

BOARD OF MAYOR AND ALDERMEN

March 19, 2013

7:30 p.m.

Mayor Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Craig, Ludwig, Long, Roy, Osborne, Corriveau, O'Neil, Levasseur, Shea, Katsiantonis, Shaw, Greazzo, Gamache, Arnold

3. Update from the ERP Steering Committee.

Mr. William Sanders, Finance Officer, stated as you know our co-chairman can't be with us tonight, Matthew Normand. He is on injured reserve. Without Matt's work and effort over the last two months we would not be here tonight with these agreements. Get well soon, Matthew, and forget any notion that you are getting off this committee. We have included in your agenda material tonight two final agreements: one with Harris Company covering the Innoprise product and one with Sungard. On page 3.1 of your agenda material we have prepared an overview, which I will walk through. Mr. Soucy is here to help me. We have reached agreement with Innoprise to terminate their contract on March 27, 2013. No further services will be provided by Harris after March 27th and no further payments will be made by the City of Manchester. The parties covenant never to sue the other for any matters or claims associated with the Innoprise contract. We will return the \$200,000 performance bond that was issued by Harris when they acquired the Innoprise contract and Harris will pay the City of Manchester \$30,000. The formal agreement is attached. We can walk through that in a moment but I think that is a pretty succinct overview of what the contract says. It was a very mutually agreeable arrangement. They have acted throughout this in a professional manner and I think the committee is delighted that we could bring back something that actually got us \$30,000. Sungard will take over maintenance of our HTE system effective midnight on March 27th or 12:01 a.m. on March 28, 2013. The amendment that you have in your material tonight is a two year contract with an option for a third year. Sungard as part of this effort will be upgrading us from the current Naviline 6.0 platform to the 8.0 platform, which is there current platform for those still on Naviline. This isn't a new system that we are going to in terms of their new One Solution or anything like that. They just have upgrades to their current platform and obviously, for business reasons, would like all customers to be on the most current platform to ease the maintenance issues. The City of Manchester has agreed, subject to your approval, to pay Sungard \$250,000 for back maintenance, which

is involved in the development of the 8.0 product and other things. There is a resolution later in the agenda tonight that we would request your approval to pay the \$250,000 from the special revenue account. It is committed in there that when we ultimately issue a bond, if and when we issue a bond to finance the new ERP system, that we will replenish the special revenue account for that \$250,000. In addition, Sungard will issue the City of Manchester a \$50,000 credit, which we can use for our support services for the balance of the fiscal year so we will have no cost to Sungard through June of this year. That cost is estimated at \$40,000 and we can use the remainder of the credit for any additional work that we deem necessary to make the transition as smooth as possible. The maintenance agreement will provide for a fee of \$194,000 with Sungard for next year. The maximum increase in year two is 3%. They have not approached 3% in the recent past but we wanted to have a limit and we successfully got the 3% limit. If we exercise the option for the third year it would be their prevailing rate. Fifty thousand dollars of that \$194,000 that we will pay each year Sungard has committed to earmark that in a special account at Sungard for ultimately, if we select the One Solution product once we are done with our requirements and move on, those monies would be applied towards the cost of that system. If we did the two years plus the option year, we would have \$150,000 set aside already toward the One Solution product. Finally, Sungard has provided Manchester with a 100% discount on the license fees, which are identified in Exhibit 2 for the various programs that we currently have the Naviline version. We could move on to the One Solution version at no cost if we ultimately selected the One Solution product. The value of that discount off list price today is about \$450,000. So I think the Sungard arrangement is a very solid transition plan and I think they have provided some excellent incentives for us to seriously look at One Solution as we move through our requirements and ultimately to an RFP. Speaking on behalf of the entire committee, we are all satisfied with both agreements. The solicitor has participated in our two or three latest meetings to make sure that the Solicitor's Office is comfortable with the legal matters and we would recommend your approval of these agreements and authorization to execute them with both Harris and Sungard.

Alderman Osborne moved to approve the agreements and authorize the mayor to execute the agreements. Alderman Roy duly seconded the motion.

Alderman Long asked the One Solution program... Well actually Sungard going to 8.0 does that bring us to a level that we were looking at or is it underneath what One Solution would do?

Mr. Sanders answered it is underneath what a One Solution would do. It would be Naviline 8.0 and today we are on Naviline 6.0. There is still the enhanced functionality and the richness of the new program... It is not just One Solution but a variety of vendors would have... One Solution would be much further advanced than the 8.0 of Naviline.

Alderman Long responded so One Solution is our long-term goal?

Mr. Sanders replied it could be or something like One Solution. I don't want to preclude other vendors who may want to bid on it but obviously Sungard is extremely interested in us securing One Solution and they took advantage of this situation to give us some incentives for One Solution and we willingly accepted those incentives. I think they are possibly the ultimate vendor for us.

Alderman Long stated the only other issue I have is on page 3.3. Some of the contract language doesn't continue. It goes from page...

Ms. Heather Freeman, Assistant City Clerk, stated the complete contract was distributed this evening.

Alderman Arnold stated I just want to say thank you very much for everything you and the entire committee did.

Alderman Levasseur asked who drafted the agreement?

