentation confirming that the covered servicemember's injury or illness was incurred in the line of duty on active duty and that the covered servicemember is undergoing treatment for such injury or illness by a health care provider listed above. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave.

Certification for Serious Injury or Illness
of Covered Servicemember - - for
Military Family Leave (Family and
Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division



SECTION I: For Completion by the EMPLOYEE and/or the COVERED SERVICEMEMBER for whom the Employee Is Requesting Leave: (This section must be completed first before any of the below sections can be completed by a health care provider.)

Part A: EMPLOYEE INFORMATION

Name and Address of Employer (this is the employer of the employee requesting leave to care for covered servicemember):

Name of Employee Requesting Leave to Care for Covered Servicemember:

First Middle Last

Name of Covered Servicemember (for whom employee is requesting leave to care):

First Middle Last

Relationship of Employee to Covered Servicemember Requesting Leave to Care:

Spouse Parent Son Daughter Next of Kin

Part B: COVERED SERVICEMEMBER INFORMATION

(1) Is the Covered Servicemember a Current Member of the Regular Armed Forces, the National Guard or Reserves? Yes No

If yes, please provide the covered servicemember's military branch, rank and unit currently assigned to:

Is the covered servicemember assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients (such as a medical hold or warrior transition unit)? Yes No If yes, please provide the name of the medical treatment facility or unit:

(2) Is the Covered Servicemember on the Temporary Disability Retired List (TDRL)? Yes No

Part C: CARE TO BE PROVIDED TO THE COVERED SERVICEMEMBER

Describe the Care to Be Provided to the Covered Servicemember and an Estimate of the Leave Needed to Provide the Care:

SECTION II: For Completion by a United States Department of Defense ("DOD") Health Care Provider or a Health Care Provider who is either: (1) a United States Department of Veterans Affairs ("VA") health care provider; (2) a DOD TRICARE network authorized private health care provider; or (3) a DOD non-network TRICARE authorized private health care provider. If you are unable to make certain of the military-related determinations contained below in Part B, you are permitted to rely upon determinations from an authorized DOD representative (such as a DOD recovery care coordinator). (Please ensure that Section I above has been completed before completing this section.) Please be sure to sign the form on the last page.

Part A: HEALTH CARE PROVIDER INFORMATION

Health Care Provider's Name and Business Address:

Type of Practice/Medical Specialty: _____

Please state whether you are either: (1) a DOD health care provider; (2) a VA health care provider; (3) a DOD TRICARE network authorized private health care provider; or (4) a DOD non-network TRICARE authorized private health care provider: _____

Telephone: () _____ Fax: () _____ Email: _____

PART B: MEDICAL STATUS

(1) Covered Servicemember's medical condition is classified as (Check One of the Appropriate Boxes):

(VSI) Very Seriously Ill/Injured – Illness/Injury is of such a severity that life is imminently endangered. Family members are requested at bedside immediately. (Please note this is an internal DOD casualty assistance designation used by DOD healthcare providers.)

(SI) Seriously Ill/Injured – Illness/injury is of such severity that there is cause for immediate concern, but there is no imminent danger to life. Family members are requested at bedside. (Please note this is an internal DOD casualty assistance designation used by DOD healthcare providers.)

OTHER Ill/Injured – a serious injury or illness that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating.

NONE OF THE ABOVE (Note to Employee: If this box is checked, you may still be eligible to take leave to care for a covered family member with a "serious health condition" under § 825.113 of the FMLA. If such leave is requested, you may be required to complete DOL FORM WH-380 or an employer-provided form seeking the same information.)

(2) Was the condition for which the Covered Service member is being treated incurred in line of duty on active duty in the armed forces? Yes No

(3) Approximate date condition commenced: _____

(4) Probable duration of condition and/or need for care: _____

(5) Is the covered servicemember undergoing medical treatment, recuperation, or therapy? Yes No. If yes, please describe medical treatment, recuperation or therapy:

PART C: COVERED SERVICEMEMBER'S NEED FOR CARE BY FAMILY MEMBER

- (1) Will the covered servicemember need care for a single continuous period of time, including any time for treatment and recovery? Yes No
If yes, estimate the beginning and ending dates for this period of time: _____
- (2) Will the covered servicemember require periodic follow-up treatment appointments?
 Yes No If yes, estimate the treatment schedule: _____
- (3) Is there a medical necessity for the covered servicemember to have periodic care for these follow-up treatment appointments? Yes No
- (4) Is there a medical necessity for the covered servicemember to have periodic care for other than scheduled follow-up treatment appointments (e.g., episodic flare-ups of medical condition)? Yes No If yes, please estimate the frequency and duration of the periodic care:

Signature of Health Care Provider: _____ Date: _____

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years, in accordance with 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution AV, NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE PATIENT.**

Certification of Qualifying Exigency
For Military Family Leave
(Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division



OMB Control Number: 1235-0003
Expires: 2/28/2015

SECTION I: For Completion by the EMPLOYER

INSTRUCTIONS to the EMPLOYER: The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. Please complete Section I before giving this form to your employee. Your response is voluntary, and while you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. § 825.309.

Employer name: _____

Contact Information: _____

SECTION II: For Completion by the EMPLOYEE

INSTRUCTIONS to the EMPLOYEE: Please complete Section II fully and completely. The FMLA permits an employer to require that you submit a timely, complete, and sufficient certification to support a request for FMLA leave due to a qualifying exigency. Several questions in this section seek a response as to the frequency or duration of the qualifying exigency. Be as specific as you can; terms such as "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Your response is required to obtain a benefit. 29 C.F.R. § 825.310. While you are not required to provide this information, failure to do so may result in a denial of your request for FMLA leave. Your employer must give you at least 15 calendar days to return this form to your employer.

Your Name: _____
 First Middle Last

Name of covered military member on active duty or call to active duty status in support of a contingency operation:

 First Middle Last

Relationship of covered military member to you: _____

Period of covered military member's active duty: _____

A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes written documentation confirming a covered military member's active duty or call to active duty status in support of a contingency operation. Please check one of the following:

- A copy of the covered military member's active duty orders is attached.
- Other documentation from the military certifying that the covered military member is on active duty (or has been notified of an impending call to active duty) in support of a contingency operation is attached.
- I have previously provided my employer with sufficient written documentation confirming the covered military member's active duty or call to active duty status in support of a contingency operation.

PART A: QUALIFYING REASON FOR LEAVE

1. Describe the reason you are requesting FMLA leave due to a qualifying exigency (including the specific reason you are requesting leave):

2. A complete and sufficient certification to support a request for FMLA leave due to a qualifying exigency includes any available written documentation which supports the need for leave; such documentation may include a copy of a meeting announcement for informational briefings sponsored by the military, a document confirming an appointment with a counselor or school official, or a copy of a bill for services for the handling of legal or financial affairs. Available written documentation supporting this request for leave is attached. Yes No None Available

PART B: AMOUNT OF LEAVE NEEDED

1. Approximate date exigency commenced: _____

Probable duration of exigency: _____

2. Will you need to be absent from work for a single continuous period of time due to the qualifying exigency? No Yes.

If so, estimate the beginning and ending dates for the period of absence:

3. Will you need to be absent from work periodically to address this qualifying exigency? No Yes.

Estimate schedule of leave, including the dates of any scheduled meetings or appointments: _____

Estimate the frequency and duration of each appointment, meeting, or leave event, including any travel time (i.e., 1 deployment-related meeting every month lasting 4 hours):

Frequency: _____ times per _____ week(s) _____ month(s)

Duration: _____ hours _____ day(s) per event.

PART C:

If leave is requested to meet with a third party (such as to arrange for childcare, to attend counseling, to attend meetings with school or childcare providers, to make financial or legal arrangements, to act as the covered military member's representative before a federal, state, or local agency for purposes of obtaining, arranging or appealing military service benefits, or to attend any event sponsored by the military or military service organizations), a complete and sufficient certification includes the name, address, and appropriate contact information of the individual or entity with whom you are meeting (i.e., either the telephone or fax number or email address of the individual or entity). This information may be used by your employer to verify that the information contained on this form is accurate.

Name of Individual: _____ Title: _____

Organization: _____

Address: _____

Telephone: (____) _____ Fax: (____) _____

Email: _____

Describe nature of meeting: _____

PART D:

I certify that the information I provided above is true and correct.

Signature of Employee

Date

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution AV, NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION; RETURN IT TO THE EMPLOYER.**

Notice of Eligibility and Rights &
Responsibilities
(Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division



OMB Control Number: 1235-0003
Expires: 2/28/2015

In general, to be eligible an employee must have worked for an employer for at least 12 months, have worked at least 1,250 hours in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form by employers is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. § 825.300(b), which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave, as required by 29 C.F.R. § 825.300(b), (c).

[Part A – NOTICE OF ELIGIBILITY]

TO: _____
Employee

FROM: _____
Employer Representative

DATE: _____

On _____, you informed us that you needed leave beginning on _____ for:

- _____ The birth of a child, or placement of a child with you for adoption or foster care;
- _____ Your own serious health condition;
- _____ Because you are needed to care for your _____ spouse; _____ child; _____ parent due to his/her serious health condition.
- _____ Because of a qualifying exigency arising out of the fact that your _____ spouse; _____ son or daughter; _____ parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves.
- _____ Because you are the _____ spouse; _____ son or daughter; _____ parent; _____ next of kin of a covered servicemember with a serious injury or illness.

This Notice is to inform you that you:

- _____ Are eligible for FMLA leave (See Part B below for Rights and Responsibilities)
- _____ Are **not** eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):
- _____ You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately _____ months towards this requirement.
- _____ You have not met the FMLA's 1,250-hours-worked requirement.
- _____ You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact _____ or view the
FMLA poster located in _____.

[PART B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE]

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. **However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following information to us by _____.** (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances.) If sufficient information is not provided in a timely manner, your leave may be denied.

- _____ Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to support your request _____ is/ _____ is not enclosed.
- _____ Sufficient documentation to establish the required relationship between you and your family member.
- _____ Other information needed: _____

_____ No additional information requested

If your leave does qualify as FMLA leave you will have the following responsibilities while on FMLA leave (only checked blanks apply):

Contact _____ at _____ to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, indicate longer period, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

You will be required to use your available paid _____ sick, _____ vacation, and/or _____ other leave during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

Due to your status within the company, you are considered a "key employee" as defined in the FMLA. As a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We _____ have/_____ have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every _____. (Indicate interval of periodic reports, as appropriate for the particular leave situation).

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on the reverse side of this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following rights while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as:
 - _____ the calendar year (January – December).
 - _____ a fixed leave year based on _____.
 - _____ the 12-month period measured forward from the date of your first FMLA leave usage.
 - _____ a "rolling" 12-month period measured backward from the date of any FMLA leave usage.
- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on _____.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have _____ sick, _____ vacation, and/or _____ other leave run concurrently with your unpaid leave entitlement, provided you meet any applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.

_____ For a copy of conditions applicable to sick/vacation/other leave usage please refer to _____ available at: _____.

_____ Applicable conditions for use of paid leave: _____

Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact:

_____ at _____.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Designation Notice
(Family and Medical Leave Act)

U.S. Department of Labor
Wage and Hour Division



OMB Control Number: 1235-0003

Expires: 2/28/2015

Leave covered under the Family and Medical Leave Act (FMLA) must be designated as FMLA-protected and the employer must inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. In order to determine whether leave is covered under the FMLA, the employer may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the employer must state in writing what additional information is necessary to make the certification complete and sufficient. While use of this form by employers is optional, a fully completed Form WH-382 provides an easy method of providing employees with the written information required by 29 C.F.R. §§ 825.300(c), 825.301, and 825.305(c).

To: _____

Date: _____

We have reviewed your request for leave under the FMLA and any supporting documentation that you have provided. We received your most recent information on _____ and decided:

_____ Your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave.

The FMLA requires that you notify us as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your leave entitlement:

_____ Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement: _____

_____ Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

Please be advised (check if applicable):

_____ You have requested to use paid leave during your FMLA leave. Any paid leave taken for this reason will count against your FMLA leave entitlement.

_____ We are requiring you to substitute or use paid leave during your FMLA leave.

_____ You will be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. A list of the essential functions of your position _____ is _____ is not attached. If attached, the fitness-for-duty certification must address your ability to perform these functions.

_____ **Additional information is needed to determine if your FMLA leave request can be approved:**

_____ The certification you have provided is not complete and sufficient to determine whether the FMLA applies to your leave request. You must provide the following information no later than _____, unless it is not
(Provide at least seven calendar days)
practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied.

(Specify information needed to make the certification complete and sufficient)

_____ We are exercising our right to have you obtain a second or third opinion medical certification at our expense, and we will provide further details at a later time.

_____ Your FMLA Leave request is Not Approved.

_____ The FMLA does not apply to your leave request.

_____ You have exhausted your FMLA leave entitlement in the applicable 12-month period.

PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT

It is mandatory for employers to inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA. 29 U.S.C. § 2617, 29 C.F.R. §§ 825.300(d), (e). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616, 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 – 30 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Form WH-382 January 2009

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that the ordinance related to military leave for employees, submitted by the Chief of Police, be approved and forwarded to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee

City of Manchester
New Hampshire

In the year Two Thousand and Thirteen

AN ORDINANCE

“Amending Section 33.080(A) Military Service of the Code of Ordinances of the City of Manchester by increasing the number of paid military leave days from ten to twenty days and deleting 33.080(A)(1) related to attendance at military funerals.”

- I. Amend Section 33.080 of the Code of Ordinances by deleting language stricken (--) and inserting new language as bolded (**bold**).

§ 33.080 MILITARY SERVICE.

(A) Any employee who holds a position that is expected to continue indefinitely or for a significant period of time or official of the city who is a member of the National Guard or of a reserve component of the armed forces of the United States shall be entitled to military leave when such duty is in conflict with the employee's or official's regular work schedule. Employees and officials who are eligible for paid time off shall be entitled to ~~ten~~ **twenty** days of paid military leave per training year (October 1 to September 30) to engage in temporary active duty **or to attend military funerals** when such duty is in conflict with the employee's or official's work schedule.

~~(1) In addition to the ten paid military days for training each training year (October 1 to September 30), said employees shall be eligible for five additional paid military days to attend military funerals as assigned by the military.~~

- II. This ordinance shall take effect upon passage.

Jane Gile
Human Resources Director



CITY OF MANCHESTER
Human Resources Department

RECEIVED: 1/28/13
CITY CLERK'S OFFICE

January 28, 2013

William Shea, Chair
Human Resources and Insurance Committee
One City Hall Plaza, Manchester, NH 03101

RE: Military Leave

At the last meeting of HRIC in January, Chief Mara presented a request to change in the number of days that employees, who are enlisted in the National Guard or Military Reserves, are provided per training year to engage in temporary active duty when the duty is in conflict with the employee's regular work schedule.

Before making its decision, the Committee requested information from the HR Director regarding the number of employees who were affected by this proposal. I have attached information for the last training year (October 2011 to September 2012) to highlight not only the number of employees, but also the quantity of the time taken.

In a nutshell, 13 employees used military leave in federal fiscal year 12 for a total of 990.80 hours at a cost of \$28,204.12. The breakout is as follows: EPD (Dept 27) – 1 employee (5 days); Fire (Dept 30) – 1 employee (16 days); Police (Dept 33) – 11 employees (9 have maxed the 10 days), 1 (11 days), 1 (1 day).

As stated at the Committee level the chief's proposal does not apply to employees called up to active duty, only to those who are engaged in military training activities while still actively employed by the City of Manchester.

Sincerely,

Jane E. Gile
Human Resources Director

Military Leave Paid Military Year - October 1, 2011-September 30, 2012

Dept #	Hours Type Code	Hours Quantity	Hours Amount	Hours Date	Check Date
27	M1	8.000	\$231.84	4/16/2012	4/26/2012
	M1	8.000	\$231.84	4/17/2012	4/26/2012
	M1	8.000	\$231.84	4/18/2012	4/26/2012
	M1	8.000	\$231.84	4/19/2012	4/26/2012
	M1	8.000	\$231.84	4/20/2012	4/26/2012
		40.000	\$1,159.20		
		40.000	\$1,159.20		
30	M1	8.400	\$216.22	10/17/2011	10/27/2011
	M1	8.400	\$216.22	10/18/2011	10/27/2011
	M1	8.400	\$216.22	10/19/2011	10/27/2011
	M1	8.400	\$216.22	10/20/2011	10/27/2011
	M1	8.400	\$216.22	10/21/2011	10/27/2011
	M1	8.400	\$221.59	9/8/2012	9/13/2012
	M1	8.400	\$221.59	9/10/2012	9/20/2012
	M1	8.400	\$221.59	9/11/2012	9/20/2012
	M1	8.400	\$221.59	9/12/2012	9/20/2012
	M1	8.400	\$221.59	9/13/2012	9/20/2012
	M1	8.400	\$221.59	9/14/2012	9/20/2012
	M1	8.400	\$235.37	9/17/2012	9/27/2012
	M1	8.400	\$235.37	9/18/2012	9/27/2012
	M1	8.400	\$235.37	9/19/2012	9/27/2012
	M1	8.400	\$235.37	9/20/2012	9/27/2012
	M1	8.400	\$235.37	9/21/2012	9/27/2012
			142.800	\$3,809.08	
		142.800	\$3,809.08		
33	M1	8.000	\$249.04	10/1/2011	10/6/2011
	M1	8.000	\$249.04	11/6/2011	12/1/2011
	M1	8.000	\$249.04	12/11/2011	12/22/2011
	M1	8.000	\$249.04	2/4/2012	2/9/2012
	M1	8.000	\$249.04	2/5/2012	2/16/2012
	M1	8.000	\$249.04	4/15/2012	4/26/2012
	M1	8.000	\$249.04	6/2/2012	6/7/2012
	M1	8.000	\$255.28	8/1/2012	8/9/2012
	M1	8.000	\$255.28	8/2/2012	8/9/2012
	M1	8.000	\$255.28	8/5/2012	8/16/2012

Military Leave Paid Military Year - October 1, 2011-September 30, 2012

Dept #	Hours Type Code	Hours Quantity	Hours Amount	Hours Date	Check Date
		80.000	\$2,509.12		
	M1	8.000	\$190.88	10/15/2011	10/20/2011
	M1	8.000	\$196.56	12/10/2011	12/15/2011
	M1	8.000	\$196.56	1/7/2012	1/12/2012
	M1	8.000	\$196.56	1/8/2012	1/19/2012
	M1	8.000	\$196.56	2/11/2012	2/16/2012
	M1	8.000	\$196.56	2/12/2012	2/23/2012
	M1	8.000	\$196.56	3/31/2012	4/5/2012
	M1	8.000	\$196.56	4/1/2012	4/12/2012
	M1	8.000	\$196.56	5/5/2012	5/10/2012
	M1	8.000	\$196.56	5/6/2012	5/17/2012
		80.000	\$1,959.92		
	M1	8.000	\$208.64	10/15/2011	10/20/2011
	M1	8.000	\$208.64	11/18/2011	11/23/2011
	M1	8.000	\$208.64	11/20/2011	12/1/2011
	M1	8.000	\$208.64	12/11/2011	12/22/2011
	M1	8.000	\$208.64	1/7/2012	1/12/2012
	M1	8.000	\$208.64	2/11/2012	2/16/2012
	M1	8.000	\$208.64	2/12/2012	2/23/2012
	M1	8.000	\$208.64	3/10/2012	3/15/2012
	M1	8.000	\$208.64	3/11/2012	3/22/2012
	M1	8.000	\$208.64	4/21/2012	4/26/2012
		80.000	\$2,086.40		
	M1	8.000	\$208.64	4/29/2012	5/10/2012
		8.000	\$208.64		
	M1	8.000	\$234.72	10/22/2011	10/27/2011
	M1	8.000	\$234.72	10/23/2011	11/3/2011
	M1	8.000	\$234.72	11/5/2011	11/10/2011
	M1	8.000	\$234.72	11/6/2011	12/1/2011
	M1	8.000	\$234.72	12/3/2011	12/8/2011
	M1	8.000	\$234.72	3/5/2012	3/15/2012
	M1	8.000	\$234.72	4/14/2012	4/19/2012
	M1	-8.000	(\$234.72)	4/14/2012	4/26/2012
	M1	8.000	\$234.72	6/2/2012	6/7/2012
	M1	8.000	\$234.72	6/3/2012	6/14/2012

Military Leave Paid Military Year - October 1, 2011-September 30, 2012

Dept #	Hours Type Code	Hours Quantity	Hours Amount	Hours Date	Check Date
33...	M1	8.000	\$234.72	6/6/2012	6/14/2012
		72.000	\$2,112.48		
	M1	8.000	\$256.56	12/1/2011	12/15/2011
	M1	8.000	\$256.56	12/2/2011	12/15/2011
	M1	8.000	\$256.56	3/1/2012	3/8/2012
	M1	8.000	\$256.56	3/2/2012	3/8/2012
	M1	8.000	\$256.56	5/3/2012	5/10/2012
	M1	8.000	\$256.56	5/4/2012	5/10/2012
	M1	8.000	\$256.56	5/31/2012	6/8/2012
	M1	8.000	\$256.56	6/1/2012	6/8/2012
	M1	8.000	\$262.96	7/24/2012	8/2/2012
	M1	8.000	\$262.96	7/25/2012	8/2/2012
		80.000	\$2,578.40		
	M1	8.000	\$201.44	8/8/2012	8/16/2012
	M1	8.000	\$201.44	8/10/2012	8/16/2012
	M1	8.000	\$201.44	8/11/2012	8/16/2012
	M1	8.000	\$201.44	8/14/2012	8/23/2012
	M1	8.000	\$201.44	8/15/2012	8/23/2012
	M1	8.000	\$201.44	8/16/2012	8/23/2012
	M1	8.000	\$201.44	8/17/2012	8/23/2012
	M1	8.000	\$201.44	8/20/2012	8/30/2012
	M1	8.000	\$201.44	8/21/2012	8/30/2012
	M1	8.000	\$201.44	8/22/2012	8/30/2012
	M1	8.000	\$201.44	8/23/2012	8/30/2012
		88.000	\$2,215.84		
	M1	8.000	\$265.60	10/15/2011	10/20/2011
	M1	8.000	\$265.60	12/19/2011	12/29/2011
	M1	8.000	\$265.60	3/13/2012	3/22/2012
	M1	8.000	\$265.60	3/14/2012	3/22/2012
	M1	8.000	\$265.60	3/29/2012	4/5/2012
	M1	8.000	\$265.60	4/24/2012	5/3/2012
	M1	8.000	\$265.60	5/1/2012	5/10/2012
	M1	8.000	\$265.60	6/22/2012	6/28/2012
	M1	8.000	\$265.60	6/28/2012	7/5/2012
	M1	8.000	\$265.60	6/29/2012	7/5/2012

Military Leave Paid Military Year - October 1, 2011-September 30, 2012

Dept #	Hours Type Code	Hours Quantity	Hours Amount	Hours Date	Check Date
		80.000	\$2,656.00		
	M1	8.000	\$196.56	10/22/2011	10/27/2011
	M1	8.000	\$196.56	11/7/2011	11/17/2011
	M1	8.000	\$196.56	11/9/2011	12/1/2011
	M1	8.000	\$196.56	12/2/2011	12/8/2011
	M1	8.000	\$196.56	12/3/2011	12/8/2011
	M1	8.000	\$202.40	3/5/2012	3/15/2012
	M1	8.000	\$202.40	4/16/2012	4/26/2012
	M1	8.000	\$202.40	4/28/2012	5/3/2012
	M1	8.000	\$202.40	6/21/2012	6/28/2012
	M1	8.000	\$207.44	8/3/2012	8/9/2012
		80.000	\$1,999.84		
	M1	8.000	\$314.32	11/17/2011	11/23/2011
	M1	8.000	\$314.32	11/18/2011	11/23/2011
	M1	8.000	\$314.32	2/8/2012	2/16/2012
	M1	8.000	\$314.32	2/9/2012	2/16/2012
	M1	8.000	\$314.32	2/10/2012	2/16/2012
	M1	8.000	\$314.32	2/13/2012	2/23/2012
	M1	8.000	\$314.32	2/14/2012	2/23/2012
	M1	8.000	\$314.32	2/15/2012	2/23/2012
	M1	8.000	\$314.32	2/16/2012	2/23/2012
	M1	8.000	\$314.32	2/17/2012	2/23/2012
		80.000	\$3,143.20		
		728.000	\$21,469.84		
50	M1	8.000	\$176.16	3/19/2012	3/29/2012
	M1	8.000	\$176.16	3/20/2012	3/29/2012
	M1	8.000	\$176.16	3/21/2012	3/29/2012
	M1	8.000	\$176.16	3/22/2012	3/29/2012
	M1	8.000	\$176.16	3/23/2012	3/29/2012
	M1	8.000	\$176.16	5/22/2012	5/31/2012
	M1	8.000	\$176.16	6/27/2012	7/5/2012
	M1	8.000	\$176.16	6/28/2012	7/5/2012
	M1	8.000	\$176.16	6/29/2012	7/5/2012
	M1	8.000	\$180.56	8/2/2012	8/9/2012

Military Leave Paid Military Year - October 1, 2011-September 30, 2012

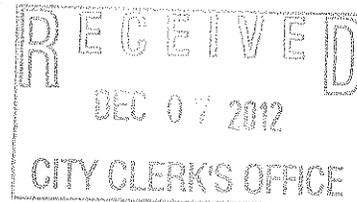
Dept #	Hours Type Code	Hours Quantity	Hours Amount	Hours Date	Check Date
		80.000	\$1,766.00		
		80.000	\$1,766.00		
		990.800	\$28,204.12		

Chief of Police
David J. Mara
Assistant Chief
Gary T. Simmons



Commission
Richard M. Bunker
Woullard H. Lett
William M. Clifford
Eva Castillo-Turgeon
Mark E. Roy

CITY OF MANCHESTER
Police Department



December 4, 2012

Committee on Human Resources
Chairman William Shea
One City Hall Plaza
Manchester, NH 03101

Dear Chairman Shea and Committee;

We would request to be placed on the agenda at the next committee meeting to discuss military leave for employees currently enlisted as National Guard or Military Reservist.

It had been brought to our attention by some of our guard and reservist that the number of days allotted for paid leave for military training was considerably less than the requirements of the military to attend mandatory training throughout the training year.

At my request, patrolman Alan Aldenberg who holds the rank of Lieutenant Colonel with the National Guard drafted a letter concerning the number of days allotted by the city to attend training duties with their respective units. I have enclosed his letter which outlines the duties and responsibilities of today's members which has certainly changed considerably over the last several years.

Currently City Ordinance 33.080 provides for ten days of paid military leave per training year (October 1, to September 30) to engage in temporary active duty when such duty is in conflict with the employee's or officials work schedule.

In 2006 an amendment to the ordinance was created to read as follows; *In addition to the ten paid military days for training each training year (October 1 to September 30), said employees shall be eligible for five additional paid military days to attend funerals as assigned by the military.*

Conflict with an employee's duty is a regular concern of our guard and reservist given the unique schedule of police work.

With the additional commitments of today's military guard and reservist we believe our military personnel's concern has merit as it relates to those already committed to work for their current employer and then scheduled for military training.

Ralph Miller Public Safety Center
351 Chestnut Street • Manchester, New Hampshire 03101 • (603) 668-8711 • FAX: (603) 668-8941
E-mail: ManchesterPD@manchesternh.gov • Website: www.manchesterpd.com

A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY



At this point the city offers 10 days per year for military training and 5 additional days restricted to attend military funerals as assigned by the military. We have checked with other agencies around the state and determined that many agencies offer 15 days of paid military leave, with different options for military funerals.

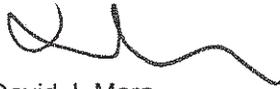
I would ask the committee to consider changing its current allotment of 10 days to 20 days and offer the following suggestions to an ordinance change (**in bold**);

33.080 (A) Any employee who holds a position that is expected to continue indefinitely or for a significant period of time or official of the city who is a member of the National Guard or of a reserve component of the armed forces of the United States shall be entitled to military leave when such duty is in conflict with the employee's or official's regular work schedule. Employees and officials who are eligible for paid time off shall be entitled to ten (**twenty**) days of paid military leave per training year (October 1 to September 30) to engage in temporary active duty **or to attend military funerals** as assigned by the military when such duty is in conflict with the employee's or official's work schedule.

(REMOVE) (1) In addition to the ten paid military days for training each training year (October 1 to September 30), said employees shall be eligible for five additional paid military days to attend military funerals as assigned by the military.

I look forward to discussing this at the next available committee meeting.

Sincerely,



David J. Mara
Chief of Police

Chief of Police
David J. Mara
Assistant Chief
Gary T. Simmons



Commission
Richard M. Bunker
Jerome B. Duval
Woullard H. Lett
William M. Clifford
Eva Castillo-Turgeon

CITY OF MANCHESTER
Police Department

7 November 2012

To: Chief David J. Mara
From: Officer Allen D. Aldenberg
Subject: Paid Military Leave

Sir:

The intent of this memorandum is to address the issue of paid military leave which is currently governed by city ordinance as opposed to being contractual. The current ordinance affords active members of the National Guard or the Reserves ten days of paid military leave from October 1 through September 30. On the surface such allocation may seem sufficient but I would caution anyone from taking this position and I offer that for a variety of reasons which I hope to articulate below.

It is very clear that the role of the National Guard and the Reserves has changed drastically since the events of 9/11. Since 9/11, the Army National Guard (ARNG) has had 487,856 Soldier mobilizations with many Soldiers deploying more than once. More than fifty percent of ARNG Soldiers are combat veterans and more than eighty percent joined the Army National Guard after 9/11. As I am sure you aware the National Guard is dual purposed in that they have both a state and federal mission. The incredible versatility of the National Guard enables its troops to respond to domestic emergencies, combat missions, counter drug efforts, reconstruction missions and more—all with equal speed, strength and efficiency. Whether the call is coming from the state governor or directly from the president of the United States, Guard and Reserve Soldiers are always ready and always there.

In order to truly understand the issue at hand I think it is important to have a working knowledge of what is required on a yearly basis by an active drilling member. At a minimum a member is required to complete 39 days a year and that is broken down by one weekend drill period per month (24 days) in addition to their annual training period which is for 15 days. Again, this is the bear minimum that is required. Keep in mind that the majority of units in today's operational tempo may begin their weekend drill on Friday and for my particular

Ralph Miller Public Safety Center
351 Chestnut Street • Manchester, New Hampshire 03101 • (603) 668-8711 • FAX: (603) 668-8941
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A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY



unit this happens at a minimum four times a year.

The above mentioned days does not take in account those times that a member may be called into a state active duty status per the Governor in support of their state mission and this includes but not limited to natural disasters, humanitarian assistance, and support to local, state, and federal law enforcement. Also, as a member progresses through his/her career their are military education requirements that are prerequisites for attaining promotion and other positions of greater responsibility. The majority of these military educational schools are generally two weeks in length and again is completed above and beyond their required drill periods.

The majority of our members currently work the standard four and two schedule. Add this variable to the current allocation of ten paid military days and the negative result is that many of us are forced to use vacation time, personal days, arrange swaps and in some instances take non-paid military leave in order to fulfill our military commitment. I am certain that you would agree that the above mentioned scenarios are not preferred.

It is my hope that the above summarizes the issue at hand and if the opportunity arises I would be more than willing to speak in person with the Board of Aldermen. Thank you for your attention to this matter and I look to a resolution that is favorable to all parties involved.

Sincerely,

Allen D. Aldenberg

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

NO PARKING ANYTIME – EMERGENCY ORDINANCE:

On Woodland Avenue, both sides, from Hanover Street to Trinity Street

Alderman Osborne

On Belmont Street, west side, from Massabesic Street to Cedar Street

Alderman Osborne

On Orange Street, south side, from Beech Street to Maple Street

Alderman Ludwig

RESCIND 15 MINUTE PARKING – EMERGENCY ORDINANCE:

On Belmont Street, west side, from Massabesic Street to Cedar Street (Ord. 9839)

Alderman Osborne

RESCIND NO PARKING LOADING ZONE:

On Hanson Street, from a point 80 feet east of Elm Street to a point 110 feet easterly (Ord. 3114)

Alderman Long

RESCIND STOP SIGN:

On Hanson Street at Elm Street – NEC (Ord. 0856)

Alderman Long

RESCIND ONE HOUR PARKING:

On Hayward Street, north side, from Hall Street to Belmont Street (Ord. 3128)

Alderman Shea

On Second Street, west side, from a point 200 feet north of Blaine Street to a point 200 feet northerly (Ord. 6088)

On Second Street, west side, from Walker Street Northback Street to a point 40 feet northerly (Ord. 6087)

Alderman Greazzo

On Ash Street, east side, from North Street to a point 138 feet south of Webster Street(Ord. 2569)

Alderman Ludwig

RESCIND Parking 1 Hour for Public on Police Business only:

Chestnut Street, west side, from Manchester Street to Merrimack Street (Ord. 8271)

Alderman Long

RESCIND Parking for Police Vehicles only:

Manchester Street, south side, from a point 25 feet east of Chestnut Street to a point 90 feet east (Ord. 8274)

Alderman Long

Manchester Street, south side, from a point 155 feet east of Chestnut Street to Pine Street (Ord. 8373)

Alderman Long

RESCIND One Hour Parking – Public on Police/Fire Business:

Merrimack Street, north side, from Chestnut Street to a point 90 feet east (Ord. 6497)

Alderman Long

Parking 10 hours 8:00 a.m.-8:00 p.m. Monday-Friday (single space meters):

Merrimack Street, north side, from Chestnut Street to a point 90 feet east

Alderman Long

Parking 10 hours 8:00 a.m.-8:00 p.m. Monday-Friday (pay and display):

Merrimack Street, south side, from Chestnut Street to a point 133 feet east

Alderman Long

Manchester Street, south side, from Chestnut Street to Pine Street
Alderman Long
Chestnut Street, west side, from Manchester Street to Merrimack
Street
Alderman Long

Parking for Fire Department Vehicles only:

Merrimack Street, south side, from a point 133 feet east of Chestnut
Street to Pine Street
Alderman Long

RESCIND NO PARKING ANYTIME:

On Ash Street, east side, from Webster Street to a point 138 feet
southerly (Ord. 2568)
Alderman Ludwig

STOP SIGNS:

On Clement Street at Dickey Street – NWC, SEC
Alderman Greazzo

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Matthew Normand".

Clerk of Committee

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the request the abi Innovation Hub for the use of a portion of Arms Parking Lot for a fundraising event scheduled for Thursday, May 23, 2013, be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink that reads "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



City of Manchester Parking Division

Denise Boutilier
Parking Manager
dboutilier@manchesternh.gov

January 24, 2013

Chairman Thomas Katsiantonas
Committee on Public Safety, Health and Traffic
1 City Hall Plaza
Manchester, NH 03101

RE: Request to use Arms Lot
Thursday, May 23, 2013
Abi Innovation Hub 2nd Annual Signature Fundraising event

Dear Chairman Katsiantonas:

I have received the following request for the Committee's review.

Michele Petersen is requesting the use of a portion of the Arms Lot for their 2nd Annual Signature Fundraising event scheduled for Thursday, May 23, 2013. They will need to set up on May 22, 2013.

I have reached out to Milly's Tavern, Cotton and UNH.

UNH asks that enough portable toilets are brought in as their rest rooms will not be available. If you have any questions, please don't hesitate to ask.

Milly's had no issues.

Cotton had no issues.

Sincerely,

Denise Boutilier
Parking Manager

cc: Bill Sanders, Finance Director



844 Elm Street
Manchester, NH 03101
T. 603-629-9511
www.abihub.org

January 18, 2013

Ms. Denise Boutilier
Parking Manager
City of Manchester
Parking Division
25 Vine Street
Manchester, NH 03103

Dear Ms. Boutilier,

I am seeking permission for the abi Innovation Hub, a nonprofit 501(c)(3) organization, to utilize the parking lots at Arms Park, which will be the site for our 2nd Annual Signature Fundraising event on Thursday, May 23, 2013. This event is one of the activities included in Small Business Week, an effort that is being coordinated by the City of Manchester.

We are seeking use of the property as follows:

Wednesday, May 22, 2013 (day before event)

Use of the parking lots for a 4,000 to 6,000 square foot tent to be set up sometime during the day.

Thursday, May 23, 2103 (day of event)

The tent will house tables, chairs and staging. We will have approximately four portable toilets outside of the tent area. The event will begin at 5:30pm and is expected to end around 9:30pm. We will begin the evening with musicians, followed by a keynote speaker, and awards ceremony. After the presentation the musicians will resume playing. There will be several food stations/vendors. The event will conclude around 9:30pm. We are expecting 250-300 people to attend.

The tent will be removed from the premises on Friday, May 24, 2013.

We will be respectful of the property and leave the premises in a clean and orderly condition. We will also work closely with the appropriate contacts to assure that our event causes minimal disruption and

inconvenience to the area including UNH Security and management at Cotton Restaurant. I will be personally on-site or available via cell phone (603-785-0824) as well as my colleague Jamie Coughlin (603-203-3126) during any times we are using the space.

The abi Innovation Hub nurtures high growth startups and creates an environment where entrepreneurs have access to the resources, connections, experience, and capital to support the journey of putting ideas into action. We are literally a hub for all things 'startup. We foster a clean, open and vibrant workspace, where a spirit of open-source entrepreneurship is encouraged! We rely on fundraisers, such as our signature event, to provide the best services possible.

tion.




Michele Petersen
Chief Operating Officer

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the request from the NH Fisher Cats and Clear Channel Media Entertainment for the use of Arms Parking Lot for a skyshow/fireworks event to be held on Sunday, May 26, 2013, be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink that reads "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



City of Manchester Parking Division

Denise Boutilier
Parking Manager
dboutilier@manchesternh.gov

January 24, 2013

Chairman Thomas Katsiantonas
Committee on Public Safety, Health and Traffic
1 City Hall Plaza
Manchester, NH 03101

RE: Request to use Arms Lot
Sunday, May 26, 2013
Fisher Cats/Rock 101 Skyshow/Fireworks

Dear Chairman Katsiantonas:

I have received the following request for the Committee's review.

Rick Brenner, Fishers Cats President and Joseph Graham, Vice President Clear Channel Media Entertainment, are requesting the Arms Lot for their Skyshow/Fireworks event scheduled for Sunday, May 26, 2013.

I have reached out to Milly's Tavern, Cotton and UNH.

UNH asks that enough portable toilets are brought in as their rest rooms will not be available. If you have any questions, please don't hesitate to ask.

Milly's will submit their comments under separate cover.

Cotton has not responded as of this writing.