Mr. Sanders answered the agreement was originally drafted by Harris in their case based on our conversations and input and Sungard in their case. They then provided them to us and we gave them comments and circulated them to the solicitor and went back and forth a little bit. The initial contract was drafted by each vendor.

Alderman Levasseur asked so our solicitor has approved these contracts and the terms?

Mr. Sanders answered yes.

Alderman Levasseur stated I have a question on number two on the first page. It says "the reason for termination is a result in the change of scope of the project due to circumstances beyond the control of Harris USA." What does that mean?

Mr. Sanders responded the original contract with Innoprise and the contract that was assumed by Harris as part of the transaction had many requirements on the City in terms of conducting our own training, drafting security protocols, and a variety of responsibilities that as we got into it we were not in a position to perform. So we were pushing some of that or attempting to push some of that to Harris and I think they were right in saying if we are going to do more things we are going to charge you more and that was a scope change in the general sense.

Alderman Levasseur asked where is the \$30,000 going to go?

Mr. Sanders answered it will be credited to the Information Technology budget as that is where the original cost for the maintenance support was charged this year. We will be receiving that money in the next month from Harris and that is where it will be credited.

Alderman Levasseur asked have we already come up with what it is going to cost us to go forward or is that the next plan?

Mr. Sanders responded the next step in the committee's work is to put together a request for proposal that we will bring back to the board in an effort to select an outside manager to help us with our requirements development and get us ready for a RFP.

Alderman Levasseur asked will you be changing the parameters of the request on the RFP from the original RFP that went out and got us into this?

Mr. Sanders answered absolutely. It will be a completely new RFP. It will be directed by an independent expert who is knowledgeable in the systems and the scope of the work that will need to be done to do it. It will have our requirement package, which we did not have before and it will be very tailored to the City of Manchester and it will be very different than the RFP issued previously.

Alderman Levasseur responded will it be within the framework of the system we have now or will it be a new system completely?

Mr. Sanders replied I think the requirement work that we need to do, which we will be bringing back to the aldermen when we are done with it will help us understand what system we are trying to get to.

Mayor Gatsas called for a vote on the motion to approve the agreements and authorize the mayor to execute the agreements. There being none opposed, the motion carried.

CONSENT AGENDA (ITEMS 4-39)

Mayor Gatsas advised 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 the January 15, 2013 Special BMA Road Hearing.

Accept and Remand Funds

6. Remand funds in the amount of \$7,533.44 from the Hackett Hill Fire Impact Fee account, to be expended on the Hackett Hill Fire Station project.

Approve under supervision of the Department of Highways

7. Pole Petitions:

11-1408 (1) Island Pond Road

Information to be Received and Filed

8. Minutes from the January 15, 2013, MTA Commission meeting, December 2012 and January 2013 Financial reports and January 2013 Ridership report submitted by Michael Whitten, MTA Director.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

13. Resolutions:

“Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Four Thousand Six Hundred Twenty Five Dollars (\$44,625) for the FY 2013 CIP 810713 Second St. Corridor Grant.”

"Authorizing the Finance Officer to utilize \$250,000 from the Special Revenue Account to pay Sun Gard Public Sector."

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- 14.** Recommending that Ordinance Amendment:

"Amending Section 70.55 (D)(2) Residential Parking Permit Zone #2 by not allowing residents to park on Elm Street."

ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration.

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

- 15.** Recommending that Ordinance Amendment:

"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."

ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration.

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

COMMITTEE ON COMMUNITY IMPROVEMENT

- 18.** Recommending that the petition to discontinue a portion of Green Street, Summer Street and Elm East Back Street be referred to a road hearing at a date to be set by the City Clerk.

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

- 19.** Advising that the request for subordination of a City lien totaling \$22,304 on properties at 14-16 Cass Street and 22-24 Cass Street has been received and filed.

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

- 20.** Recommending that the request for subordination of a City lien totaling \$80,200 on property at 129 Amherst Street be approved.

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

- 21.** Recommending that the request for acceptance of \$42,000 from the NH Housing Finance Authority for CIP project #810713 – Second Street Corridor Grant be approved.

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

- 22.** Recommending that the request for various CIP project extensions be approved.

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

COMMITTEE ON HUMAN RESOURCES/INSURANCE

24. Recommending that the communication from the Water Works Director requesting that the Watershed Patrolman I be classified at pay grade 15 be approved.
(Unanimous vote with the exception of Alderman Levasseur who was absent)

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

26. 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.

RESCIND NO PARKING ANYTIME – EMERGENCY ORDINANCE:

On Cypress Street, west side, from Valley Street to a point 55 feet north (Ord. 2902)

On Cypress Street, west side, from Massabesic Street to a point 35 feet south (Ord.9123)

Alderman Osborne

RESCIND PARK ONE HOUR – 8:00 a.m. – 6:00 p.m. – EMERGENCY ORDINANCE:

On Cypress Street, west side, from a point 35 feet south of Massabesic Street to Garland Avenue

(Ord. 9228)

Alderman Osborne

NO PARKING ANYTIME –EMERGENCY ORDINANCE:

On Cypress Street, west side, from Massabesic Street to a point 155 feet south
Alderman Osborne

On Notre Dame Avenue, east side, from a point 88 feet north of Putnam Street to a point 70 feet north

Alderman Gamache

On Laurel Street, south side, from a point 250 feet east of Beacon Street to Cass Street

Alderman Osborne

NO PARKING ANYTIME:

On Porter Street, east side, from Cilley Road to a point 78 feet north

Alderman Shea

STOP SIGN:

On Sullivan Street at Dubuque Street – NEC

Alderman Gamache

RESCIND ONE HOUR PARKING:

On Maple Street, east side, from Shasta Street to a point 60 feet north (Ord. 3345)

On Maple Street, east side, from a point 70 feet south of Silver Street to a point 100 feet south of Hayward Street (Ord. 3349)

Alderman Shea

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

28. Recommending that the Local Emergency Planning Committee for Manchester be formally recognized.
(Unanimous vote with the exception of Alderman Gamache who was absent)
30. Recommending that the request from Anthony Pawlak, 720 South Main Street, for a “Blind Driveway” sign to be placed in front of 728 South Main Street and possibly 734 South Main Street be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)
31. Advising that the request from JLX Photography for the use of Arms Parking Lot for an event on Saturday, April 6, 2013, has been denied.
(Unanimous vote with the exception of Alderman Gamache who was absent)
32. Advising that the communication from Stephanie Lewry, Executive Director of Intown Manchester, regarding bicycles and skateboards on sidewalks has been received and filed.
(Unanimous vote with the exception of Alderman Gamache who was absent)

SPECIAL COMMITTEE ON CIVIC CENTER

33. Advising that it has accepted the annual financial report of the Verizon Wireless Arena/SMG.
(Unanimous vote with the exception of Alderman Ludwig who was absent)
34. Advising that it has accepted the communication regarding the Civic Center Capital Improvement Fund as of October 31, 2012.
(Unanimous vote with the exception of Alderman Ludwig who was absent)

SPECIAL COMMITTEE ON THE MANCHESTER MUNICIPAL COMPLEX

36. Recommending that \$157,088 from project contingency be transferred to CIP project #810512.
(Unanimous vote)
37. Recommending that the Deputy Public Works Director be authorized to execute a change order of up to \$350,000 from the Harvey Construction contract for services self-performed by the City.
(Unanimous vote)
38. Recommending that \$21,592 from the project construction budget be transferred to CIP project #810512.
(Unanimous vote)
39. Recommending that the former mayor’s podium be refurbished by Wind River Woodworking for an amount not to exceed \$3,000 from the municipal complex budget.
(Unanimous vote)

HAVING DULY READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN ROY, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

REFERRALS TO COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT

9. Resolutions and budget authorization providing for acceptance and expenditure of a \$2.8 million bond for City schools technology upgrades.
10. Resolutions and budget authorization providing for acceptance and expenditure of a \$3.2 million bond for Phase II Energy and Deferred Maintenance Program.

COMMITTEE ON FINANCE

11. Appropriating Resolutions:

“Appropriating to the Parking Fund the sum of \$5,000,000 from parking revenues for the Fiscal Year 2014.”

"Appropriating the sum of \$13,229,048 from Sewer User Rental Charges to the Environmental Protection Division for the Fiscal Year 2014.”

“Appropriating the sum of \$2,130,115 from Recreation User Charges to the Recreation Division for the Fiscal Year 2014.”

“Appropriating to the Manchester Transit Authority the sum of \$1,080,536 for the Fiscal Year 2014.”

“Appropriating to the Manchester School District the sum of \$155,724,449 for the Fiscal Year 2014.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in the Fiscal Year 2014 and held in the Civic Center Fund, for the payment of the City’s Obligations in Said Fiscal Year under the Financing Agreement.”

“Appropriating to the Manchester Airport Authority the sum of \$47,887,649 from Special Airport Revenue Funds for the Fiscal Year 2014.”

“Appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,796,000 from School Food and Nutrition Services Revenues for the Fiscal Year 2014.”

“Raising Monies and Making Appropriations of \$134,970,938 for the Fiscal Year 2014.”

“Appropriating to the Central Business Service District the sum of \$258,000 from Central Business Service District Funds for the Fiscal Year 2014.”

12. Budget Resolutions:

“Continuation of the Central Business Service District.”

“Authorizing the Finance Officer to utilize surplus funds from the Fiscal Year 2012 budget to fund a prepayment of \$750,000 for Fiscal Year 2014 City pension costs.”

“Authorizing the Finance Officer to transfer \$130,431 from the Special Revenue Reserve Account to the Parking Division in Fiscal Year 2013 to reimburse the Parking Division for Fiscal Year 2014 debt service associated with the Hampshire Plaza parking garage.”

Alderman Arnold stated what I have requested to be pulled off the consent agenda are the appropriating resolutions and budget resolutions associated with this coming year's fiscal budget. I would ask, presuming it gets a second, that all of these items be kept together and that they be tabled at this time. We have our public hearing scheduled and I imagine there will be a very robust debate in the coming weeks following that hearing among members of this board and also with our constituents and members of the public. I ask that they be pulled off consent at this time and be tabled at the board level.

Mayor Gatsas stated they were on the consent agenda to be referred to committees.