Sincerely,

Denise Boutilier
Parking Manager

cc: Bill Sanders, Finance Director

Boutilier, Denise

From: Tim Restall [trestall@nhfishercats.com]
Sent: Thursday, January 17, 2013 4:34 PM
To: Boutilier, Denise
Subject: FW: DC-260-B5DC9A265 has been scanned

Attachments: DC-260-B5DC9A265.pdf



DC-260-B5D
265.pdf (157)

Good Evening Denise,

Please find attached the letter for reserving Arms Park for Sunday May 26th. If you could let me know when this goes in front of the board of alderman, I would greatly appreciate it. If I need to send a hard copy or if you have any questions, please feel free to call

Thank you,

Tim Restall
Advantage Food and Beverage, LLC
Northeast Delta Dental Stadium
1 Line Drive
Manchester, New Hampshire 03101
Office: 603-606-4171
Fax: 603-606-4188
Cell: 603-486-4892

NOTICE:

This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged or confidential. It is not to be transmitted to or received by anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via email or by calling me at (603) 606-4171, so that our address record can be corrected.

On 1/17/13 4:30 PM, "nhfcscan@myfairpoint.net" <nhfcscan@myfairpoint.net> wrote:

>
>
>The following document has been scanned on the Fiery and attached to
>this
>email:
> DC-260-B5DC9A265.pdf
>

January 3, 2012

City of Manchester
Parking Division
Attn: Denise Boutlier
25 Vine Street
Manchester, NH 03101

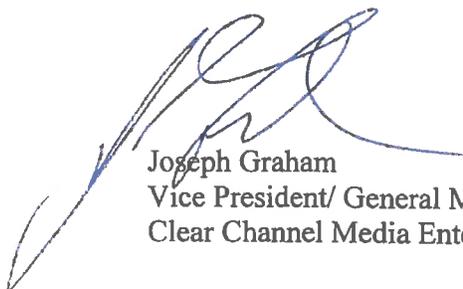
Dear Denise,

Thank you for taking the time to speak with Tim Restall today with regards to reserving Arms Park on May 26, 2013. The New Hampshire Fisher Cats are partnering with Rock 101(Clear Channel Radio) again to put on an all-day concert (same format as last year) featuring several different bands followed by a firework show. We will be selling tickets in advance and plan on having food vendors in the park. Once approval is granted, we will work with the Police, Fire, Health, Parks and Recreation, Highway Departments along with the NH State Liquor Enforcement to obtain all the proper permits and paperwork for each department. If you have any questions, comments, or concerns, please feel free to contact me directly.

Thank you,



Rick Brenner
President
New Hampshire Fisher Cats



Joseph Graham
Vice President/ General Manager
Clear Channel Media Entertainment

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the request from the National MS Society for the use of Arms Parking Lot for their 2013 Walk MS Manchester Event on Sunday, April 14, 2013, be approved.

(Unanimous vote with the exception of Alderman Gamache who was absent)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is written in a cursive style with a long, sweeping underline.

Clerk of Committee



City of Manchester Parking Division

Denise Boutilier
Parking Manager
dboutilier@manchesternh.gov

January 15, 2013

Chairman Thomas Katsiantonas
Committee on Public Safety, Health and Traffic
1 City Hall Plaza
Manchester, NH 03101

RE: Request to use Arms Lot
April 14th, 2013
National MS Society

Dear Chairman Katsiantonas:

I have received the following request for the Committee's review.

Kim Blanchard, Development Coordinator of the 2013 Walk MS Manchester event, is requesting the use of the Arms parking lot as a "rest stop" on Sunday, April 14th, 2013 from 12pm-4pm for their annual walk. Set-up will begin at 10am and clean-up at 5pm. 500 participants are expected to attend.

The Parking Division as well as Cotton, Milly's Tavern and UNH, have no issues with this request.

UNH asks that enough portable toilets are brought in for the participants expected as their rest rooms will not be available.

If you have any questions, please don't hesitate to ask.

Sincerely,

Denise Boutilier
Parking Manager

cc: Bill Sanders, Finance Director



**National
Multiple Sclerosis
Society
Greater
New England
Chapter**

December 12, 2012

Ms. Denise Boutilier
City of Manchester, Parking Division
25 Vine Street
Manchester, NH 03103

Dear Ms. Boutilier,

On behalf of the National Multiple Sclerosis Society, Greater New England Chapter, I would like to extend our deep gratitude for the continuous support Manchester has shown throughout the years for the annual Walk MS.

As the winter approaches, I have begun planning for the 2013 Walk MS Manchester. This year's date is set for Sunday, April 14th, from noon to 4:00pm. I would like to request permission to host a rest stop at Arms Park for the Walk on this day. I would also like to request that we have the use of Arms Park from 10:00am to 5:00pm to ensure time for set up and clean up. 500 participants are expected to take part in this annual event. The Walk is 5 miles, with the Start and Finish being held at the Webster Elementary School. We will be using the same route as last year, which I have enclosed. Also, a certificate of liability insurance will be provided upon approval of this request.

I thank you in advance for your support and look forward to speaking with you. You can reach me at 603.623.3502 with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads 'Kim Blanchard'.

Kim Blanchard
Development Coordinator

Walk MS Manchester 2012

Start/End Point:
Webster Elementary School
2519 Elm Street
Manchester, N.H.

1. Left on Bennington Street
2. Left on River Road, turns into Canal Street
3. Right on Brook Street
4. Left on North Commercial Street
5. Right on Arms Street
6. Rest stop #1 –Arms Park (parking lot)
7. Left on Waumbec Street
8. Right on Commercial Street
9. Left on Granite Street
10. Left on Elm Street
11. (walk through downtown Manchester)
12. Rest stop #2—Citizens Bank (parking lot)
13. Left out of Rest Stop on Elm Street
14. Right on Clarke Street
15. Left on Union Street
16. Left on Lexington Street
17. Right on North Bay Road
18. Left on Bennington Street
19. Left into Webster Elementary School





CITY OF MANCHESTER

Theodore L. Gatsas

Mayor

February 5, 2013

The Honorable Board of Aldermen
One City Hall Plaza
Manchester, NH 03101

RE: Nominations

Dear Members of the Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1) Sarah Beaudry to succeed Brother Paul Crawford (term-limited) as a member of the Office of Youth Services Advisory Board term to expire January 1, 2016;
- (2) Thomas Puthota to succeed himself as an alternate member of the Zoning Board of Adjustment term to expire March 1, 2016;
- (3) Allen Hendershot to succeed himself as an alternate member of the Zoning Board of Adjustment term to expire March 1, 2016;
- (4) Bill Bevelaqua to succeed himself as a member of the Zoning Board of Adjustment term to expire March 1, 2016;
- (5) Michael O'Donoghue to succeed Craig Donais (term-limited) as a member of the Personnel Appeals Board term to expire March 1, 2016;
- (6) Angela Richardson to succeed herself as a member of the Personnel Appeals Board term to expire March 1, 2016.

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor and Aldermen.

Regards,

Theodore L. Gatsas
Mayor

cc: Matthew Normand, City Clerk

One City Hall Plaza • Manchester, New Hampshire 03101 • (603) 624-6500
www.manchesternh.gov

AREAS OF EXPERTISE

- Community Outreach
- Rapport Building
- Public Affairs & Relation
- Project Planning
- Staff / Volunteer Recruitment and Management
- High Volume Multi-Tasking
- Branding and Marketing
- Special Events and Promotions
- Team Leadership
- Training & Coaching
- Fundraising
- Fostering Children

PROFESSIONAL EXPERIENCE

April 2012- Current

Director of Marketing

Intown Manchester

Manchester, NH

- Brand and Market downtown Manchester
- Create budgets for yearly special events
- Plan and execute special events
- Create yearly strategic plan
- Manage all forms of social media, e-blasts and website
- Meet and form relationships with downtown business owners
- Write and publish quarterly news letters
- Create sponsorship opportunities and secure sponsors for specific events and opportunities

April 2010-March 2012 Current

New Hampshire Food Bank

State Wide

Director of Development

- Planning, developing, and overseeing the overall daily administration and operation of the Food Bank's Community Relations, Fundraising, Events, and Stewardship.
- Supports Agency Relations, Backpack, Recipe for Success, and Mobile Food Pantry programs. Assists Executive Director in developing short and long term goals and objectives for the Food Bank.
- Develops, implements, and directs routine Food Bank program and service self-evaluation studies.
- Preparation of program budget and fiscal management of the department.
- Works with director on budget variances and accounting matters.
- Increased Fundraising goals by 10% in FY 11
- Developed and managed large direct mail program- including 2 direct mail pieces and quarterly newsletters raising nearly \$700,000

2008-2010

Clear Channel Broadcasting

Manchester, NH

Sales Manager

- Hiring, training and in-field coaching of sellers
- Package all stations together for presentations
- Weekly meetings with the Market Manager including strategy meetings with PD, webmaster and Promotion Director to develop client and station promotions
- Daily meeting with sellers to keep updated on activity, issues and needs.
- Planning yearly account executive's budgets
- Manage account executive account list

2003-2008

Clear Channel Broadcasting

Manchester, NH

Director of Non-Traditional Revenue

- Conceive, write and create new Business Development opportunities
- Participate in annual budget planning and individual event budget planning
- Assist in the training of Account Executives on how to sell events
- Assist in the brainstorming of categories to call on for the events
- Assist Sales Managers in managing the New Business Development account lists
- Coordinate events as defined by all the necessary steps needing to be accomplished by putting together a high profile event or sponsorship.
- Develop and maintain strong business relationships with clients/agencies.
- Assist sellers in growing current sponsors revenue share.
- Develop customized presentations of the highest quality for new and existing revenue opportunities.
- Develop and grow relationships at multiple levels of the customer's organization in order to guarantee effective contacts internal to the organization and to be aware of problems and opportunities.

2000-2003

Entercom Broadcasting

Boston, MA

Promotion Director

- Promotes the station's image, programs and activities.
- Worked closely with the program director in creating on-air promotions and also with the sales department in securing new clients and maintaining current advertisers.
- Plan and execute all station events- large and small

- Communicate sales related events and sponsorships to key staff members
- Create yearly promotional budget

1996-2000

Clear Channel Broadcasting

Manchester, NH

Promotion Director

- Promotes the station's image, programs and activities.
- Worked closely with the program director in creating on-air promotions and also with the sales department in securing new clients and maintaining current advertisers.
- Plan and execute all station events- large and small
- Communicate sales related events and sponsorships to key staff members
- Create yearly promotional budget

Volunteer History

- | | |
|--|-----------------|
| • Greater Manchester YMCA Reach Out for Youth Campaign Chair | Current |
| • Greater Manchester YMCA Advisory Committee | 2012 to present |
| • Licensed Foster Parent through State of New Hampshire | 2003 to 2011 |
| • New Hampshire Food Bank, Manchester, NH | 2008 to 2012 |
| • Child and Family Service, Manchester, NH | 2000 to 2003 |
| • Greater Manchester Aids Project (GMAP), Manchester, NH | 1996 to 2006 |

References on Request

Commission Name: OYS Advisory Board

Name: Sara Beaudry

Address: 1069 Union Street
Manchester, NH 03104

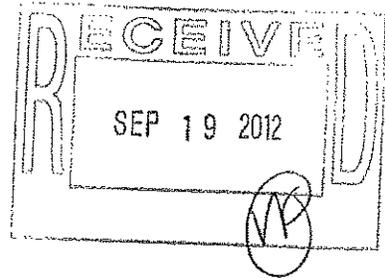
Phone: 219-6636

E-mail: Sbeaudry@intownmanchester
com

Department Head: DG. Krasner

Date : 09/17/2012

To,
The Office of the Mayor,
One City Hall Plaza,
Manchester, NH – 03101



Subject : Seeking a voluntary position to serve as a board or commission member.

Dear Sir,

I have been living in New Hampshire for the past 15 years and particularly in Manchester since 1998. I live with my wife and three kids. I would like to get involved in doing voluntary work and therefore interested in serving any one of the Boards or Commissions as a member. If available, I would be interested in serving as a Zoning Board member, else I am open to serve any other Board or Commission.

Please find attached my resume for your consideration. Please let me know if you need any additional details.

Sincerely,

Thomas Puthota

239 Aaron Drive

Manchester, NH-03109

Tel : 617-595-2743

THOMAS JOSEPH PUTHOTA
239 Aaron Drive, Manchester, NH-03109
Tel: 617-595-2743/603-669-9776, Email: puthota@comcast.net

PROFESSIONAL SUMMARY

An accomplished Information Services professional with 22 years experience in bringing cutting-edge technology to corporate clients. Areas of expertise include project management, strategic planning, data architecture, meta data, systems analysis, systems development, data warehousing, Oracle ERP applications, and rapid-prototyping methodologies.

EDUCATION

Master of Computer Applications(MCA), St. Joseph's College, Tamil Nadu, India
Bachelor of Science(B.Sc) in Mathematics, Loyola College, Tamil Nadu, India

EXPERTISE

- **Application Development(Analysis, Design, Programming)**

Analysis - Gather requirements, develop specifications/prototypes documents(analysis, conceptual, & detail design)

Database Architecture - Establish logical and physical schema designs and develop ER diagrams using ERWIN, Designer/2000, S-Designer, and Power Designer. Develop database triggers, stored procedures, packages, functions, and views for ORACLE database systems.

Development - Develop various business applications using languages/tools Developer 2000/6.00(Oracle*Forms, Oracle*Reports, PL/SQL, PRO*C), SQL Navigator, Toad, SQL Lab, RapidSQL, C, C++, Fast Formula, PowerBuilder, XML, HTML, JavaScript. Basic, FoxBASE, FTP, BLAST, Unix/Awk/Perl Scripting, Control-M. Customize & Implement Oracle HRMS application.

- **Project Management/Technical Leadership**

Manage fast-paced project life-cycle environments following strict project management guidelines. Provide technical assistance, career guidance(mentoring, coaching) to team members in all aspects. Write project documentation (project charter, project plan, budget, risk mitigation strategy)

- **Data Warehousing**

Design and implement data warehousing solutions. Design data marts, develop ETL(Informatica, PL/SQL), and configure metadata.

- **Database administration(Oracle)**

Install/Upgrade database systems; configure instances; create snapshots; tune performance; develop and schedule database backup/restore and maintenance scripts; create tables, indexes, constraints, triggers and stored procedures; design/set database object roles and privileges; database repair and problem analysis using DBA tools.

- **System administration**

Install, configure, maintain, tune, and problem resolution experience on various operating systems including Unix systems(AIX, SOLARIS, HP-UNIX, IRIX, SCO UNIX), NETWARE, and DOS. Excellent in developing Shell Script/Awk/Perl programs.

PROFESSIONAL HISTORY

Fidessa, Since Jul 2009 till date

State of NH, Tech Lead, Jan 2008 to Jul 2009

Fidelity Investments Company : Sr. Project Manager, Oct 2001 to Nov 2007

PricewaterhouseCoopers : Principal Consultant, May 1998 to July 2001

TATA Infotech Limited : Senior Lead Analyst, October 1995 to April 1998

DCM Data Systems : Systems Engineer, February 1992 to October 1995

SAM Consulting Services : Programmer, August 1991 to February 1992

Audco India Limited : Programmer, June 1990 to July 1991

PROFESSIONAL EXPERIENCE

Fidessa

- Senior Technical consultant responsible for implementing various Buy-side Fidessa products including Compliance, Order Management, and Portfolio Management products.

State of NH

- Technical lead in designing & implementing application security on Lawson products including Financial, HR, and Payroll systems.

Fidelity Investments Company

- Implement Oracle HRMS and Payroll applications to various clients of Fidelity
- Develop HR/Payroll/Time Keeping/Recruitsoft reports using Oracle developer tool
- Project Lead/Technical lead in designing & implementing Data warehousing solutions to several Fidelity Clients
- Enhance Ad-hoc Reporting architecture to meet the growing business needs
- Discover & document requirements for Ad-hoc Reporting, design Data marts, develop ETL, and configure metadata
- Provide Project Management/Business Analysis/Data Analysis/Client Relationship Management services to Fidelity Investment Management Services of FMRCo. Projects are related to security setups required for trading, benchmarking, and researching purposes. Specifically, involved in providing technology solutions in acquiring security reference data (related to bonds, stocks, mutual funds, derivatives, swaps etc.,) from external vendors, maintaining the data in a local database, and distributing the data to the internal clients (Fixed Income, High Income, Equity, Compliance, Performance Attribution etc.,).

PricewaterhouseCoopers

- Team lead in Reverse Engineering Portfolio Investment Management System (PIMS) for Zurich Scudder Investments. Involved decomposing source code by component, documenting findings(ER diagram, Process Flow Diagram, Data Flow Diagram), developing knowledge of PIMS system, and posting findings to the client's intranet web site.
- Managed Elderly and Adult Services (DEAS Options) project for the State of New Hampshire. Conducted discovery sessions, designed data model(logical & physical), delegated and coordinated activities of project, and developed application using Oracle 8i, PL/SQL, PowerBuilder, Harvest, ERWin, Visio, and UNIX.
- Managed Road Toll application project in enhancing Character User Interface to Graphical User Interface for the Dept of Safety, NH. Reverse engineered the existing data model, enhanced the design, installed & configured database, and optimized queries using Oracle 8i, PL/SQL, Developer/2000, Designer/2000.
- Senior DBA in implementing Web OrderManager product for various clients of SpaceWorks, an alliance partner of PwC. Specifically involved in designing the database(logical & physical) using ERWin, building data loaders, configuring database using Oracle 8i/PL/SQL/SQL Loader.
- Developer in deploying data entry screens on the Intranet using Oracle 8.i RDBMS, PL/SQL, and Developer 6.0(Forms, Reports) for an agency that engaged in providing mental health, mental retardation, and substance abuse services to the community. Designed and Developed the Security Tool at the application level.
- Tech lead in migrating Electronic Data Interchange (EDI) Application from SCO platform to an AIX platform for CIGNA, a leading Health Insurance Company. The project involved extensive Shell Scripting using the tools Korn Shell, BLAST Software, FTP, and UUCP. A part of this project included testing Y2K compliance of different versions of Sybase products.
- Lead Analyst to research and propose security tools(COPS(Computer Oracle Password System), Tripwire, and Crack) needed to protect IT environment for CIGNA. Automated the process to identify loopholes such as weak password and notify the system administrator.

TATA Infotech Limited

- Lead Analyst and DBA in developing Accounting Contributions Tax System for the state of NH. Specifically involved in gathering & documenting requirements, designing the application (conceptual & detail design), designing logical and physical database, and developing the code using Power Designer 6.0, PowerBuilder, and Oracle RDBMS.

- **Lead Oracle DBA/UNIX Administrator** in providing support to various clients of TATA Infotech Limited. Provided Infrastructure Architecture solutions to the internal sales team and to the clients directly.
- **Lead Analyst** in providing infrastructure architecture solutions to a leading Transportation Company. Identified IT needs(Application & System Software, Hardware, Networking), Estimated the overall cost of the project, and submitted detailed analysis report.

DCM Data Systems

- **Lead Oracle DBA/UNIX Administrator** in providing support to various clients of DCM Data Systems. Provided Infrastructure Architecture solutions to the internal sales team and to the clients directly. Performed pre-sales activities for various clients.
- Developed Stores System using Oracle products for a leading Software Company in India. The application provided an efficient system of stock maintenance and consisted functions such as indenting, receipts, and issues.

SAM Consulting Services

- Developed, Tested, and Implemented the Chit Fund System for a leading Finance company in India. The application has been developed in an Oracle environment using tools including SQL Forms, SQL Reports, and SQL Plus.

Audco India Limited

- Analyzed, designed, and developed Tool Inventory System using Foxbase. The primary functions included tools codification, preparation of GRN, inspections, tools receipts, tools issues, and stock adjustment
- Designed and Developed the Personnel Information System using Oracle products.