Alderman Arnold replied I understand that.

Mayor Gatsas asked if they are being referred to committee why don't you let them go to committee and then table them?

Alderman Arnold stated I believe they are being referred to the Committee on Finance and the Committee on Community Improvement.

Mayor Gatsas responded yes, and they are being referred there so they can have the discussion.

Alderman Arnold replied that is what I am asking; that they all be kept together.

Mayor Gatsas stated this is not part of that budget resolution. The resolution for the \$3.2 million for energy efficiency and deferred maintenance program was voted on by the School Board probably a month and a half or two months ago.

Alderman Arnold stated well my understanding is that the \$2.8 million that is item 9 is part of the budget. I am happy to move along item 10 to CIP but item 9 and the appropriating resolutions I would ask to be tabled.

Mayor Gatsas stated let me just direct your conversation to item 9. Item 9 has nothing to do with the budget at all. It has to do with a proposal that I brought forward during the budget discussion and certainly if we don't start on this quickly our time is going to run out and it still should be discussed in CIP.

Alderman Arnold asked what do you mean time is going to run out?

Mayor Gatsas answered time is of the essence to get this passed and in place so they can start doing the work in the schools so that we can be up and running by September.

Alderman Arnold responded Your Honor, I think you and I agree about time being of the essence and I think this board is very aware of the deadline set by charter as to when we need to act on a budget. What I am asking for tonight is that the items be kept together and tabled at the full board level.

Mayor Gatsas stated with all due respect, this has nothing to do with the budget. These two items have nothing to do with the budget.

Alderman Arnold replied I am okay with item 10.

Mayor Gatsas stated item 9 has nothing to do with the budget.

Alderman Arnold responded I am sorry I thought I heard you say you presented that proposal as part of your budget.

Mayor Gatsas replied I said I presented the proposal during my budget presentation but it has nothing to do with the budget.

Alderman Craig asked regarding your comment on item 9, is this not tied to deferring the book loan?

Mayor Gatsas answered no.

Alderman Craig stated item 9...

Mayor Gatsas interjected if item 9 doesn't pass then there is no deferral of the book loan.

Alderman Craig asked if it passes is it connected to deferring the book loan?

Mayor Gatsas stated it is in the budget and they can defer it or not defer it.

Alderman Craig stated your proposal that you presented, this item is tied to deferring the book loan so I would argue that this is part of the budget and it was part of your budget presentation and I second the motion to table these items.

***Alderman Arnold** moved to table items 9, 11 and 12. The motion was duly seconded by Alderman Craig.*

Mayor Gatsas responded well we shouldn't be discussing it if you seconded the motion to table.

Alderman Arnold stated it is not going anywhere.

Mayor Gatsas replied it should go to committee.

Alderman Arnold responded I think it is going to go to committee.

Mayor Gatsas stated it is non-debatable. You made a tabling motion so you need to vote the tabling motion down and then we can have more discussion.

***Mayor Gatsas** called for a vote. Alderman Arnold requested a roll call vote. Aldermen Arnold, Craig, Ludwig, Long, Corriveau, O'Neil, Levasseur, Greazzo, and Gamache voted yea. Aldermen Roy, Osborne, Shea, Katsiantonis, and Shaw voted nay. The motion carried.*

*On motion of **Alderman Arnold**, duly seconded by **Alderman Craig**, it was voted to refer item 10 to the Committee on Community Improvement.*

Alderman Shea stated I am very upset because we refer things to committee and people are lining up votes to not do things the proper way. I don't understand how the board can function. Why are we referring things to committee if the committees aren't even in existence in their minds? I just don't understand where this board is going. I can't understand it. I can understand that people have priorities and they can line up the votes and half the people who vote don't even know what they are voting on, but the people making the proposals are people they look up to. Come on, let's be honest. When we refer things to committee, we should refer them to committee and make the decisions at the committee level. That is how it works. If we keep going on this course we are not going to get anywhere because everyone is going to refer things that are referred to committee to be tabled. I am not sure exactly what the motivation might be. I respect the people on the board but I certainly don't respect some of the actions that are taking place here.

Alderman Levasseur stated I think last year when we were going through this we did the same thing. I don't know if we tabled it when it was already in the Committee on Finance or if we tabled it before because while we were going through budget negotiations we didn't want this to keep coming up for a vote at every meeting. We did that last year as a way to not have to have a motion at every single meeting. I am not sure if we went through the minutes if it went to finance and stayed in finance and then we said we will keep it on the table in finance until we vote on the appropriations. Do you remember that, Your Honor?

Mayor Gatsas responded it hasn't gone to finance. It is on the table right here.

Alderman Levasseur stated well the only reason I voted that way is because we couldn't have a debate about it. I think that is how we did it last year. I think we just...

Mayor Gatsas interjected the charter says it has to go to finance.

Alderman Arnold stated which it will.

Alderman Shea stated we aren't talking about things going to finance. We are talking about referrals to the Committee on Community Improvement.

Mayor Gatsas responded no, item 11 is a referral to finance.

Alderman Shea replied but items 9 and 10 are not. That is my point. I know the procedures. I have been on the board long enough. Finance is different than referral to CIP.

Alderman Roy stated regarding what we did last year, I believe it went to the committees and the committees reported back here and that is when we tabled it so the time clock started. The solicitor can correct me if I am wrong, but that was the process. I certainly don't want to move these things until it is time to move them. We have one meeting a month for CIP and it is going to be a crimp in our ability to pass these things at the time we want to pass them. We need to have them all set up in line on our table. The policy, which we all set together at the beginning of this term, was that everything goes to committee. That is how we did it last time and that is how we should be doing it this time. Thank you.

***Alderman Levasseur** moved to reconsider the motion to table. **Alderman Shaw** duly seconded the motion.*

Mr. Thomas Clark, City Solicitor, stated what you did last year was you referred the budget resolutions to finance and the Finance Committee took them and reported them back out to the board. The board accepted the Finance Committee report and then tabled it after that because once you accept the committee report then the five day clock starts ticking. You have to have them lay over for five days.

Alderman Levasseur asked so last year we did table everything?

Mr. Clark answered the last couple of years you delivered everything right to finance and it got reported back to the board and after the report came back in that is when it was tabled.

Alderman Levasseur asked but we still have the ability to make the changes within each of those things during the Finance Committee, correct, with the proper vote?

Mr. Clark answered yes, you do.

Alderman Shea asked if something was referred to a committee last year was that part of finance or was it discussed at the committee it was referred to? In other words, last year were there any items that were supposed to go to a committee, whether it was the CIP Committee or the Committee on Administration/Information Systems, was that tabled

last year and combined with the Finance Committee or was it just the Finance Committee that you know of?

Mr. Clark answered I don't recall.

Alderman Shea stated well I never heard of that before either.

Mayor Gatsas called for a vote on the motion to reconsider. The motion carried with Aldermen Arnold, Craig and Long duly recorded in opposition.

Alderman Levasseur moved to refer item 9 to the Committee on Community Improvement, and items 11 and 12 to the Finance Committee. Alderman Shaw duly seconded the motion.

Alderman Greazzo asked Mr. Clark, does it matter where we table these?

Mr. Clark answered there is a requirement by law that when you report them back out to the full board the budget resolutions have to lay on the table for five days and that clock doesn't start ticking until you report it back out.

Alderman Greazzo asked so it doesn't matter if we table them here or at committee?

Mr. Clark replied if you table them here now the clock doesn't start running until they go to finance and then come back. Historically what you have done is referred it to Finance, had a report come back out and then you tabled it at the full board level.

Alderman Greazzo asked so we are basically just stopping the five day clock from starting?

Mr. Clark answered correct.

Alderman Arnold stated I appreciate that clarification because I couldn't for the life of me figure out what was so controversial about leaving them on the table here but now I guess I understand.

Mayor Gatsas responded it is the same process we had last year, Alderman Arnold.

Alderman Shea requested a roll call vote to refer item 9 to the Committee on Community Improvement, and items 11 and 12 to the Finance Committee. Aldermen Shea, Katsiantonis, Shaw, Gamache, Arnold, Ludwig, Roy, Osborne, Corriveau and Levasseur voted yea. Aldermen Greazzo, Craig, Long, and O'Neil voted yea. The motion carried.

REPORTS OF COMMITTEE

COMMITTEE ON COMMUNITY IMPROVEMENT

- 16.** Recommending that the Fire Chief be authorized to use any available balances from the Hackett Hill Fire Station Project towards the Central Fire Station Generator Project to cover a shortfall in funding.
(Unanimous vote, with the exception of Alderman Gamache who could not be reached, conducted via phone poll on March 8, 2013)

Alderman Roy stated item 16 is an issue that came from the Fire Department. It came in late and there were some time constraints on it so I asked to do a telephone poll. Chief, if you can come up I have a few questions for you. This is going to facilitate us replacing the generator at the central station and in my opinion, it is imperative that we do that because not only does it house your headquarters but the EOC and Information Systems, correct?

Mr. James Burkush, Fire Chief, answered that is correct and we have a state grant that expires in the end of September.

Alderman Roy responded right, and we have to move on it now and I understand. We have a \$23,000 shortfall and you have asked to take the excess from Hackett Hill and bring it down there. What I don't see here is how much is the excess from Hackett Hill?

Mr. Burkush replied after we take the \$21,000 there will be a \$14,000 contingency.

Alderman Roy asked so it is \$14,000 we are shipping down there out of the \$23,000 so we still have to come up with \$9,000?

Mayor Gatsas stated I think what he is saying is that there is roughly a \$35,000 surplus and we are shifting \$23,000 down to do the generator and it leaves him a \$12,000 balance.

Mr. Burkush replied Facilities would like a \$14,000 contingency for the project to be completed.

Mayor Gatsas asked does that include the \$7,500 in impact fees?

Mr. Burkush answered yes. If you take the impact fees and put those in, it is about \$40,000 total.

Alderman Roy asked so we are taking the impact fees for Hackett Hill, which is \$7,553 and we are rolling that into the project and then we have about \$40,000 and we are taking the \$23,000 out of that?

Mr. Burkush responded that is correct.

Alderman Roy stated well those numbers aren't in here and I wanted to make sure that those impact fees were used.