Training

- Successfully completed E-Business Infrastructure Core Technologies training. Training provided a broad understanding of Infrastructure needs to resolve system, technical, and configuration problems related to E-Business.
- Successfully completed Introduction to Netscape/iPlanet Server Infrastructure for e-Commerce Applications. The course provided a broad understanding to install and configure Netscape Console, Administration Server, Directory Server, Messaging Server, Enterprise Server, Delegated Administrator, and Certificate Management System.
- Successfully completed the training on Fundamentals of Successful Project Management, Power Designer 6.0, Function Point Analysis.

TECHNICAL CAPABILITIES

Languages / Software

RDBMS : Oracle 8i, Sybase

Development Tools : Developer 2000/6i (Oracle*Forms, Oracle*Reports), PL/SQL, PRO*C, Fast Formula, Brio, Informatica, Control-M, C++, C, XML, HTML, JavaScript, Basic, FoxBASE, FTP, BLAST, Unix/awk/Perl Scripting, BRIO, RapidSQL

Design Tools : Designer 2000, Power Designer, S-Designer, ERWin

Web Server : iPlanet Web Server

Products : Sentinel Compliance, Minerva Order Management, Tesseract Portfolio Management, Oracle HRMS 11i, Oracle Advanced Benefits(OAB), Order Manager (Spaceworks) Netscape Products(Directory Server(LDAP), Messaging Server, Certificate Server, Delegated Administrator, iPlanet Web Enterprise Edition)

Hardware & Operating Systems :

AIX Release 2 Ver 4, SOLARIS, HP-UNIX, IRIX, SCO UNIX, NETWARE, DOS, AXIL SPARC SUN COMPATIBLES, UNISYS SMP/U6K SERIES, SILICON GRAPHICS INDY SERIES, IBM RS6000, HP 9000, DEC Alpha 8400

Methodologies : Summit-D Project Methodology, Function Point Analysis

Commission Name: Zoning Board

Name: Thomas Puthota

Address: 239 Aaron Drive

Manchester, NH 03109

Phone: 617-595-2743

E-mail: puthota@comcast.net

Department Head: Max Sink

2011

November 13, 2011

City Of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Zoning Board of Appeals

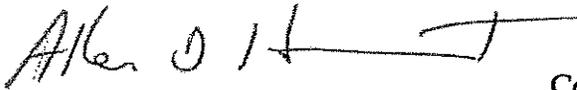
To whom it may concern,

I would like to submit my name for consideration to an appointment on the Zoning Board of Appeals. My qualifications are as follows:

- Doane College, NE cum laude graduate with a degree in Philosophy
- Post graduate work Andover/Newton and Harvard University, Boston MA
- Manchester resident for 34 years
- 39 Years of experience in the trades as a general remodeling contractor, carpenter and cabinet maker
- Married with one grown child

Would like the opportunity to serve Manchester and become more active in civic affairs. I am keenly interested in construction and how law and civic zoning codes affect building. Feel I would be a knowledgeable, fair and impartial member of the board.

Thank you for your consideration.



Allen D. Hendershot
30 Hanover St.
Manchester, NH 03101
(603) 703-6633
hendershot406@comcast.net

Commission Name: Zoning Board of Appeals

Name: Allen Hendershot

Address: 30 Hanover Street

Manchester, N.H. 03101

OH - Max SinK

Phone: 703-6633

E-mail: hendershot406@comcast.net

WILLIAM A. BEVELAQUA
161 Arah ST.
MANCHESTER, NH 03104
(603) 315-1686

EMPLOYMENT

August 2008
Present

TRB Development, Hooksett NH
Real estate development and Project management.
Real estate development consulting.

October 2005
August 2008

Viviers Properties, Manchester, NH
Real estate Development, Owner and Project Manager
Multi Family housing and Commercial Industrial construction.
Purchase and sales of real estate and property management.

October 2005
February 1989

Gladstone Brothers. Methuen, MA
Vice President of Legal Affairs.
Project Manager of multi family, single family homes, commercial
industrial buildings and property management
Responsibilities include Real estate development and negotiating
contracts, issuing maintenance orders and handling all grievances.

March 1988
February 1989

A. Bonin Company, Haverhill, MA
Property management directing 600 Condominiums.
Responsibilities included: Bookkeeping, planning and maintaining
a budget, issuing maintenance orders, handled personal and all
grievances.

March 1988
April 1986

Saxon Company, Andover, MA
Line Manager, production of countertops shipping receiving and
customer relations.

March 1982
April 1986

Century 21 Bridge Realty Associates Inc. Haverhill, MA
Real estate sales associate. Experience in residential and
commercial industrial sales.

EDUCATION

- 1988 Whittier Regional Vocational Technical School, Haverhill, MA.
Adult education program certificate in computer aided drafting and design.
- 1982 Century 21 Career Training.
In-depth classes on real estate appraisal, marketing, business brokerage and commercial industrial sales.
- 1981
1984 Northern Essex Community College, Haverhill, MA
Classes in liberal art and business management.

COMMUNITY ACTIVITIES

- 2007
Present Chairman Manchester NH Zoning Board of Appeals.
- 2007
2008 Manchester NH Police Crime Line.
- 2008
Present Commissioner New Hampshire Highway Safety Agency.

Commission Name: Zoning Board

Name: William Bevelagua

Address: 161 Arah Street
Manchester, NH 03104

Phone: 315-1686

E-mail: wabevelagua@yahoo.com

Department Head: Max Sink

Michael O'Donoghue
Manchester, NH 03101
Cell: 603.703.1233
michael.odonoghue@ymail.com

Experienced executive accomplished in organizational change and development situations. Excels in business planning and establishing technology, policies, process development and performance monitoring capabilities to support continuous improvement.

Proven areas of expertise include:

- Cost Reduction and Profit Maximization
- Successful management of Operations and Business Organizations
- Technology/Business assimilation
- Architecture/Integration/Implementation of leading edge technology
- Strategic Planning/P&L Management
- Continuous Process & Performance Improvement
- Procurement and Contract management

10/2001 – 8/2009 **ES3, LLC**.(a \$200M Supply Chain Service Provider)

Senior Vice President and Chief Technology Officer

Responsibilities expanded from original role as Technology Leader to include operating responsibility for Warehouse and Transportation activities of the organization. Active senior executive with sister company C&S Wholesale Grocers(\$20B Grocery Wholesale Company) in the areas of technology and process for warehouse and transportation activities. Active member of ES3 Board of Directors.

- Member of founding executive team responsible for startup and operation of a technologically advanced Supply Chain Management Company designed to provide comprehensive Distribution Management solutions/services specializing in the Consumer Packaged Industry. As technology leader, responsibilities included architecture, acquisition, design/development and implementation of a comprehensive, integrated software portfolio supporting the entire business model from order acquisition through service execution and associate administrative functionality.
- Led design, development and implementation of industry first web browser based Warehouse Management System managing ES3 internal operations and Heinz national warehouse operations where ES3 provides 3PL services. Recognized by Food Logistics Magazine Top 100 Technology Providers.
Software Portfolio includes:
 - Proprietary Order Management
 - Proprietary Warehouse Management System
 - Wherenet for Yard Management solution
 - Lean Logistics provides Transportation Management Solution
 - Lawson Accounts Receivable, Accounts Payable, HRM, and General Ledger
- Implemented Internet based Customer access providing full order management capabilities and access to information related to their inventory, service levels, order status and KPI performance.
- Developed Product Offering and associated technology providing hosted customer specific DATAMART of ES3 managed transaction level data.

- Managed expansion of flagship warehouse facility increasing pallet positions to 240K.
 - Increased physical structure to 610k sq ft
 - Integration of 25 ASRS units and product conveyance automation
 - Upgrade of automation management software
 - Production implementation was accomplished over 18 hour period with no impact to customers
- Transportation operations consist of national freight management network with revenue of \$40M, management of 90 carriers and truckload volume of 80K.
- Active participant in the Customer Acquisition sales cycle.
- Active member of Design/Build group during the 3rd phase of expansion which included:
 - Expansion of current York Facility
 - Evaluation/Procurement of Automated Case Selection Solution
 - Develop Network/Operation Management approach
- Warehouse operations consists of national network of 8 facilities, 280M cases shipped, 3.2M sq ft.
 - Flagship facility is largest automated grocery facility in the world, 600M sq ft, 240 pallet positions, 25 robot storage units, weekly throughput of 3M cases.
- Implemented programs of continuous systematic improvement to internal systems combined with comprehensive review of operational and system processes resulting in the following efficiencies.
 - Production environment system availability of 99.98%
 - Robotics availability of 97% including scheduled maintenance
 - Product thru put capacity improvement of 5%
 - Nationwide transportation On time service performance of 98%
 - Freight Margin improvement to 8% thru carrier management
 - YOY Operating Case Cost improvement of 3%.
- Member of C&S Executive Steering Committees for the following strategic initiatives:
 - Reengineering Warehouse Operations practices, processes and associated software developing standard operating procedures throughout warehouse network. Included development and implementation of Labor Management Standards and associated software.
 - Restructure Transportation organization and operation including selection of Integrated Corporate Transportation Management System. Specific emphasis placed on asset management thru continuous move and increased backhaul initiatives.

01/91 – 10/2001 **Matlack Systems, Inc. Wilmington Delaware** (Matlack was the 3rd largest bulk transportation company with revenue of \$200M and locations throughout the US and Canada)

Vice President of Information Systems

Responsible for providing direction and strategy associated with Corporate-wide information and telecommunication services. Active participation as member of the Executive Council to ensure alignment of system initiatives and business goals. Additional areas of responsibility included Corporate Marketing, Customer Service and Direct Sales.

- Served as Chief Technology Officer of Bulklogix, internet based startup company providing collaborative supply chain management solutions for the Chemical Industry.
- Directed the acquisition and implementation of a Client/Server based Service Management Product used to control nationwide transportation services. This product replaced proprietary mainframe and midrange systems, significantly enhancing our ability to manage the planning and execution associated with transportation services to our customers. Full utilization resulted in service level improvements of 37% and increased asset utilization of 24%.
- Directed the acquisition and implementation of a Client/Server based ERP system supporting General Ledger, Accounts Receivable, Accounts Payable, Asset Management, Payroll and Human Resource functions. Conversion from a mainframe environment was completed in four months.
- Responsible for the creation, staffing and strategic direction of a Customer Service Department supporting both internal and external customers.
- Responsible for the creation, staffing and strategic direction of a Telemarketing Department Growing revenue from \$8M to \$15M over a two year period.
- Managed Corporate Marketing program and organization headed by Vice President of Marketing.
- Developed and executed business plan to provide information system support for seven subsidiary companies. It involved both acquisition and development of systems supporting activities in the areas of rail to truck transfer operations, equipment leasing, depot services, hazardous waste van operations, and total distribution logistics outsourcing services.
- Developed and executed business plan to move from an outsourced IS operation. This effort included developing/acquiring the necessary infrastructure of personnel, hardware, software and telecommunication capabilities to support a nationwide transportation business with no impact to daily operations.

04/82 – 01/91 **CSX Technology** (A Unit of CSX Corporation, an \$8B transportation company offering rail, barge, ocean, and associated auxiliary services)

Director of Systems Development (01/89 – 01/91, Jacksonville, FL)

Participated in the design, development and presentation of Corporate Level System Architecture to support a new CSX Business Unit combining the intermodal operation of Sea-Land and CSX Transportation.

- Directed implementation of Corporate Service Order Entry/Reservation system used to manage customer service requests and CSL vendor activity associated with providing intermodal transportation.
- Implemented an optimization module to maximize drayage operations for CMX trucking (CSL Drayage Arm), providing incremental operating efficiencies of 37%.
- Implemented a multiplatform Customer Support System providing consolidated Multimodal Customer Order information in a real time environment.

Director of Systems Development (04/86 – 01/89, Baltimore, MD)

Responsible for development and implementation of new IS systems and organizational strategies associated with the merger of Chessie and Seaboard Railroad information support activities.

- Directed implementation of a centralized System36 based network to provide office automation and communication support for nationwide CSX sales force.
- Directed design, development and implementation of 'Mercury', a microcomputer product providing customer access to service related information in a real time environment.
- Responsible for providing coordination and implementation for all Electronic Data Interchange (EDI) initiatives for CSX Technologies that included support for Transportation, Purchasing, Banking, Warehousing and Administrative transaction standards.

Director of Subsidiary Services (05/83 – 04/86, Jacksonville, FL). Responsible for identifying and implementing system initiatives to provide Information Systems support for CSX subsidiaries. Major Clients and accomplishments outlined below:

Chessie Motor Express: provided truck transportation services for CSX intermodal customers.

- Implemented a Freight Accounting and Control system used to provide control of traffic movement as well as provide associated system support such as billing, receivables, agent settlement, and other support interfaces.
- Implemented full Financial system support including payroll, Accounts Receivable, Accounts Payable and General Ledger.

Fruit Growers Express: Manufactured and Maintained refrigerated railcars.

- Implemented an Inventory Control System that included EDI purchasing capabilities using ANSI transaction
- Managed time-sharing support environment for administrative functions such as customer invoicing, accounts receivable, account payable.

Total Distribution Services, Inc: provided public warehousing, rail transfer of automobiles and bulk products for CSX customers.

- Designed, developed and implemented a Public Warehouse Management System that included full suite of EDI capabilities.
- Directed development and implementation of a Rail Automobile Facility Management system to inventory and control the off-loading of automobiles from rail to final dealer delivery. Capabilities included EDI event reporting using auto industry standards.

System Engineer (04/82 – 05/83)

Responsibilities included design, development, and implementation of company-wide standards and procedures along with associated systems and organization to deliver consistent and reliable production operation environment.

04/79 – 04/82 University of South Carolina, Columbia, SC. Computer Services Division

Responsibilities included providing systems development and support for the regional facilities within the USC network. Additional support activities included public relations associated with student recruitment for the university, consulting engagements, and liaison activities between this community and the different groups within CSD that provide services to the remote sites.

Education:

1980 Masters of Business Administration - University of South Carolina

1975 Bachelor of Arts - Psychology - University of South Carolina

Commission Name: Personnel Appeals Board

Name: Michael O'Donoghue

Address: _____

Manchester, NH 03101

Phone: 703-1233

E-mail: michael.odonoghue@ymail.com

Department Head: Jane Gile

Angela J. Richardson

69 BIRON STREET, MANCHESTER NH 03102

(603) 369-1247

angelarichardson579@gmail.com

HUMAN RELATIONS

- ❖ Dedicated and accomplished professional with a versatile interpersonal skill set developed through sixteen years of combined experience in the New Hampshire State Senate working with legislators, staff, and government officials.
- ❖ Excelled in resolving employer challenges with innovative solutions, systems and process improvements proven to increase efficiency, and reducing budgets in a fast-paced environment.

SKILLS

- Managing personnel relationships in a complex, fast-paced working environment
- Intimate knowledge of NH legislative processes but creative in finding solutions within those processes
- Innovative and determined in reducing expenses within the legislative budget
- Strong listening and communication skills
- Reports & Document Preparation
- Policies & Procedures Manuals Spreadsheet
- Microsoft Word, Powerpoint, Excel, Outlook

PROFESSIONAL EXPERIENCE

NEW HAMPSHIRE SENATE, Concord, NH

2010 - Present

NH Senate Assistant Chief of Staff

- ❖ Responsible for the supervising 30 Senate Staff, including interviewing, hiring, training, managing and firing
- ❖ Responsible for jointly supervising 55 House and Senate Joint Staff
- ❖ Coordinate and manage Senate Intern Program with Colleges and Universities throughout the state of New Hampshire
- ❖ Locate and implement cost savings ideas in order to maintain legislative budget initiative and meet budget goals

Senate Minority Caucus Director

2007 - 2010

- ❖ Assisted the Republican Leader in establishing and carrying out a legislative policy agenda to assist in strategically placing the caucus into a future majority
- ❖ Composed press releases for various legislative issues
- ❖ Created briefing papers and talking points as directed on key pieces of legislation
- ❖ Coordinated senate research requests for caucus members

Senate Legislative Aide

1998-2007

- ❖ Created hearing reports, floor speeches and draft amendments for the following Senate committees: Environment, Education, Public and Municipal Affairs, Transportation, Wildlife, and Commerce, Labor and Consumer Protection, Internal Affairs
- ❖ Ensured that committees met various legislative deadlines and followed proper parliamentary procedures.

Executive Assistant to Senate Finance

2000-2002

- ❖ Organized hearings and agency presentations on the proposed Budget and Capital Budget and Ways and Means committees
- ❖ Closely followed the details of the Budget to serve as an additional resource to members of the Senate, House, general public and lobbyists
- ❖ Produced hearing reports, floor speeches and draft amendments for Senators and ensured that committees met various legislative deadlines and follow proper parliamentary procedure

EDUCATION

Southern NH University, Manchester, NH

Bachelor of Arts in Psychology
Graduated summa cum laude

New Hampshire Technical Institute, Concord, NH

Associates Degree in Health and Human Services/Mental Health

PROFESSIONAL REFERENCES

Mayor Ted Gatsas
Office of the Mayor
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Manchester, NH 03101
(603) 494-5786

Senator Jeb Bradley
State House, Room 302
107 North Main Street
Concord, NH 03301
(603) 387-2365

Neil Levesque
NH Institute of Politics
100 Saint Anselm Drive
Manchester, New Hampshire 03102
(603) 222-4102

Commission Name: Personnel Appeals Board
Name: Angela Richardson
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Manchester, NH 03102
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E-mail: angela.richardson579@gmail.com
Department Head: Jane file



CITY OF MANCHESTER

Theodore L. Gatsas
Mayor

TO: Board of Aldermen
FROM: Theodore L. Gatsas
Mayor *T.L.G.*
Date: February 14, 2013
RE: Legislative Update

Attached please find the updated chart for legislation the city is watching. You will notice a new column has been added to the chart titled "CAT" indicating category. The column contains the following indicators: Action, Follow, Watch and DHR. The explanation for each of the indicators is provided on the chart.

Also attached in this package are copies of any legislation we are suggesting the city take action on Tuesday evening and the comments provided by the appropriate department head.

Based on this printing of this package and the timing of the House and Senate Calendars there could be updates to these items on Tuesday evening enclosed in the Mayor's new business package.

Thank you in advance for your review and consideration.