Mr. Burkush stated the impact fees will be used on the station and we are going to use the balance of the bonds to complete the generator project.

Alderman Roy stated one other question. I have been hearing that there is an issue with the washer and dryer. That was supplied to us correct? The other developer gave us the washer/dryer?

Mr. Burkush replied correct. There is no issue. We are all set. There is a gear washer and dryer and then there is a regular washer and dryer in the building and we are all set.

Alderman Roy asked so we are all set on both of those?

Mr. Burkush answered yes, sir.

Mayor Gatsas stated the other washer and dryer are coming from the existing station.

Alderman Roy moved to accept the report of the committee and adopt its recommendations. Alderman Long duly seconded the motion.

Alderman O'Neil asked so there is nothing that is going to be shortchanged at Hackett Hill in order to get this generator project done at the central station?

Mr. Burkush answered that is correct.

Alderman O'Neil asked we are not compromising on anything? Everything that is supposed to be done is going to be done?

Mr. Burkush responded yes, and that is why we waited until the end of the project. That is why we kind of got ourselves into the time constraint because we wanted to make sure that Hackett Hill was completed.

Alderman Arnold asked regarding the impact fees, those are being remanded for use at the central station?

Mr. Burkush answered that is correct.

Alderman Roy stated thank you for bringing that up. While I was snooping around for this impact fee stuff I found out that we got an impact fee of \$7,786 for Bodwell Road. I don't even know when that came in but there is a six year window for us to use it or we lose it.

Mr. Burkush responded we didn't lose it. There was a sizable amount that I understand the Finance Department... It was about \$60,000 a couple of years ago and that was used to pay down the debt of the East Industrial Park station. The \$7,786 we would look to use for security system improvements in that building.

Alderman Roy asked and we are going to do that before the timeframe closes?

Mr. Burkush answered yes.

Mayor Gatsas called for a vote on the motion to accept the report of the committee and adopt its recommendations. There being none opposed, the motion carried.

17. Recommending that the petition to discontinue streets on Wellington Hill be referred to a road hearing at a date to be set by the City Clerk.
(Unanimous vote with the exception of Alderman Gamache who was absent)

Alderman Roy stated it has been brought to my attention and you have it in front of you now that we are going to set up a road hearing for these streets up off of Wellington Hill and one of them, a small street called Harvey's Road was inadvertently omitted. They have given us a corrected copy here.

Alderman Roy moved to amend the report and refer the revised petition to a road hearing. Alderman Shea duly seconded the motion. Mayor Gatsas called for a vote. There being none opposed, the motion carried.

Alderman Roy moved to accept the report as amended and adopt its recommendation. Alderman Shea duly seconded the motion. Mayor Gatsas called for a vote. The motion carried with Aldermen Osborne and Corriveau duly recorded in opposition.

COMMITTEE ON HUMAN RESOURCES

23. Recommending that the communication from the Library Director requesting that the Accounting Technician position be upgraded to an Accounting I position be approved.
(Unanimous vote with the exception of Aldermen Levasseur and Greazzo who were absent)
25. Recommending that the communication from the Planning and Community Development Director requesting the following changes to his complement:
- Eliminate the CIP Manager Position (Planner IV, Grade 23)
 - Create two Planner II Positions (Grade 19)
- be approved.
(Unanimous vote)

Alderman O'Neil stated I pulled these two items off and we talked a little bit about this in the Committee on Accounts, Enrollment and Revenue Administration meeting last night and it may come up in Mr. Sanders' report a little later but that is the concern of what surplus we may have at the end of the year. I know, I for one, and I think this board and the finance director thought with the buy-outs that we were going to see some significant savings in the salary line items but we are not seeing that. You have been more than generous to the departments in filling vacancies but it is something we have to be cautious about because we are not heading in the direction of the surplus we once thought we were and that is going to have an impact on our budget next year. If I can

yield to Mr. Sanders, we talked about this last night and Bill and I have had several discussions about it over the past month.

Mayor Gatsas stated we have been talking about it for the last four.

Mr. Sanders stated as you will see in the report on the projections further on this evening, our surplus is improving but the severance payments have increased since last month and there are still 11 more retirements being forecast. The payments in severance are not being realized in any meaningful way in many of the departments' budgets. You would expect that replacing people at lower salaries and those sorts of things would produce some savings coming out of the departments but we are not seeing that. That could be because we are being quick in replacing or it could be because of promotions or diluting the savings but the bottom line is that the severance overrun is substantial. We are fortunate that we have contingency this year to cover it but the savings in the departments are not being manifested at the level that some thought, including myself, when we did the contracts last year. As the aldermen evaluate their budget over the next few months the surplus is an important component of that.