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<u>CAT</u>	<u>HB/SB</u>	<u>Bill #</u>	<u>Description</u>	<u>Sent To:</u>	<u>Response</u>	<u>Notes</u>
ACTION	hb	113	relative to access of erection of buildings (Pam and Leon 1/30)	Planning	HB 113, as amended: If enacted, this bill would generally promote scattered and premature development and discourage safe access by emergency service vehicles to affected properties. <u>We do not support this proposed legislation.</u> Burkush: Any access delay is a problem for us.	Passed house with amendment need to work on in Senate. ACTION FROM BMA NEEDED
ACTION	hb	215	relative to workforce housing and the definition of community	Planning	HB 215-FN-LOCAL: This proposed legislation will amend municipal land use statutes to require that "no less than 5 percent of the dwelling units in the municipality shall be allocated as workforce housing" while not providing any guidance for how this requirement is to be achieved. How could a municipality determine or otherwise control the number of housing units that would be required to qualify as workforce housing? To demonstrate the "no less than 5 percent of the dwelling units" rule, would municipalities be required to compel restrictive covenants when approving new subdivisions? <u>We do not support this proposed legislation.</u>	2/12: Nothing to report
ACTION	hb	286	Relative to broadband infrastructure	Angell	Could "require" the city to provide an open network and the city does not have the bandwidth or funding to get the bandwidth to provide this - has the potential to be an unfunded mandate	Public Hearing on 2/26

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<u>CAI</u>	<u>HB/SB</u>	<u>Bill #</u>	<u>Description</u>	<u>Sent To:</u>	<u>Response</u>	<u>Notes</u>
ACTION	hb	318	regarding collection of the statewide property tax	Pat Harte	I took a quick look at this one and I have to say that I ended up with a ton of questions!! It sounds like we would have to send out a separate tax bill for education in addition to our regular property tax bill and that taxpayers would remit the money for the education tax directly to the State??? I see innumerable problems with this Bill. I even spoke with Tony about the Bill and he agrees that it is extremely problematic.	2/12: Remains in Executive Session (Needs Action by BMA)
ACTION	hb	619	prohibiting images of a person's residence to be taken from the air	Angell/Planning	This would cause issues with the city GIS system. The city for planning purposes has used aerial photography and they are the starting point for a modern day mapping system.	
FOLLOW	hb	176	allowing towns and cities to grant a part year veterans credit during the year of acquisition of property.	Gage	MHTF should oppose. The effective date for taxes in NH is April 1st. To receive an exemption, you must be the owner by April 1st. This bill would allow proration in favor of the taxpayer if buying after April 1st but not in favor of the city when a veteran sells a property after April 1st. (ITL 2/6 calendar)	2/5: Letter Approved - 2/6 Letter sent to delegation ITL in House

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FOLLOW	hb	482	regarding infestation of bed bugs in rental housing	Ald. Long	Public Hearing 2/7 @ 2:30pm	2/5: Letter Approved - 2/6: Letter sent to delegation and committee and also sent Tim Soucy support letter 2/12: No Updates (SEE UL Article)
FOLLOW	hb	541	requires the election of the city clerk and residency requirement	Clarke	This would apply to us and require that the city clerk be elected (Public Hearing 2/17 @ 10:15am)	2/5: Letter approved - 2/7 Letter sent to delegation and committee members. Senator Boutin supportive of city position 2/12: No Updates

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FOLLOW	hb	623	appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program.	Fred McNeil	EPD supports HB 623 under this bill the City will receive \$551,000 in FY 2014 and \$546,000 in FY 2015 that is owed to EPD in State Aid Grant (SAG) reimbursements that would otherwise still be in deferment. Under HB 623 a total of \$4.6 million for FY 2014 and \$4.1 million FY 2015 will be appropriated from the general fund to make SAG payments that are owed to almost 50 communities (hearing 2/7)	2/5: Letter approved - 2/6 Letter sent to delegation and committee members 2/7: Fred McNeil testify at committee - see notes and remarks from Fred McNeil. Also UL Article 2/14: Governor makes funding available in budget
FOLLOW	hb	422	relative to municipal charters	Clark/Normand	1.) Lowers the number of petitioners to an absurd number; 2) deletes the requirement of petitioners committee, 3) allows for petitions to set a new charter and another to revise the present charter; 4) calls for the election of a charter commission before it's known if the question even passes; 5) Could be issues with putting a charter question and the election of a commission on a state ballot, 6) This creates a problem (Public Hearing 2/7)	2/5: Letter Approved - 2/6 Letter sent to delegation and committee 2/12: No updates to report

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FOLLOW	sb	36	relative to the property tax exemption for veterans	Gagne	There is no local option. We are made by the state with this legislation. Currently there is a local option (Hearing on 1/23 no further action taken)	2/5: Blanket tax exemption letter approved 2/7: Senator Boutin supportive of city position 2/12: No updates to report
FOLLOW	sb	40	relative to distribution of education funds for fiscal year 2013.	BOSC	Sent a letter in support of legislation from the BOSC - this fixes the education funding formula (Passed Senate, BOSC sent a letter in support no hearing in House scheduled)	2/5: BMA Letter of support approved 2/6: Letter sent to delegation and committee members 2/12: Executive Session planned for 2/14
FOLLOW	sb	43	relative to the property taxation of qualifying historic buildings	Gagne	This bill is to provide tax relief for the Robie General Store in Hooksett, but it may have unintended consequences for communities having a large number of qualifying structures (or potentially qualifying structures.) It is local option so the City can opt to not adopt the provisions. If enacted locally all of our downtown buildings containing 3,000 SF or less would be subsequently listed as Historic and deced to non-profit entities, leased back to the same tenant and escape 90% of taxation. (Hearing 2/5)	2/5: Blanket tax exemption letter approved 2/14: OTP (5-0)

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FOLLOW	sb	58	relative to the taxation of water works or flood control land held in another town or city	Paris	Not opposed or supporting the legislation. Dave Paris to offer clarifying testimony. (hearing on 2/6 - Dave Paris will testify)	2/12: OIP Paris feedback included
FOLLOW	sb	79	relative to the oath of city officers concerning appraisals of taxable property	Bob Gagne	This would make the BMA responsible for the certification of property appraisals. (Hearing, no further action taken)	2/5: Letter approved - 2/6: Letter sent to delegation and committee members 2/13: Bill being held for a different calendar (TTL out of Committee)
FOLLOW	sb	80	community revitalization tax relief program	Bob Gagne	"Currently local option. If parameters remain at the discretion of governing body, impact can be gauged at the time of adoption." BMA can decide to adopt (or not adopt) and set parameters. (No hearing scheduled)	2/5: Blanket tax exemption letter approved 2/12: No updates to report
FOLLOW	sb	128	relative to fees for vital records.	Matt Normand	(No hearing scheduled)	2/5: Letter approved - 2/6 Letter sent to delegation and committee members 2/12: Hearing

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WATCH	hb	193	registration of vehicles by homeless	Pat Harte	Yes, this one is perfectly fine – it's basically just adding the ability for homeless people to process a new registration rather than just a renewal. The key is being hooked up with a social service agency which will vouch for them. (OTP 2/6 calendar)	2/6: OTP House
WATCH	hb	194	relative to collection of permit fees paid with insufficient fund checks.	Pat Harte	P. Harte: I am <u>very</u> much in favor of this bill. Currently, the law only allows us to have the State suspend just the registration to the vehicle paid for by a returned check. All other registrations owned by the person with the returned check remain valid – even if the check had been returned for "Stop Payment". If <u>all</u> the person's registrations were to be suspended I bet people would pay up MUCH quicker! (OTP 2/6)	2/6: OTP House
WATCH	hb	277	relative to the oath of public officers	Matt Normand		Executive Session 2/12: No updates to report
WATCH	hb	278	relative to voluntary installation of fire suppression sprinklers.	Burkush/Lennon	It is a good thing for us, it provides us with a tool to protect one and two family homes where site access maybe a problem. (Exec. Session 2/5)	2/12: No Updates
WATCH	hb	351	appointment of inspectors of elections	Matt Normand		2/12: No Updates
WATCH	hb	360	overpayments caused by arbitrations etc.	Gile	Need to make sure it does not apply to self-funded plans. (Exec. Session 2/12)	2/12: No Updates

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WATCH	hb	436	relative to the governance of town libraries	VanZanten	The NH Library Trustees Association and the NH Library Association of which my trustees and I are members, oppose it. The bill is related to town library governance. Although we are a city library this directly impacts many of the libraries we partner with in our consortium and statewide. (Hearing 2/5 @ 1:45pm)	2/12: No Updates
WATCH	hb	438	appraisal of residences in an industrial or commercial zone	Gagne	Not much of a concern - most of our residences in commercial areas are worth more as residences than as commercial use...(Public Hearing on 1/31 no action taken yet)	2/12: No Updates
WATCH	hb	495	Relative to titles for motor vehicles	Harte	This one is okay, Sam. It's a revenue maker for both the City and the State and will allow NH residents to request a title for a title-exempt vehicle which will be helpful to people who sell an exempt vehicle to an out-of-state buyer.	2/12: No Updates

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<u>CAT</u>	<u>HB/SB</u>	<u>Bill #</u>	<u>Description</u>	<u>Sent To:</u>	<u>Response</u>	<u>Notes</u>
WATCH	hb	518	relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit	Gagne	This bill adds training for national guard and reserves as "active duty" for purposes of the veterans' credit. It is effectively housekeeping as the Board of Tax and Land Appeals (BTLA) has ruled in several cases that this training time qualifies. Their decision runs counter to DRA rules. The result of passage would be to increase the number of \$400 veterans' credits in the city. I cannot predict how many additional individuals will qualify. (Nothing scheduled)	2/12: Awaiting Executive Session on 3/7
WATCH	hb	531	allowing towns and cities to exempt farm buildings and structures from property taxation.	Gagne	Shifts burden - nominal to no impact in Manchester, assuming farm buildings are defined as being actively used for farming	2/12: No Updates
WATCH	hb	655	relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property.	Pat Harte	This bill makes sense! Elderly deferral liens should most definitely be paid by the purchaser if the property is sold. I do believe though that the liens should be paid out of proceeds at closing rather than giving the purchaser 9 months, then 30 days, then another 30 days for certified notice of impending lien, etc. I would much prefer that the law specified payment at closing.	2/12: Nothing to report
WATCH	hb	672	property tax exemption for air pollution control	Gagne	I don't believe this has an impact on the city today but might in the future. It is a positive change to that particular statute and therefore should be supported.	2/12: Nothing to report

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CAT	HB/SB	Bill #	Description	Sent To:	Response	Notes
WATCH	sb	102	electing conservation commission members	Clark	This is enabling legislation. (No hearing scheduled)	2/12: No updates to report
WATCH	sb	121	relative to the distribution formula for meals and rooms tax revenue	Ted/Bill	Need more information on how this will affect the city to ascertain if the city would see an increase in monies. No information available from DRA to make this decision.	2/12: Hearing
WATCH	sb	168	SAG Grants (appears to be that same at HB 623)	Fred McNeil	Appears to be the same MacNeil is checking with LGC.	2/12: Nothing to report
DHR	hb	661	Drug forfeiture money to cold case unit	Mara		2/12: Awaiting response
DHR	hb	669	non-payment of property taxes for current use	Harte		2/12: Awaiting response
DHR	sb	49	relative to the appeals of planning board decisions	Goucher	(Hearing on 2/6)	OTP/A (get amendment) 2/12: Sent proposed amendments to Planning
DHR	sb	50	relative to expiration of variances and special exceptions	Sink	(Hearing on 2/6) We generally support this proposed legislation however, we feel that some clarification is needed regarding the meaning of the phrase ". . . resolution of a planning application. . ."	OTP/A (get amendment) 2/12: Sent proposed amendments to Planning
N/A	hb	206	relative to political advertising	Sheppard	OK per KS just clarifies that we keep signes one week after election	

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N/A	sb	46	relative to air quality violations for outdoor fires	Burkush	Will decrease the amount of recreational fire permits that we issue, the current law is 25 feet. The majority of the people that purchased a commercial type of outdoor fire place will not be able to use them. People that recieved permits last year will be denied this year. (Hearing on 1/30 no further action taken)	2/14: ILL 5-0
N/A	sb	188	relative to municipality owned utilities	Fred/Paris	DOT does this now. EPD has worked with DOT on several projects where we relocated utilities and they have shared in the cost as outlined in SB 188. Some examples are the new airport bridge, new Granite Street on/off ramps, and currently for the new sound wall next to the Westside Pump Station. In all our cases DOT paid for the new pipe.	2/12: No issues per KS & FM
	hb	114	Access to subdivided land	Pam/Leon	Retained	
	hb	397	relative to state aid for water supply	David Paris	not a concern for Manchester. has to do with an underfunded state grant program where communities committed funds on the basis of state support. Dave	Does not apply
	hb	506	relative to time periods for adoption and amendment of town codes and ordinances	Clarke		

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	sb	2	Relative to the calculation of the local tax cap	Tom Clarke	Clarke: It does not apply to Manchester.	
	sb	11	Relative to water resource utility districts	Paris	Sam, I'm told this bill is specific to Statham where they are trying to develop a central water district through a regional tax. not a concern for us. Dave	

HB 113 – AS AMENDED BY THE HOUSE

30Jan2013... 0008h

2013 SESSION

13-0066

03/01

HOUSE BILL *113*

ACTION

AN ACT relative to lot access for erection of buildings.

SPONSORS: Rep. J. Belanger, Hills 27

COMMITTEE: Municipal and County Government

ANALYSIS

This bill permits erection of a building on a lot that has access to a class VI or better highway via a private right-of-way.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

30Jan2013... 0008h

13-0066

03/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to lot access for erection of buildings.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Erection of Buildings; Street Access. Amend RSA 674:41, III to read as follows:

III. This section shall supersede any less stringent local ordinance, code, or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless:

(a) Such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e); or

(b) Such right-of-way provides access to a class VI or better highway, provided that:

(1) The municipality neither assumes responsibility for maintenance of said private right-of-way nor liability for any damages resulting from the use thereof; and

(2) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought.

2 Effective Date. This act shall take effect 60 days after its passage.

HB 215-FN-LOCAL – AS INTRODUCED

2013 SESSION

13-0018

06/10

HOUSE BILL *215-FN-LOCAL*

ACTION

AN ACT relative to workforce housing and the definition of community.

SPONSORS: Rep. Flanagan, Hills 26; Rep. Jasper, Hills 37; Rep. Burt, Hills 6; Rep. Baldasaro, Rock 5; Rep. Roberts, Ches 4; Sen. Carson, Dist 14

COMMITTEE: Municipal and County Government

ANALYSIS

This bill requires municipalities that adopt land use ordinances to allocate no less than 5 percent of their dwelling units to workforce housing and defines “community” for purposes of planning and zoning laws.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0018

06/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to workforce housing and the definition of community.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Workforce Housing Opportunities. Amend RSA 674:59, I to read as follows:

I. In every municipality that exercises the power to adopt land use ordinances and regulations, such ordinances and regulations shall provide reasonable and realistic

opportunities for the development of workforce housing, including rental multi-family housing. ***No less than 5 percent of the dwelling units in the municipality shall be allocated as workforce housing.*** In order to provide such opportunities, lot size and overall density requirements for workforce housing shall be reasonable. A municipality that adopts land use ordinances and regulations shall allow workforce housing to be located in a majority, but not necessarily all, of the land area that is zoned to permit residential uses within the municipality. Such a municipality shall have the discretion to determine what land areas are appropriate to meet this obligation. This obligation may be satisfied by the adoption of inclusionary zoning as defined in RSA 674:21, IV(a). This paragraph shall not be construed to require a municipality to allow for the development of multifamily housing in a majority of its land zoned to permit residential uses.

2 Procedure. Amend RSA 674:60, IV to read as follows:

IV. A municipality [~~may~~] ***shall*** require that an applicant record restrictive covenants acceptable to the land use board that the workforce housing may not be rented to or sold to any household whose income is greater than that specified in RSA 674:58, IV. The covenant shall be for the term specified in the regulations of the land use board. The municipality may adopt regulations to insure compliance with the covenants, which regulations may include requirements for the monitoring of the project by the municipality or by a suitable third party agency qualified to carry out such requirements, including but not limited to requiring the production of annual income verification for renters and non-owner occupiers. The land use board may consider the existence of recorded covenants or income qualification and occupancy criteria as satisfying the purpose of this paragraph if such covenants or criteria are administered by a state or federal entity.

3 New Section; Planning and Zoning; Words and Phrases Defined; Community. Amend RSA 672 by inserting after section 3 the following new section:

672:3-a Community. "Community" means the area within the boundaries of any municipality.

4 Effective Date. This act shall take effect 60 days after its passage.

LBAO

13-0018

12/13/12

HB 215-FN-LOCAL - FISCAL NOTE

AN ACT relative to workforce housing and the definition of community.

FISCAL IMPACT:

The New Hampshire Municipal Association states this bill, **as introduced**, will

have an indeterminable impact on local revenues and expenditures in FY 2013 and each year thereafter. There is no fiscal impact on state and county revenues or expenditures.

METHODOLOGY:

The New Hampshire Municipal Association states this bill amends municipal land use planning statutes to require that "no less than 5 percent of the dwelling units in the municipality shall be allocated as workforce housing." The Association states it is unsure how the requirement is to be achieved, since it is cannot determine how a municipality would control the number of housing units that qualify as workforce housing. For this reason, the Association states the bill will have an indeterminable impact on municipal revenues and expenditures. The Association also states the bill requires municipalities to require restrictive covenants ensuring that approved workforce housing developments will continue to qualify as workforce housing. The Association states it does not expect this change to impact municipal revenues or expenditures.

HB 286 – AS INTRODUCED

2013 SESSION

13-0820

06/05

ACTION

HOUSE BILL 286

AN ACT relative to broadband infrastructure.

SPONSORS: Rep. Townsend, Graf 11; Rep. Pastor, Graf 12; Sen. Kelly, Dist 10

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill changes requirements for the issuance of broadband infrastructure bonds by municipalities.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0820

06/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to broadband infrastructure.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Findings and Purpose. The general court finds that:

I. Universal, easy, and affordable access to high speed Internet service in New Hampshire is essential for economic development, job creation, small business growth, state, federal, and local service delivery, and educational opportunities.

II. Current New Hampshire law makes universal access to broadband Internet services effectively impossible by discouraging competition. Such lack of universal access is a significant missed opportunity for building the state's economy and putting people back to work.

III. The state of New Hampshire must act decisively to facilitate the infrastructure investments that are needed to make broadband/high speed Internet available to its citizens, just as it does with electricity, telephone service, highways, and roads.

IV. Open access technology platforms and universal access are the keys to establishing a thriving, competitive market offering low cost, high-speed Internet services to the public.

V. The state should allow our counties and municipalities to provide access to service by building broadband infrastructure, provided they do not provide broadband services themselves.

VI. The state should facilitate rigorous competition in the broadband market and remove barriers that protect vested interests and discourage competition.

VII. Public-private partnerships are critical to achieving success in effectively building out infrastructure to the premises (i.e. "Last Mile" buildout to residential and businesses in communities) because more stakeholders, rather than fewer, get engaged in and take ownership of any build-out initiative.

VIII. The state should stimulate high speed Internet expansion by providing targeted tax credits and eliminating barriers that limit our counties' and municipalities' ability to use revenue bonds and other financial instruments to access the capital needed for infrastructure development.

IX. The purpose of this section is to give municipalities local control over whether to utilize these tools to build-out high speed Internet infrastructure, provided that their citizens request and approve such action through the local legislative process.

2 Municipal Finance; Purpose of Issue of Bonds or Notes. Amend RSA 33:3 to read as follows:

33:3 Purpose of Issue of Bonds or Notes. A municipality or county may issue its bonds or notes for the acquisition of land, for planning relative to public facilities, for the construction, reconstruction, alteration, and enlargement or purchase of public buildings, for other public works or improvements of a permanent nature including broadband infrastructure as defined in RSA 38:38, I(e), [~~to be purchased or constructed in areas not served by an existing broadband carrier or provider~~], for the purchase of departmental equipment of a lasting character, for the payment of judgments, and for purposes of economic development which shall include public-private partnerships involving capital improvements, loans, and guarantees. The public benefit in any public-private partnership must outweigh any benefit accruing to a private party. Bonds or notes for the purposes of economic development may be issued only after the governing body of the municipality or

county has held hearings and presented the public benefit findings to the public and after such issuance has been approved by the legislative body. A municipality or county shall not issue bonds or notes to provide for the payment of expenses for current maintenance and operation except as otherwise specifically provided by law.

3 Definitions; Revenue-Producing Facilities. Amend RSA 33-B:1, VI to read as follows:

VI. "Revenue-producing facilities" means water works, broadband infrastructure as defined in RSA 38:38, I(e), ~~[purchased or constructed in areas not served by an existing broadband carrier or provider,]~~ sewerage systems, sewage treatment or disposal facilities, solid waste disposal or resource recovery facilities, parking facilities, facilities for the production, generation, transmission, or distribution of electricity or gas, any other real or personal property or interests in a municipality or regional water district owned or controlled by the municipality or regional water district, from the operation of which revenues are or are expected to be derived by the municipality, or regional water district, and qualifying energy conservation and clean energy improvements for which a municipality provides financing pursuant to RSA 53-F.

4 New Sections; Issuance of Revenue Bonds. Amend RSA 38 by inserting after section 41 the following new sections:

38:42 Issuance of Revenue Bonds. A municipality shall not issue revenue bonds under RSA 33-B for the purpose of financing the development, construction, reconstruction, renovation, improvement, and acquisition of broadband infrastructure unless:

I. A request for proposals for private broadband investment in the municipality has been issued and responses considered;

II. The local legislative body determines that the benefit to the public accruing from any planned public-private partnership relating to the issuance of revenue bonds outweighs the benefit accruing to the private member of the partnership. Such public benefit requirement is satisfied without limitation if the governing body of the municipality has held hearings and presented the public benefit findings to its citizens, and, as a consequence of weighing the testimony elicited in such hearings, the legislative body approves the issuance of such bonds as required under RSA 33-B.

38:43 Broadband Infrastructure; Exclusion from Debt Limit. Any debt incurred for broadband infrastructure by the issuance of bonds consistent with RSA 38:42 shall be outside the debt limit prescribed in RSA 33. Such debt shall at no time be included in the net indebtedness of any municipality for the purpose of determining its borrowing capacity.

38:44 Expenditure of Funds. Funds from the issuance of a revenue bond for broadband infrastructure shall only be expended to deploy broadband infrastructure in a universal and non discriminatory manner and, at a minimum, in those areas of the municipality having the least adequate access to broadband service.

38:45 License and Permit Neutrality. In determining whether the public good requires a municipality to grant, change, or revoke any permit or license to any entity under RSA 231:161 or RSA 231:163, the effect that such action may have upon the viability or success of the municipality's broadband infrastructure, whether existing, planned, or contemplated, shall not be a factor in such determination or in determining the terms and conditions of any license or permit that results.

5 Broadband Access; Definitions; Broadband. RSA 38:38, I(c) is repealed and reenacted to read as follows:

(c) "Broadband" means advanced communications systems capable of providing high-speed transmission of services such as data, voice, and video over the Internet and other networks with transmission provided by a range of technologies including digital subscriber line and fiber optic cable, coaxial cable, wireless technology, and satellite. Broadband enables the convergence of voice, video, and data services onto a single network.

6 Broadband Access. Amend RSA 38:38, II to read as follows:

II. A municipality ~~[may]~~ **shall** use its broadband infrastructure for the purpose of providing an open network ~~[and assuring that third party access is available in accordance with current state and federal regulations]~~ **and shall make use of open network interfaces. No municipality shall be a retail provider of broadband service.**

7 Broadband Access Tariffs. Amend RSA 38:39 to read as follows:

38:39 Broadband Access Tariffs. For defraying the cost of acquisition, construction, payment of the interest on any debt incurred, management, maintenance, operation, and repair of broadband infrastructure, or the construction, enlargement, or improvement of such systems, the governing body ~~[may]~~ **shall** establish a scale of rates called access tariffs, ~~[may]~~ **shall** prescribe the manner and the time for the payment of such tariffs, and may change such tariffs when it deems advisable.

8 New Paragraph; Pole Attachments. Amend RSA 374:34-a by inserting after paragraph VIII the following new paragraph:

IX. Pole attachments sought by a municipality for the provision of broadband access pursuant to RSA 38:38-45 shall be subject to this section.

9 Repeal. The following are repealed:

I. RSA 33:3-c, I(e), relative to the issuance of bonds for preliminary expenses.

II. RSA 33:3-g, relative to broadband infrastructure bonds.

III. RSA 33:6-f, relative to exclusion from debt limit; broadband infrastructure.

IV. RSA 38:38, I(b), relative to the definition of "areas not served."

10 Effective Date. This act shall take effect July 1, 2013.

Piatt,Samantha

HB 286

From: Angell, Jennie
Sent: Tuesday, February 12, 2013 3:50 PM
To: Gatsas,Ted
Cc: Piatt,Samantha
Subject: FW: HB 286 Relative to broadband infrastructure
Attachments: HB0286.pdf; 38-38.pdf

Hi Ted,
 HB 286 relative to Broadband Infrastructure has the potential of requiring the City to provide an "open network" to the public. Tom Clark agrees with my concerns. The hearing for the bill is on 2/26/13. I can go to the hearing to testify that the wording should remain "may" and not be changed to "shall". Please read my comments below.

Please let me know who you want me to proceed.

Jennie Angell
 Information Systems Department
 603 624-6577

From: Clark, Thomas
Sent: Tuesday, February 12, 2013 2:39 PM
To: Angell, Jennie; Arnold, Thomas
Subject: RE: HB 286 Relative to broadband infrastructure

Hi Jennie:
 I agree with your reading of this proposal. It would be problematic for the City.

Tom Clark

From: Angell, Jennie
Sent: Tuesday, February 12, 2013 11:39 AM
To: Clark, Thomas; Arnold, Thomas
Subject: HB 286 Relative to broadband infrastructure

I have attached the text of HB 286 and RSA 38:38.

In the proposed house bill section 6 Broadband Access, they want to change the word "may" to "shall" and then change other wording so the bill states "A municipality shall use its broadband infrastructure for the purpose of providing an open network and shall make use of open network interfaces."

The definition of Broadband Infrastructure (see the attached RSA 38:38) and the new definition of "Broadband" describe the City's private network.

I am concerned that this bill could require the city to provide an "open network" to the public. We don't have the bandwidth or the funding to provide the bandwidth to do this.

Do you have a different interpretation or should I send my concerns to the Mayor's office. The bill is scheduled for a hearing on 2/26/13

Jennie Angell
 Director of Information Services
 City of Manchester, NH
 Information Systems Department

2/12/2013

29.24

HB 318-FN – AS INTRODUCED

2013 SESSION

ACTION

13-0089

04/10

HOUSE BILL *318-FN*

AN ACT relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers.

SPONSORS: Rep. Sapareto, Rock 6; Rep. Weyler, Rock 13

COMMITTEE: Ways and Means

ANALYSIS

This bill transfers the authority to collect the education property tax from the municipalities to the department of revenue administration. The bill establishes a program for the rebate of excess education property tax payments made by eligible taxpayers in the state. Claims for rebates shall be made to the department of revenue administration and qualifying claims shall be paid from the interest which accumulates on education property taxes collected by the department.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0089

04/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Education Property Tax to be Collected by Department of Revenue Administration. RSA 76:3 is repealed and reenacted to read as follows:

76:3 Education Property Tax.

I. Beginning July 1, 2014, and every fiscal year thereafter, the commissioner of the department of revenue administration shall set the education tax rate at a level sufficient to generate revenue of \$363,000,000 when imposed on all persons and property taxable pursuant to RSA 76:8, except property subject to tax under RSA 82 and RSA 83-F. The education property tax rate shall be effective for the following fiscal year. The rate shall be set to the nearest $\frac{1}{2}$ cent necessary to generate the revenue required in this section.

II. The commissioner of the department of revenue administration shall determine the state portion of the education tax owed by each taxpayer under this section and bill each taxpayer for $\frac{1}{2}$ the amount payable by July 1 and $\frac{1}{2}$ the amount payable by December 1 of each year.

III.(a) The selectmen or municipal tax collectors shall send a bill to the taxpayer for all taxes, interest, additions to tax, and penalties imposed under this chapter. The taxpayer shall remit the amount due the state to the department of revenue administration. The state treasurer shall deposit all taxes collected in the education trust fund established under RSA 198:39 and all interest, additions to tax, and penalties in the education property tax hardship relief fund established under RSA 198:65.

(b) The commissioner shall reimburse a city or town 50 cents for each tax bill sent by the city or town to a taxpayer for the local portion of the education property tax.

IV. The selectmen or municipal tax collectors or the commissioner may institute actions in the name of the state to recover any tax, interest on tax, additions to tax, or the penalties imposed by this section.

V. In the collection of the tax imposed by this section, the selectmen or municipal tax collectors or the commissioner may use all of the powers granted to tax collectors under RSA 80 for the collection of taxes. The commissioner shall also have all of the duties imposed upon the tax collectors by RSA 80 that are applicable to the commissioner. The provisions of RSA 80:26 shall apply to the sale of land for the payment of taxes due under this chapter, and the state treasurer is authorized to purchase the land for the state. If the state purchases the land, the state treasurer shall certify the purchase to the governor, and the governor shall draw a warrant for the purchase price out of any money in the treasury not otherwise appropriated.

VI. Appeals regarding valuation of property shall be made to the board of tax and land appeals or the superior court of the county in which the taxpayer resides in the manner prescribed in RSA 76:16-a and RSA 76:17. Appeals other than appeals of valuation shall be made according to the procedure and subject to the time limits provided for other taxes administered by the department under RSA 21-J.

VII. Taxes not paid when due shall be subject to appropriate penalties and interest under

RSA 21-J.

2 School Money; Education Trust Fund. Amend the introductory paragraph of RSA 198:39, I to read as follows:

I. The state treasurer shall establish an education trust fund in the treasury. Moneys in such fund shall not be used for any purpose other than to distribute adequate education grants to municipalities' school districts and to approved charter schools pursuant to RSA 198:42, to ~~[provide low and moderate income homeowners property tax relief under RSA 198:56-198:61]~~ *reimburse municipalities for the local portion of education property tax relief claims made pursuant to RSA 198:63 and individual taxpayers for the state portion of education property tax relief claims made pursuant to RSA 198:63*, and to fund kindergarten programs as may be determined by the general court. The state treasurer shall deposit into this fund immediately upon receipt:

3 Reference Change; Source of Funds; Education Trust Fund. RSA 198:39, I(g) is repealed and reenacted to read as follows:

(g) Education property taxes paid over to the state treasurer by the department of revenue administration pursuant to RSA 76:3.

4 Determination of Adequate Education Grants. Amend RSA 198:41, I to read as follows:

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the ~~[department of education shall determine the total education grant for the municipality as follows:~~

~~(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;~~

~~(b) Subtract the amount of the education tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:9 for the next tax year] *municipality's total education grant shall be the amount calculated in RSA 198:40-a.*~~

5 Reference Change. Amend RSA 198:41, II(b) to read as follows:

(b) The total amount paid for items of current education expense as determined by the department of education ~~[minus the amount of the education property tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:9 for the next tax year].~~

6 New Subdivision; Education Property Tax Relief. Amend RSA 198 by inserting after section 61 the following new subdivision:

Education Property Tax Relief

198:62 Definitions. In this subdivision:

I.(a) "Claimant" means a person who:

(1) Has filed a claim with the department for reduction in such claimant's property taxes under this subdivision; and

(2) During the 3 fiscal years preceding the year in which the person files a claim for relief under this chapter:

(A) Has had an ownership interest in a homestead and was domiciled in the homestead upon which education property taxes have accrued and for which the person is making a claim for tax relief from education property taxes in this state; and

(B) Was not a full-time student claimed as a dependent by any taxpayer under the United States Internal Revenue Code; and

(3) Did not during the prior federal income tax year, pay the alternative minimum tax.

(b) In this paragraph, the term "ownership interest" includes:

(1) A vendee in possession under a land contract;

(2) One or more joint tenants or tenants in common; or

(3) A person who has equitable title, or the beneficial interest for life in the homestead.

II. "Commissioner" means the commissioner of the department of revenue administration.

III. "Department" means the department of revenue administration.

IV. "Education property taxes" means the sum of the statewide education property tax under RSA 76:3 and the education portion of property taxes assessed by a municipality.

V. "Equalized assessed value" or "equalized assessed valuation" means the modified assessed valuation of property equalized by the commissioner pursuant to RSA 21-J:3, XIII. In this paragraph, "modified assessed valuation" means the sum of the assessments of taxable property in a municipality less the statutory exemptions provided in RSA 72:12-a, 72:12-b, 72:37, 72:39-a, and 72:39-b. "Modified assessed valuation" shall not include optional exemptions provided in RSA 72:37-b, 72:62, 72:66, and 72:70.

VI.(a) "Excess education property taxes" means the sum of the state education rate determined under RSA 76:3 multiplied by the equalized value of the claimant's qualifying homestead and the amount of the local education portion of property taxes assessed on a claimant's homestead; which is in excess of 10 percent of a claimant's household income for the calendar year preceding the tax year of the excess education property tax claim.

(b) In this paragraph, "equalized assessed value of the qualifying homestead" means the local assessed value of the homestead equalized by applying the equalization ratio for the municipality, as determined by the commissioner pursuant to RSA 21-J:3, XIII, for the year

of the claim.

(c) A qualifying homestead is the first \$100,000 of equalized value of a homestead. If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common, and one or more persons or entities are not members of the claimant's household, "excess education property taxes" applies to that part of statewide education property taxes levied on the homestead which reflects the ownership percentage of the claimant and the claimant's household. If a homestead is an integral part of a larger unit such as a multi-dwelling building, the statewide education property taxes shall be that percentage of the total education property taxes accrued as the total inhabitable area of the claimant's dwelling is of the total inhabitable area of the building. For purposes of this paragraph "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part.

VII.(a) "Homestead" means the dwelling owned by a claimant which is used as the claimant's principal place of residence for not less than 240 days in a calendar year and includes the following:

- (1) The land upon which the dwelling stands;
 - (2) Visual and ordinary appurtenant structures such as but not limited to garages, wood sheds, barns, and other outbuildings;
 - (3) The land upon which such appurtenant structures stand;
 - (4) Land contiguous to such dwelling and appurtenant structures that is groomed and maintained around them; and
 - (5) Land necessary to the support and service of the dwelling such as but not limited to driveways and maintained rights-of-way for purposes of ingress and egress to the dwelling.
- (b) A homestead may consist of a part of a multi-unit dwelling and its proportionate share of the land upon which it stands and other ordinary appurtenant common facilities.
- (c) In this paragraph, the term "owned" includes a vendee in possession under a land contract and one or more joint tenants or tenants in common.
- (d) "Homestead" shall not include personal property such as furniture, furnishings or appliances, or structures.
- (e) Manufactured housing shall be considered a dwelling.

VIII. "Household income" means any and all income received by a household, including disability income, social security income, and other sources of income which are nontaxable under the United States Internal Revenue Code. "Household income" shall also include all income of any trust through which the claimant holds equitable title, or the beneficial interest for life, in the homestead.

IX. "Education property tax" means the tax assessed under RSA 76:3.

X. "United States Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended.

198:63 Claims for Education Property Tax Relief.

I.(a) A claimant shall be entitled to make claim to the department for education property tax relief equal to the excess education property taxes assessed under RSA 76:3 on the first \$100,000 of equalized valuation of the claimant's homestead.

(b) No claim with respect to relief by a claimant under this subdivision shall be allowed unless the claim is filed with the department by March 1 following the date of notice of tax as defined in RSA 72:1-d.

II. No interest shall be allowed on any relief to which a claimant may be entitled under this subdivision.

III. Annually, the commissioner shall reimburse each city or town for the amount of relief granted against the local tax portion of the education property tax. Such reimbursement shall be paid from the education trust fund established in RSA 198:39.

IV. No person who qualifies for the alternative minimum tax under federal tax law shall be eligible to file a claim under this section.

V. No person who has claimed a homestead exemption in another state shall be eligible to claim the homestead exemption under this subdivision in the same tax year.

198:64 Reports of Claims. By May 15 of each year, the department shall report to the state treasurer the qualifying claimants under RSA 198:63.

198:65 Education Property Tax Hardship Relief Fund; Reimbursement to Qualifying Claimants; Appropriation. An education property tax hardship relief fund is established within the office of the state treasurer to pay qualified claims made under RSA 198:63. Interest, additions to tax, and penalties received by the state treasurer under RSA 76:3, III shall be deposited in this fund. Within 30 days of receipt of the report by the department required under RSA 198:65, the state treasurer shall, to the extent of available funds, reimburse a qualifying claimant by June 15 of each year for qualified claims received under RSA 198:63. Such payments shall be charged against the fund established in this section. Payments shall be made to the extent of annual appropriations to the fund and shall not exceed such annual appropriations to the fund.

198:66 One Claimant Per Household. Only one claimant per household per year shall be entitled to relief under this subdivision.

198:67 Claim is Personal. The right to file a claim under this subdivision shall be personal to the claimant. The right to file a claim under this subdivision shall survive the claimant's death to the extent that this right may be exercised on behalf of a claimant by a legal

guardian, attorney, spouse, or another person who could have qualified as the claimant had the decedent not filed.

198:68 Administration; Rulemaking.

I. This subdivision shall be administered and enforced by the department.

II. The department shall adopt rules, pursuant to RSA 541-A, necessary to administer and enforce this subdivision.

198:69 Forms for Claim. The commissioner of revenue administration shall make available suitable forms with instructions for claimants. Such forms may require claimants to provide all information reasonably necessary to determining the accuracy of claims, including, but not limited to, property taxes accrued, changes of homestead, household membership, household income, size and nature of property claimed as the homestead, and a statement that the property taxes have been or will be paid by the claimant.

198:70 Fraudulent Claims; Penalty. A person shall be guilty of a class B felony who:

I. Files a fraudulent claim.

II. With fraudulent intent, assisted in the preparation or filing of the fraudulent claim or supplied information upon which the fraudulent claim was prepared.

198:71 Appeals. Any person aggrieved by the denial in whole or in part of a claim under this subdivision, except when the denial is based upon late filing of claim, may appeal the denial to the board of tax and land appeals or to the superior court in the county in which the person resides by filing a petition within 30 days after such denial. Procedures for an appeal of a denial of a claim shall be the same as the procedures for an appeal of a denial of an abatement of property tax under RSA 76:16-a–RSA 76:17.

198:72 Claim Applied Against Outstanding Liabilities. The amount of any claim otherwise payable under this subdivision may be applied by the department against any liability outstanding against the claimant or against anyone who was a member of the household in the taxable year to which the claim relates.

7 New Subparagraph; Special Fund. Amend RSA 6:12, I by inserting after subparagraph (310) the following new subparagraph:

(311) Interest, additions to tax, and penalties received from the commissioner of revenue administration under RSA 76:3, III.

8 Application of Receipts; Reference Deleted. Amend RSA 6:12, I(b)(65) to read as follows:

(65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, ~~[RSA 198:46,]~~ and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

9 Repeal. The following are repealed:

I. RSA 76:8, I and II, relative to the commissioner's warrant.

II. RSA 76:9, relative to the commissioner's report.

III. RSA 198:46, relative to excess education property tax payment.

IV. RSA 198:47, relative to forms for reporting and remitting of excess education property tax.

V. RSA 198:56-61, relative to the low and moderate income homeowners property tax relief program.

10 Effective Date. This act shall take effect July 1, 2014.

LBAO

13-0089

01/15/13

HB 318-FN - FISCAL NOTE

AN ACT relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, as introduced, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

Piatt,Samantha**HB 318**

From: Harte, Patricia
Sent: Thursday, February 07, 2013 3:09 PM
To: Piatt,Samantha
Subject: FW: HB318-HN

Sam, I thought you should see Tony's excellently thorough comments below with regard to HB318-HN.....