Alderman O'Neil stated I guess my concern is we have a public hearing on April 1st and we are going to do quite a bit of work during the month of April and I don't know exactly when we might end up approving a budget but if we move forward with some of these items and these positions are allowed to get filled, it handcuffs us in trying to address the budget next year when we really don't know where we are at yet. I appreciate and applaud the departments for what they have done but I am concerned. I take what Bill talks about to heart as I do when you say the same thing, Your Honor. My point is that maybe we need to slow down a little bit here. We are going to get through this year okay but it is not going to leave us enough room to help us next year. I am concerned about it. We have some challenges. I know we hear a lot about the school side but we have some work to do on the City side, especially related to the severance. I just bring it up and I guess by approving the committee reports we are not committing to anything, correct? The reorganization at Planning is really four positions that are being affected there. I have heard the presentations and I agree that the net at the end of the day but health insurance doesn't come out of the department budget. We are adding positions that currently aren't filled, right? He has carried two vacancies for quite a period of time. I am trying to give us as much flexibility as I can in trying to deal with the budget. If we fill all of these positions it is not helping us in trying to resolve where we are with the budget. Alderman Roy, I understand that this is saving money but it is not saving money on the health insurance side because there will be at least one position more filled that

will cost us for health insurance and that doesn't show up in the department's budget but we have to account for it in the non-departmental line item.

Mayor Gatsas stated I don't disagree with you, but the new people coming in are paying 20% and a \$250 deductible. We have I think 67 new hires that are on the new plan so there are some cost savings to the health insurance from that. I don't disagree with you. Look last year we had \$1 million in Highway. I hope mother nature feels our pain and doesn't give us another snowstorm because there is no savings at all in his snowplowing budget. We realized another \$1 million in various departments. Those two are gone. You can see that we are left with \$1 million. When we talk about severance for next year, I think that anybody who was going to retire would have probably left this year or they would wait until the third year. We have two of them. Gary Simmons left and I don't have to tell you what that does in the Police Department. It has a cascading effect. You fill his position and then it goes to the captain and lieutenant and sergeant and all of a sudden you have four hires that are bringing you up by the time you are done to that position. We also have another retirement in Tom's office. Harry is leaving and that is another big position. I think that the bigger push we are going to see is in the next budget because that is the final year of the \$13,000 allotment.

Alderman O'Neil stated just to recap my concern, I thought we were going to see significant savings in the salary line items with the buyout. That, in fact, is not playing out. Because of that issue we are getting very close on the surplus side in this year's budget. We will get through this year fine but it is what we can apply to next year. By filling all of these positions, until we resolve where we are at with the municipal budget. I don't want to come to May or June and these positions get filled quickly and then we are laying people off. All I am saying is let's slow down a little bit with this.

Mayor Gatsas responded I have no problem doing that.

Alderman O'Neil stated I am very concerned about this.

Mayor Gatsas stated I will have the planning director come in and we will go over his total numbers including health benefits.

Alderman O'Neil responded I didn't want to tie this up tonight. I just wanted to make my point but if approving this tonight they are going to be able to go out and fill these positions tomorrow, I have some concern with that. I haven't had a chance to read them. We only got the reports from all of the departments today.

Mayor Gatsas asked do you want to table them?

Alderman Shea stated as Chairman of the Committee on Human Resources/Insurance, the director of the Library presented to us a lady who has been doing work that she is not being compensated for. This was cleared through the HR director's office. She is going from a labor grade 14 to a 16. The library director said it is well within her budget for this particular person to receive a minimal amount of money for a job that she has been doing and never complained about. The point is that she has enough in her budget next year so that this will not impact her budget negatively. The other point is that there was an employee who was receiving a high grade and I am not sure if it was a 23 or 25 but he is being replaced by two people for a considerable savings. I am glad to see that Alderman O'Neil is becoming very conservative in his views. I appreciate that and that is wonderful but the point is that we are saving money by adding these people and the director, Leon LaFreniere, informed us that he has the money in his budget to absorb this next year. Any surpluses that we received last year were used for other things and they did not benefit the departments. People working in the library should be compensated for work that they are doing and in the judgement of both the director of the library and the human resources director they are entitled to a minimal raise and the same goes for the other.

Alderman O'Neil stated Alderman Shea, I am not questioning the work that the HR Committee did, nor am I questioning the work that the departments did in upgrading this individual who has been doing the job.

Alderman Shea asked then what are you doing?

Alderman O'Neil answered there is a fiscal... To go from a 14 to 16 as minimal as it is, there is a fiscal impact. To fill those four positions; upgrade two people and fill two positions was what I heard at HR... Did I hear that wrong?

Mayor Gatsas stated I think what is here is they are eliminating one position, labor grade 23 and they are creating two planner II positions.

Alderman O'Neil responded right, and then two people are going to be promoted and the intent was to back fill those two positions. I am positive that is what I heard at committee. The savings was minimal. It wasn't a great savings. I understand the intent to better serve the citizens but what is not in there is there is an additional cost for health

insurance because we are filling a position that has been vacant all year, although that doesn't show up in the department budget. We have to account for it in the non-departmental health insurance side. All I am saying is we are developing the budget and we have to slow down on some of this stuff.

Mayor Gatsas stated I don't disagree with you. I hear what you are saying but I think the two planner positions are very important to this City.

Alderman O'Neil replied I don't disagree but are you going to allow the bottom two positions to get filled then.

Mayor Gatsas responded I am only looking at the plan that he showed me for the two planner positions where the people would move up and do the work. That is what I am looking at here. That is the only conversation that he and I had.