Pat M. Harte, CTC
 Tax Collector
 City of Manchester
 1 City Hall Plaza West
 Manchester, NH 03101
 (603) 624-6575 X5303

pharte@manchesternh.gov

"How far is far, how high is high? We'll never know until we try!"

Song from the California Special Olympics

From: Schaffer, Anthony
Sent: Tuesday, February 05, 2013 1:45 PM
To: Harte, Patricia
Cc: Masewic, Brenda
Subject: RE: HB318-HN

Just to recap our phone call –

--I think you are right. Not sure why cities and towns should do the State's work. Article 28-A prohibits downshifting of State functions without funding same. The 50 cents reimbursement is probably not adequate, given all the costs other than postage associated with mailing. Also, the State has a bad habit of forgetting to update such reimbursements as time goes on (i.e. Town Clerk fee), so this amount will only get less adequate over time.

--There are many, many issues I see, more than I can fully document in a short while. I don't see what the purpose is here anyway, so it's hard to determine what lingo might be appropriate in that context. Some of these issues are:

- I think this will be confusing to taxpayers as well as tax collectors, for a long time to come. Liens and deeding will likely be more confusing and therefore more likely to be challenged.
- Valuation on the local tax bill will be different from that shown on the State tax bill (at State level, this will be the equalized value). Imagine explaining that to everyone who notices.
- This will complicate escrow tax payments. Will banks have to pay both the city and the state

separately? What happens when one is paid and the other isn't?

- Sooner or later will result in payments being misapplied, think of how MV payment problems involving State funds get handled today.
- Could cities and towns be required to file liens and deeds for unpaid State taxes even if local property taxes are paid in full?
- Not sure how bankruptcy affects this. If we know someone is in bankruptcy do we still mail the State tax bill with no disclaimers? Do we still pursue that bill afterward?
- There are a number of references to DRA having to make administrative rules to carry out the legislation. Anytime this happens, usually results in complicated and confusing rules along with downshifted costs and labor. MV registration and municipal agency is a good example.
- Taxpayers have to file for relief from the State, with a complicated set of rules. DRA is likely not staffed to support this. Example might be to look at the filing and time requirements for appealed denied abatements.
- Since any abatement on assessed value for State tax purposes must be filed at the BTLA, not the local assessors, if you get a local abatement granted, you'd still need to apply and argue your case again at the BTLA for the State portion. Given all the rules and exceptions in the bill, you could prevail locally but be disqualified from pursuing the State abatement. For example, if you are a full-time student you cannot be a claimant in the wording of this bill. What difference should that make if you own property and pay taxes anyway?
- Taxpayers lose any local value-based exemptions like elderly or blind when the State tax is calculated. Also probably won't have additional benefit of credit-based (veteran) exemptions either for State payments.
- Finance probably has a number of issues also. Most prominent, instead of collecting the State Ed tax locally and then applying for more or refunding overages – meaning, we already have the funds in hand – cities and towns would have to apply each time and wait for the State to determine what is adequate then send the funding. Based on recent State cuts in local aid and revenue sharing, over time this will likely mean less money being returned and more funding having to be raised locally.

-Tony Schaffer
 City of Manchester, NH Information Systems Department
 100 Merrimack Street, Manchester, NH 03101
 Phone: (603) 624-6519 x2309
 Email: aschaffer@ManchesterNH.Gov

From: Harte, Patricia
Sent: Tuesday, February 05, 2013 10:48 AM
To: Schaffer, Anthony
Cc: Masewic, Brenda
Subject: HB318-HN

Hi Tony,

Would you mind taking a look at the attached proposed House Bill? It sounds to me that we would have to send a separate tax bill for the education tax and that the remittance would be directly to the State? I'm wondering if that's what you understand this to mean as well. The Mayor's office is looking for input from me on this.

Thanks,

Pat

Pat M. Harte, CTC
Tax Collector
City of Manchester
1 City Hall Plaza West
Manchester, NH 03101
(603) 624-6575 X5303

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"How far is far, how high is high? We'll never know until we try!"

Song from the California Special Olympics

HB 619-FN – AS INTRODUCED

2013 SESSION

ACTION

13-0701

05/01

HOUSE BILL *619-FN*

AN ACT prohibiting images of a person’s residence to be taken from the air.

SPONSORS: Rep. Kurk, Hills 2

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill prohibits images of a person’s residence to be taken from the air by a satellite, drone, or any device not supported by the ground.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

13-0701

05/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT prohibiting images of a person’s residence to be taken from the air.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Violation of Privacy; Prohibition on Aerial Images of Residence. Amend RSA 644:9 by inserting after paragraph IV the following new paragraph:

IV-a. A person is guilty of a class A misdemeanor if such person knowingly creates or assists in creating an image of the exterior of any residential dwelling in this state where such image is created by or with the assistance of a satellite, drone, or any device that is

not supported by the ground. This prohibition shall not apply where the image does not reveal forms identifiable as human beings or man-made objects. In this paragraph, "dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

2 Exception. Amend RSA 644:9, V to read as follows:

V. Paragraphs I [~~and~~], II *and IV-a* shall not be construed to impair or limit any otherwise lawful activities of law enforcement personnel, nor are paragraphs I [~~and~~], II *and IV-a* intended to limit employees of governmental agencies or other entities, public or private, who, in the course and scope of their employment and supported by articulable suspicion, attempt to capture any type of visual image, sound recording, or other physical impression of a person during an investigation, surveillance, or monitoring of conduct to obtain evidence of suspected illegal activity, the suspected violation of any administrative rule or regulation, a suspected fraudulent insurance claim, or any other suspected fraudulent conduct or activity involving a violation of law, or pattern of business practices adversely affecting the public health or safety.

3 Effective Date. This act shall take effect January 1, 2014.

LBAO

13-0701

01/23/13

HB 619-FN - FISCAL NOTE

AN ACT prohibiting images of a person's residence to be taken from the air.

FISCAL IMPACT:

The Judicial Branch, Judicial Council, and New Hampshire Municipal Association state this bill, as introduced, may increase state and county expenditures by an indeterminable amount in FY 2014 and each year thereafter. There will be no fiscal impact on local expenditures, or state, county, and local revenue.

METHODOLOGY:

The Judicial Branch states this bill would add RSA 644:9, IV-a to prohibit images of person's residence to be taken from the air by a satellite, drone, or any device not supported by the ground. Violations of this prohibition are a class A misdemeanor. The Branch has no information to estimate how many cases would be impacted by this bill to determine the fiscal impact on expenditures but does have information on the cost for processing class A misdemeanors. All costs are estimated based on case weight information from the last needs assessment completed in 2005. The Branch

states a class A misdemeanor will cost \$62.71 per case in FY 2014 and \$64.40 per case in FY 2015 and each year thereafter. However, if a single case were to be appealed to the New Hampshire Supreme Court, the fiscal impact would be in excess of \$10,000.

The Judicial Council states this bill may result in an indeterminable increase in general fund expenditures. The Council states if an individual is found to be indigent, the flat fee of \$275 per misdemeanor is charged by a public defender or contract attorney. If an assigned counsel attorney is used the fee is \$60 per hour with a cap of \$1,400 for a misdemeanor. The Council also states additional costs could be incurred if an appeal is filed. The public defender, contract attorney and assigned counsel rates for Supreme Court appeals is \$2,000 per case, with many assigned counsel attorneys seeking permission to exceed the fee cap. Requests to exceed the fee cap are seldom granted. Finally, expenditures would increase if services other than counsel are requested and approved by the court during the defense of a case or during an appeal.

The New Hampshire Association of Counties states to the extent more individuals are charged, convicted, and sentenced to incarceration in a county correctional facility, the counties will have increased expenditures. The Association is unable to determine the number of individuals who may be charged, convicted or incarcerated as a result of this bill to determine an exact fiscal impact. The average annual cost to incarcerate an individual in a county correctional facility is approximately \$35,000. There is no impact on county revenue.

The Department of Justice states this bill will not have a fiscal impact on the Department because such offenses are typically prosecuted by local and county prosecutors not the Department.

Piatt, Samantha

HB 619

From: Beauchesne, David
Sent: Tuesday, February 12, 2013 11:29 AM
To: Angell, Jennie; Piatt, Samantha
Cc: Schaffer, Anthony; McNeill, Fred; Davini, Jay; Sheppard, Kevin; LaFreniere, Leon; Linder, Richard
Subject: RE: HB619 prohibiting images of a person's residence to be taken from the air
Follow Up Flag: Follow up
Flag Status: Orange

I also agree with Tony's observations. To which I would also add the following:

As a key element in carrying out its designated work, the City of Manchester Planning & Community Development Department has, on a number of occasions in the modern era (at least since the 1950's), routinely acquired high quality aerial photos of the city. Among other purposes, these photos have been used as the elemental base starting point for creating virtually all of the map products (non-digital as well as digital) which our Department has developed since the 1950's. How else to efficiently – and relatively cheaply – acquire the accurate locations of streets, surface water bodies, buildings, topography, and the dozens of other surficial features which are the basis for modern map making, than by high quality aerial photography?

Needless to day, high quality aerial photos are the starting point upon which the City's modern digital base map is based. And, because they are available, the varied feature layers in this digital base map provides almost all of the map features which are shown on our zoning maps, Ward maps, wetland maps, master planning maps, et al. The City's very accurate, and incalculably useful, digital parcel map was, in part, specifically created to overlay, and tightly fit with, the City's previously established, aerial photo-based, digital base map. Needless to say, the recent creation of the City's parcel boundary data set, with its highly accurate positioning of property lines, has been a great and welcome benefit to all our work, especially when compared to the difficulty we all used to have in accessing and using the old, pre-digital, paper-based assessor parcel maps!

This list goes on. I cannot emphasize enough how utterly important high quality aerial photography is in carrying out municipal government work. Since Y2000, in my role as a GIS specialist, I have routinely used the City's various aerial photo-based digital map feature sets to create about 1,087 maps – yes, I keep a detailed record! – all to support, in one way or another, city government work. I would also note that most of the responses our Department makes to queries from the Board of Mayor and Aldermen, other City agencies, or from the public, are routinely informed by data gleaned from aerial photo based map materials.

I would lastly add that many of the feature layers in the City's digital base map have been made publicly accessible via the City's very popular Public GIS web site, where anyone with internet access can select and view government-provided Manchester area digital map features – for free! The public can even view different eras of the actual aerial photos themselves – transparency at its finest! In addition to general public access, many businesses routinely use our Public GIS web site as a vital informational base to improve sales – I only half jokingly think that the real estate selling business could not live without this aerial photo based public service.

So, from my perspective, ending routine access to high quality aerial photography – as proposed Bill HB 619-FN As Introduced would do – would be a very quick way to disable the background information flow that supports the efficient and cost-effective carrying out of municipal government. Which is a gentler way of saying that this Bill, whether deliberately meant to be or not, is essentially a tool aimed at, in part, disabling one basis of good government.

DB

- HB 482 -

Bedbug bill requiring landlord action a priority for Manchester aldermen

The Legislature is considering a bill aimed at stamping out bedbugs, one of several pieces of legislation being looked at by lawmakers that is a priority for the city's aldermen.

By TED SIEFER

New Hampshire Union Leader

MANCHESTER - The Legislature is considering a bill aimed at stamping out bedbugs, one of several pieces of legislation being looked at by lawmakers that is a priority for the city's aldermen.

The bedbug bill, HB 482, is sponsored by Alderman Pat Long, who is also a state representative. Long, a member of the city task force on bedbugs, has long been involved in the issue, which has been a problem at numerous properties in the downtown area, as well as at some hotels.

Long testified before the House Judiciary Committee Thursday. He said the bill was well-received.

"What was amazing was everybody was on the same page, the tenants association, the landlords association," he said. "They realize the dire need to address the situation."

The bill would require landlords to both "investigate a tenant's report of an infestation of insects, including bedbugs, or rodents" within seven days of receiving notice from a tenant or housing code authority, and to take "reasonable measures to remediate an infestation."

The bill further states that the landlord "shall bear the reasonable costs of remediation of an infestation of bedbugs, but may recover those costs if the tenant is responsible for the infestation."

The bill was one of several aldermen discussed last Tuesday, and the bedbug bill was the only one that prompted some reservations.

Alderman Joe Kelly Levasseur said, "I'm going to abstain because I haven't read the whole thing. It's kind of like lead paint. People could already have high levels in their blood. This is pretty scary stuff."

Speaking at Tuesday's meeting, Long insisted that the bill would impose obligations on both landlords and tenants, who would be responsible for informing building owners of bedbug problems and following written instructions to remedy the problem. "This evenly puts the onus on both of them," he said.

Levasseur was joined by two aldermen, Garth Corriveau and Tom Katsiantonis, in abstaining on the vote to endorse the legislation. The rest of the aldermen voted to support the bill.

Other bills

In addition to the bedbug bill, the aldermen voted to take positions on several bills under consideration this legislative session.

House Bill 176 and Senate Bills 36, 43, 80 would alter laws regarding property tax exemptions. The aldermen supported the blanket opposition recommended by assessing board Chairman Robert Gagne, primarily on the grounds that they would weaken local control.

Senate Bill 128 would allow municipalities to retain a greater share of the fees they collect for vital records. The aldermen are strongly backing the bill, as they did last year on similar legislation. Manchester issues 20,000 records a year, more than any other community.

Lake Massabesic

The aldermen voted to back Senate Bill 58, which would enable municipalities to enter voluntary payment agreements for watershed land they own in neighboring towns, rather than pay the full tax value for the properties.

It's an important issue for Manchester Water Works, which owns 7,500 acres of land along its Lake Massabesic reservoir in Auburn, as well as in the towns of Candia, Chester and Hooksett.

The city's annual tax bill to Auburn alone is approaching \$1 million, which has prompted the Water Works to take legal steps to dispose of the land to a conservation nonprofit.

Water Works Director David Paris, who testified in Concord on SB 58 on Wednesday, told the aldermen that the bill could allow the utility to make the case that lake shore land is unfairly assessed. "Assessments speak to feature value," he said. "This shoreline on Lake Massabesic doesn't offer the feature value that's the intent of (this valuation). The bill could affect the assessed value significantly."

Paris added that the Water Works would pursue placing the land into a conservation easement and the legislation "on two fronts."

The bill received a favorable report from the Public and Municipal Affairs Committee on Wednesday.

tsiefer@unionleader.com

Municipal, environmental groups seeking promised dollars

HB 623

The state has reneged on its promise to pay its share of the cost of building and fixing wastewater and drinking water treatment facilities and landfill closures, and cities and towns say they have been left hanging.

By GARRY RAYNO

State House Bureau

CONCORD - The state has reneged on its promise to pay its share of the cost of building and fixing wastewater and drinking water treatment facilities and landfill closures, and cities and towns say they have been left hanging.

Municipal officials and environmental groups turned out Thursday to support House Bill 623, which would provide about \$9 million over the next two years to pay the state's share of the cost of the projects totaling \$52.7 million throughout the state.

The state promised to pay up to 30 percent of some projects although usually much less. In 2008, due to a budget crunch, the state stopped paying its share of new projects that had been completed, and on bonds issued by cities, towns and sewer and water districts.

Since then lawmakers have not included the money for the state's share of the new projects, while municipalities and districts have paid the full costs of the bonds, including what was expected to be the state's share.

"The state reneged on its commitment," said the bill's prime sponsor, Rep. Thomas Buco, D-Conway, and "cities and towns have been left holding the bag."

State environmental officials acknowledge the projects are important and many have to be completed so cities and towns can comply with the federal clean air and clean water acts.

But Department of Environmental Services Commissioner Thomas Burack said there is no other money available in his agency to pay for the projects, although his department supports the goal of the bill.

"We have many competing demands," Burack told the committee. "It is your determination what is funded and what is not funded."

He also told the committee the problem is not going away and will only grow as many community wastewater and drinking water treatment plants grow older.

Frederick McNeill, the head of environmental protection for Manchester, said the city is in year six of a 20-year, \$300 million community improvement program.

"We have an aging and failing infrastructure with 100 miles of wastewater pipe over 100 years old and a drinking water system with 150 miles of pipe over 100 years old," he told the committee.

And the city faces more stringent nutrient and phosphorus standards for discharges into the Merrimack River.

Restoring the funding for the state's share of the environmental projects is a top priority of the New Hampshire Municipal Association, which held a news conference before the public hearing urging lawmakers to support HB 623.

Barbara Reid, the association's government finance advisor said, "Local government officials and

citizens alike faithfully relied on the state's commitment to this funding partnership that was created by the Legislature to make these environmental investments at the local level affordable."

Without the state paying its share, she said, communities have had to raise fees and taxes and cut budgets to make up the difference. "This should be a priority this budget cycle," Reid told the committee.

Along with the municipal association a number of other community agencies and environmental groups also backed the bill.

The "delayed and deferred list" includes 127 projects in 64 communities totaling \$52.6 million. The state's share of that cost over the next two years would be \$9.5 million.

The list includes 103 wastewater treatment projects, 16 drinking water projects and eight landfill closures.

Burack said the closure of the state's last unlined landfill in Farmington was recently completed and that is the last such project for the state.

Under the Clean Water Act, the federal government paid 75 percent of the costs of projects, the state 20 percent and local communities five percent.

The federal grants were eliminated under the Reagan administration and replaced with revolving loan funds.

The committee did not make an immediate determination on the bill.

grayno@unionleader.com

Piatt,Samantha

From: McNeill, Fred
Sent: Thursday, February 14, 2013 12:37 PM
To: Piatt,Samantha
Cc: Sheppard, Kevin; Clougherty, Tim
Subject: FW: \$3 Million for Delayed & Deferred Projects in Governor's FY 14 & 15 Budget Proposal
Importance: High

HB 623

FYI - Many thanks for organizing the BMA's support for this issue.....

Subject: \$3 Million for Delayed & Deferred Projects in Governor's FY 14 & 15 Budget Proposal
Importance: High

\$3 Million for Delayed & Deferred Projects in Governor's FY 14 & 15 Budget Proposal

To All:

I have wonderful news to report. Governor Maggie Hassan has put **\$3 million** into her proposed State budget for the "delayed and deferred" state aid grant (SAG) projects.

Governor Hassan stated, *"This budget also begins restoring funding for our local communities. In fiscal year 2015, this budget provides **\$3 million** (emphasis added) to help pay for delayed and deferred water treatment projects for communities, and increases meals and rooms distributions to communities by \$5 million."*

The Governor's entire budget address can be found here: [Governor Hassan's Budget Address](#)

YOU DID IT!!!

Members, you did it. Your effective advocacy in reaching out to Governor Hassan made this happen. We estimate the Governor's Office received between 25-30 communications (emails, phone calls, letters, resolutions) from our members and our supporters when it mattered most. Without your active involvement and participation, we certainly would not have received the Governor's attention on this matter, nor the resulting appropriation in her proposed budget. *The Association thanks you so much for taking time and effort to be a municipal advocate on the state aid grant (SAG) issue.*

The person who deserves all the credit and a great deal of thanks right now is Governor Hassan. The Governor heard the concerns of cities and towns and addressed these concerns by appropriating \$3 million in her proposed budget.

Please take an opportunity to thank Governor Hassan for her support on this important municipal issue. It is equally important to thank Governor Hassan for hearing our concerns as it is expressing our concerns in the first place. *I urge all of you to contact Governor Hassan and say "thanks."*

The Governor's email contact information is: [Email the Governor](#). Or you can contact Governor Hassan here:

Contact Governor Hassan

Office of the Governor
State House
107 North Main Street
Concord, NH 03301
(603)271-2121

This fight is not over. The budget process has just begun and the House Finance Committee will begin holding public hearings using the Governor's budget proposal as a framework for discussion. The House Finance Committee will debate the merits of the Governor's proposed budget and then will submit its own budget bill to the full House for its consideration. If the House passes the budget bill, it is then sent to the Senate Finance Committee where the budget process begins anew, however, using the House amended budget bill as its framework for discussion. We won't fully appreciate this legislative outcome until June, when it is likely a committee of conference will be formed to iron out the differences in the two chamber's budget versions. So hang onto your hats, this ride has just begun.

Thanks again for all your efforts!

Don MacIsaac
Selectman, Town of Jaffrey

Tim Fortier, Government Affairs Advocate
New Hampshire Municipal Association

Timothy W. Fortier, Government Affairs Advocate
New Hampshire Municipal Association
25 Triangle Park Drive
PO Box 617
Concord, NH 03302-0617
Telephone: 603.226.1305
Cell: 603.724.9044
Email: tfortier@nhlgc.org

Piatt,Samantha

From: Paris,David
Sent: Wednesday, February 06, 2013 5:08 PM
To: Piatt,Samantha
Subject: RE: SB 58
Follow Up Flag: Follow up
Flag Status: Orange
 Sam, so here's a download.

SB 58

I delivered the testimony to the Senate today on SB 58 regarding Payment in lieu of taxes for watershed taxes with a suggested amendment to eliminate feature value from the calculation. Some interest from the committee however, not enough to get them to adopt the amendment. I ran into Senator D'Allesandro in the lobby and he weighed in on our behalf also but without success.

This is a summary of the deliberation:

The deliberated and moved a few bills forward and then Senator Boutin (Hooksett and Manchester) asked if they were ready to take on SB 58 and they were all ready (reluctantly). Sen. Pierce was concerned that there was nothing in this bill that would force a 'good faith' negotiation. That it would be a lame attempt by Auburn. Sen. Boutin replied that he was apt to get a call from the mayor on this but let's 'push it forward and give it a try' and 'if not revisit it next year'. This is the gist of it but there was much discussion.

It seems Sen. Carson has a lot to lose if Auburn doesn't try to REALLY come down in value. (All the senators agreed \$675K was a big number)

Overall the committee thought feature value is off the table due to view tax and didn't want to open that door.

They passed it along 5-0 without our amendment.

Dave

David Paris, Director

Manchester Water Works
 281 Lincoln Street
 Manchester NH 03103
 603-624-6494 ext. 302
 dbparis@manchesternh.gov

From: Piatt,Samantha
Sent: Tuesday, February 05, 2013 10:26 AM
To: Paris,David
Subject: RE: SB 58

So just to be clear you don't support or oppose you are looking for further clarification?

From: Paris,David
Sent: Monday, February 04, 2013 3:43 PM
To: Piatt,Samantha
Cc: Gatsas,Ted
Subject: SB 58

2/14/2013

29.46

Sam, I've attached a draft of testimony I'd like to see delivered to the Senate committee considering a modification to the payment in lieu of taxes (PILOT) rsa they have under consideration. (DOC attached) There is a committee meeting this Wednesday in Concord about this bill. This is the same bill where Auburn suggests a PILOT program that we've basically thought was not worth much.

However, since they've opened the door, we thought that we might take a stab at language that would prohibit the use of feature value regarding waterfront assessment. Feature value currently accounts for 2/3 of our Auburn tax bill. This language could potentially work for us because it would be the default approach to setting property value (paragraph I) not just a discretionary negotiation between the Town and MWW. The water board discussed it briefly last week and thought it was worth a shot.

Call me with suggestions, to discuss and/or let me know if it is OK for us to put this forward.

Thanks

David Paris, Director

Manchester Water Works
281 Lincoln Street
Manchester NH 03103
603-624-6494 ext. 302
dbparis@manchesternh.gov

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, by transferring, authorizing and appropriating funds in the amount One Hundred Twenty Thousand Five Hundred Dollars (\$120,500) for the FY 2013 CIP 412613 Fire Station Alerting System.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2013 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funding from the United States Department of Homeland Security to purchase equipment required for the installation of a Fire Station Alerting System; and

WHEREAS, the Board of Mayor and Aldermen wishes to transfer the previously approved funding amount from Hackett Hill Fire Station;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By decreasing and transferring:

FY 2013 CIP 411913 – Hackett Hill Fire Station - \$24,100 Bond
(from \$2,350,000 Bond to \$2,325,900 Bond)

By adding:

FY 2013 CIP 412613 Fire Station Alerting System - \$121,500 Federal/Bond
(\$24,100 Bond, \$96,400 Federal)

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Twelve Thousand Five Hundred Dollars (\$12,500) for the FY 2013 CIP 810413 Odd Fellows Hall Improvements Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2012 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept and re-allocate additional money received for administrative costs of managing the Hillsborough County CDBG grant to offset expenses at Odd Fellows Hall;

WHEREAS, the Board of Mayor and Aldermen wishes to reduce the amount of Bond funding allocated to the project due to the addition of CDBG funding;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By increasing:

FY 2013 CIP 810413 Odd Fellows Improvements Project - \$12,500 CDBG

By decreasing:

FY 2013 CIP 810413 Odd Fellows Improvements Project - \$12,500 Bond

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty One Thousand Eight Hundred Fifty One Dollars (\$381,851) for the FY 2010 CIP 612210 Neighborhood Stabilization Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, the 2010 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept additional federal funds from the Community Development Finance Authority for the successful completion of the Odd Fellows Hall Improvements project;

NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

By increasing:

FY 2010 CIP 612210 Neighborhood Stabilization Project - \$381,851 Federal

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Thirteen

A RESOLUTION

“Amending the FY 2013 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Eight Thousand Dollars (\$28,000) for FY 2013 CIP 611513 Rapid Rehousing–Housing Relocation and Stabilization.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2013 CIP as contained in the 2013 CIP budget; and

WHEREAS, the 2013 CIP contains all sources of funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to approve a transfer of funds from one City grant to a second;

NOW, THEREFORE, be it resolved that the 2013 CIP be amended as follows:

By decreasing:

FY 2013 CIP 611213 –Homeless Prevention-Housing Relocation and Stabilization- \$28,000 ESP
(from \$49,866 ESP to \$21,866 ESP)

By increasing:

FY 2013 CIP 611513 – Rapid Rehousing-Housing Relocation and Stabilization - \$28,000 ESP
(from \$26,000 ESP to \$54,000 ESP)

By changing the name of FY 2013 CIP 611213 Innovative Homeless Prevention/Intervention to Homeless Prevention-Housing Relocation and Stabilization

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester
New Hampshire

In the year Two Thousand and

AN ORDINANCE

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.06 by amending the definitions for Commercial Motor Vehicle and Trailer.”

Page 1 of 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged, appear in regular type.

§ 70.06 DEFINITIONS.

The following words and/or phrases shall, for the purposes of this chapter, have the meanings described to them herein unless the context of a section clearly requires otherwise.

COMMERCIAL MOTOR VEHICLE. A vehicle designed or used to transport passengers, or property or displaying advertising if:

(1) The vehicle has a gross vehicle weight rating or gross combination weight rating of 26,001 or more pounds; or

(2) The vehicle is designed to transport more than 15 passengers including the driver; or

(3) The vehicle is of any size and is used in the transportation of materials found to be hazardous pursuant to R.S.A. 259:12-3(c); or

(4) The vehicle is used primarily for business and industry as contrasted with pleasure vehicles.

(5) **The vehicle falls under the definition of trailer; 70.06 DEFINITIONS.**

(6) *Exclusion.* **COMMERCIAL MOTOR VEHICLE** shall not include a city vehicle, or emergency vehicles engaged in the provision of emergency medical, Police or Fire services.

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester; 70.06 by amending the definitions for Commercial Motor Vehicle and Trailer.”

Page 2 of 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

TRAILER. Any device designed to be attached to and towed by a motor vehicle for the purpose of transporting property of any type or any vehicle or structure designed and constructed in such a manner as will permit occupancy thereof as sleeping quarters for one or more persons, or the conduct of any business or profession, occupation, or trade, or used as a selling or advertising device, and so designed that it may be mounted on wheels and used as a conveyance on streets, whether propelled or drawn by its own or other motive power.

II. This ordinance shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Twelve

AN ORDINANCE

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by clarifying the definition of a commercial vehicle in section §70.36(C) Stopping, Standing or Parking Prohibited.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Amend §70.36(C) by inserting the language in bold. **(bold)**

- (C) Parking of motor vehicles designated as commercial vehicles shall be prohibited from parking on any city street between the hours of midnight and 5:00 a.m. subject to violating or towing.

For the purpose of this section a commercial vehicle shall include, in addition to a commercial vehicle as defined by §70.06, a vehicle which has permanently or temporarily affixed to it, advertisement for a profit or nonprofit; commercial or noncommercial organization or company excluding bumper stickers on the bumper of a vehicle.

To the Board of Mayor and Aldermen of the City of Manchester:

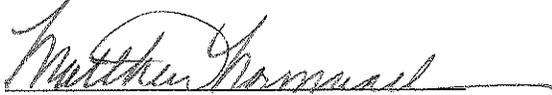
The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the petition for release and discharge of a portion of Hayward North Back Street, be referred to a Road Hearing at a date determined by the City Clerk.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held December 20, 2011, on a motion of Alderman O'Neil, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.


City Clerk

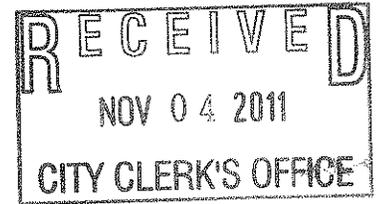
Kevin A. Sheppard, P.E.
Public Works Director

Timothy J. Clougherty
Deputy Public Works Director



Commission
Raymond Hebert
Harold Sullivan
Robert R. Rivard
Rick Rothwell
Bill Skouteris

CITY OF MANCHESTER
Highway Department



November 2, 2011

Community Improvement Committee of the Board of Mayor and Aldermen
City Hall
c/o Mathew Normand, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PETITION FOR RELEASE AND DISCHARGE OF A PORTION OF HAYWARD NORTH
BACK STREET

Dear Committee Members,

We have reviewed the referenced item and have found the following:

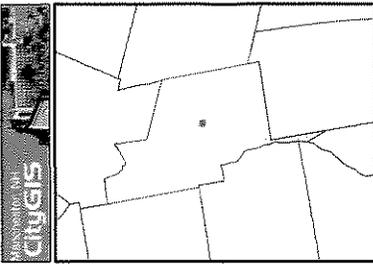
- o Hayward North Back Street was originally dedicated as an unnamed alley on plan entitled "Land of Jennie F. Dickey and Phronie A. Woodman" dated July, 1910.
- o No acceptance of dedication or return of layout for the street was found in the records of the City Clerk.
- o No records of sewer or drain pipes being in the street were found.
- o The Highway Department does not maintain this area as a public street.
- o Because the dedication predates 1913 a road hearing is needed.
- o The Highway Department supports the release and discharge of Hayward North Back Street.

Sincerely,

Kevin Sheppard, P.E.
Director of Public Works

MJM

CC: file



Area Map Showing Extent of Map At Left

Legend

- Boundary Lines
- Assessors' Parcels
- Aerial Photos - 2010
- PGS
- Zone: Bnd_1
- Zone: Bnd_2
- Zone: Bnd_3

DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, NH (the "City"). This map is not survey-quality. All boundaries, easements, areas, measurements, rights-of-way, etc. appearing on this map should only be considered as approximate and not to be relied upon for legal value. The City makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the information for any particular use. The City assumes no liability whatsoever associated with the use or misuse of this information. The official public records from which this information was compiled are kept in the offices of various City, County, and State government agencies and departments, and are available for inspection and copying during regular business hours. By using this map, you agree to these terms and conditions.

*Matthew Normand
City Clerk*



*Heather Freeman
Assistant City Clerk*

*JoAnn Ferruolo
Assistant City Clerk*

CITY OF MANCHESTER
Office of the City Clerk

MEMORANDUM

To: Kevin Sheppard
Public Works Director

From: Heather Freeman 
Assistant City Clerk

Date: October 18, 2011

Re: Petition for release and discharge

Pursuant to Rule 19 of the Board of Mayor and Aldermen, enclosed is a copy of a petition for release and discharge from public servitude a portion of an unnamed street. Please respond to the Committee on Community Improvement c/o the City Clerk at your earliest convenience.

To the Honorable Board of Mayor and Aldermen of the City of Manchester:

The Undersigned respectfully represent that for the accommodation of the public there is occasion for releasing and discharging a highway dedication.

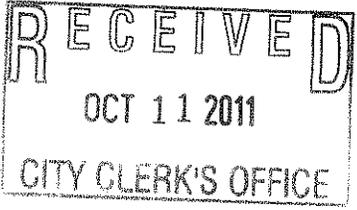
Beginning the intersection of the easterly line of Woodman Street, formerly Mason Street and the southerly line of Hayward North Back Street, thence easterly 328.55' along the southerly line of the back street to its easterly end, thence northwesterly 20xxx to the easterly end of the northerly line of the back street, thence 325.5' along the northerly line of the back street to the easterly line of Woodman Street, thence southerly 20' by the easterly line of Woodman Street to the point of beginning. The described street is an unnamed street shown on plan entitled "Land of Jennie F. Dickey and Phronie A. Woodman" dated July, 1910.

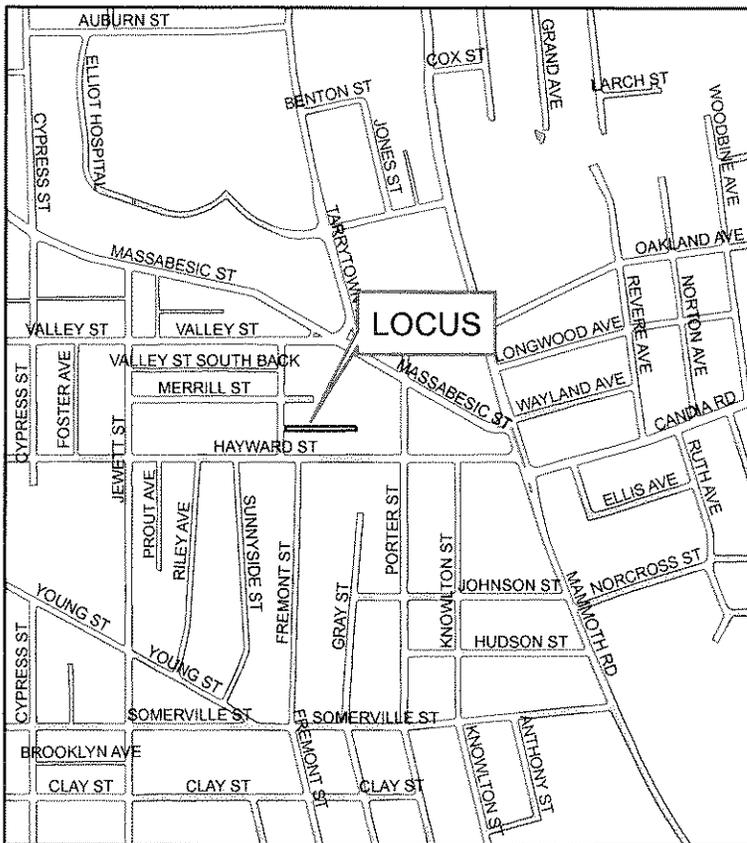
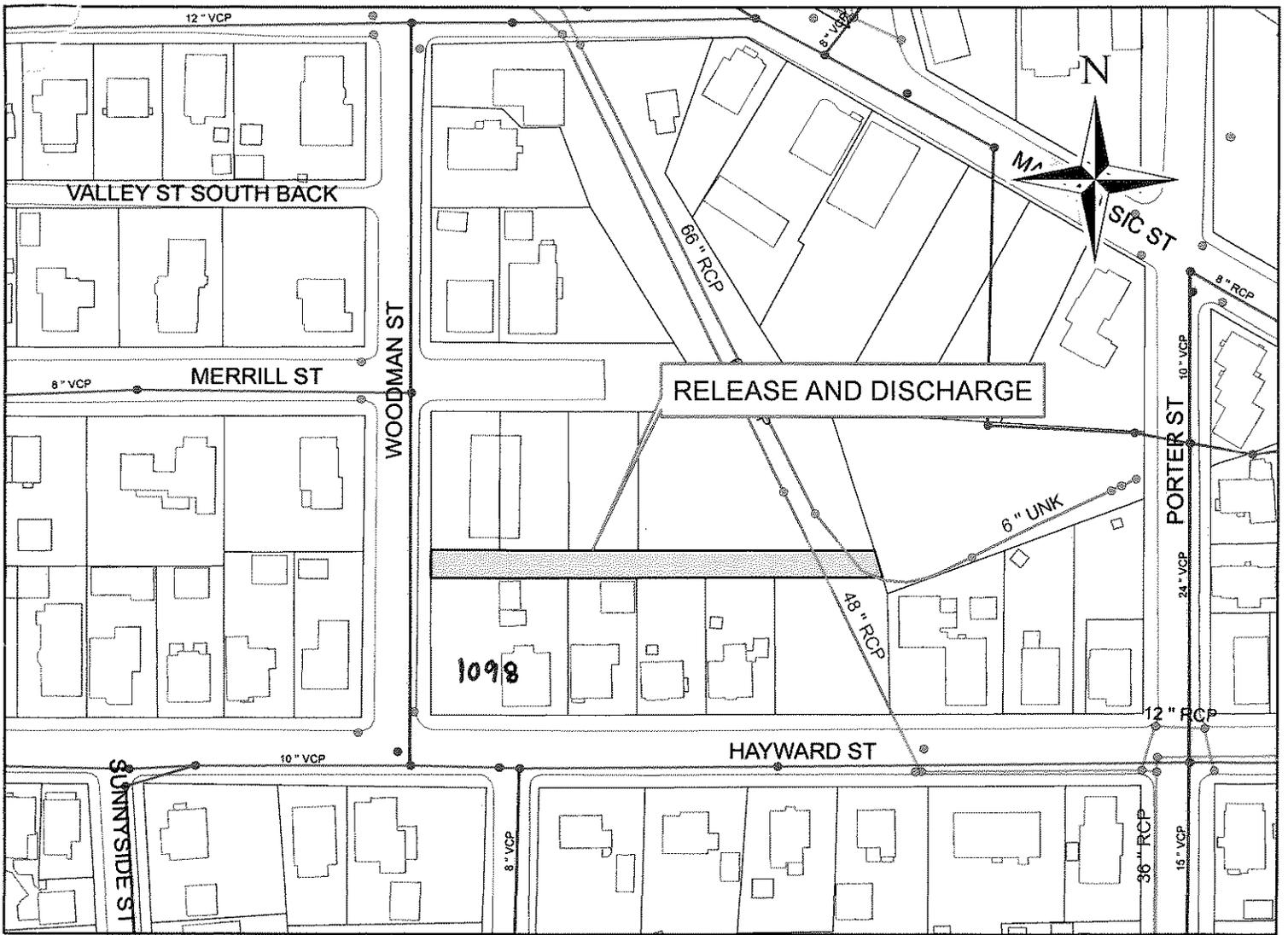
He, therefore, requests you to release and discharge the above-described portion of the unnamed street.

Dated at the City of Manchester, New Hampshire this 11 day of October 2011.

By: 

Paul McDanel – 1098 Hayward Street





**RELEASE AND DISCHARGE
UN-NAMED STREET
COMMONLY KNOWN AS
HAYWARD NORTH BACK STREET**



Manchester, NH
October 31, 2011