Alderman O'Neil stated I am not singling out library or planning. I am very concerned about where we are at for surplus at the end of this year. We are not seeing the savings in the buyouts that we expected to see.

Mr. Leon LaFreniere, Director of Planning & Community Development, stated I believe Alderman O'Neil is correct. The intent was that there would be two positions that are currently working above their pay grade being moved up into these two positions and then we would fill those existing positions at entry level steps.

Mayor Gatsas asked so you are only talking about two health insurances and not four because two of them are already there correct?

Mr. LaFreniere answered actually there are three there with the CIP manager position.

Alderman O'Neil asked isn't there a net of one new position that would have to be added to the health insurance?

Mr. LaFreniere answered yes, there is a net of one new position on the City side because one of the four is grant funded.

Alderman Roy stated the other point I want to make on Leon's behalf is you are treading water over there. You have been without a CIP manager for this year and to be honest with, you I don't know how you have done it. Your staff has done a wonderful job but you need this to function properly is that correct?

Mr. LaFreniere answered absolutely.

Alderman Roy stated so I would sit here and say okay and I appreciate what you are saying Alderman O'Neil and I get what you are saying but they need this over there. If you are not going to do this then I would say let's hire a new CIP guy and we won't have any savings like we will here but they will also be able to function properly. That is another thing we have to consider.

Mayor Gatsas stated we have also moved a couple of things from downstairs in the Economic Development Office up to them for them to handle.

Alderman O'Neil stated I am not questioning the efforts or intent. All I am saying is that in the big financial picture we have to be a little cautious moving forward over the next few months to set us up for next year. That is all I am saying.

Mayor Gatsas responded I will be very careful. Did everybody hear that? The board has given me a directive to be careful with who I hire.

Alderman Craig moved to accept the reports of the committee and adopt their recommendations. Alderman Ludwig duly seconded the motion. Mayor Gatsas called for a vote. There being none opposed, the motion carried.

Mayor Gatsas stated obviously we have to get a working group together to talk about the Economic Development Office. I wish I could give you a plan that says here is where it is at but it is not easy. I can tell you that my office has picked up the slack and we are moving on some things, and exciting things are happening, but it can't continue. Certainly the line item as you saw in the budget is there. I understand where Alderman O'Neil is but at some point we are going to see some burn outs in my office and I don't think we can afford that because they do an awful lot of work for everybody. I will try to convene a working group so we can get some discussion and conversation about what we want to do.

Alderman Arnold asked so it is your intention right now to leave it vacant until there is a plan out there for what to do with it long term?

Mayor Gatsas answered until we get an idea of what we are doing. I could come to you next week with a working group that says here is the plan we have and somebody is going to ask how we are going to fund it and the money is in there. To give you an example, tonight in your packet... I don't know whether we need to be members of the BIA. It is in here and it is a \$286 bill. Small money, but I don't know if it is something we want to do. It is in your packet and I would ask the board to take a look at it. They are looking for payment but I don't know what the BIA does for us here.

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

27. Advising that the following regulation has been denied:

STOP SIGNS – 4 –WAY:

On Shasta Street at Wilson Street –NEC, SWC

(Review enclosed)

Alderman Shaw

Alderman Shea

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

Alderman O'Neil moved to accept the report and adopt its recommendation. Alderman Roy duly seconded the motion. Mayor Gatsas called for a vote. There being none opposed, the motion carried.

SPECIAL COMMITTEE ON THE CIVIC CENTER

35. Recommending that all efforts be taken to protect the City's interests with respect to the civic center and the proposed casino legislation.

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

Alderman O'Neil stated I have spoken to Alderman Long about this as the chair of our House delegation. I have a real concern and we talked about it at the committee that if entertainment is part of any casino bill there could be a very negative impact on the Verizon Wireless Arena. We are the only publicly owned venue in the state. I suppose you could throw the Whittmore Center into it but I don't think they have been doing a lot of shows. I am concerned about. Your Honor, I think you have had some discussions about it. Any of the discussions going forward I would ask our three House members to be part of that. My understanding is that when the casinos opened in Connecticut they

had a very significant impact directly on Hartford and directly on Springfield because they will lose money in their entertainment to get patrons in the casino. The Verizon Wireless Arena is a publicly owned venue owned by the citizens of Manchester. SMG is doing a great job of managing it and it is not easy but we need to make sure that the interests of the City of Manchester or the citizens of Manchester are protected in any discussions about gaming no matter the location.

Alderman O'Neil moved to accept the report and adopt its recommendation.

Mayor Gatsas stated I think Alderman Long has an amendment. Do we want to take a position on it to say this is what we recommend?

Alderman O'Neil stated I knew that Alderman Long was working on an amendment. If he has one I am certainly willing to support it. Do you have it ready?

Alderman Long responded I haven't finalized it. The delegation met on Monday morning and the Manchester delegation is clear on protecting Manchester's civic center. There is language that I am speaking to a lobbyist about that Tim Bechert is in agreement with. We are looking to get that language in the bill in the committee prior to going to the House floor.

Alderman Levasseur asked are you going to say to the State of New Hampshire and the legislators please don't vote for the casino or yes, you can vote for the casino but you can't have concerts, hockey, circuses or any of that stuff? Is that what you are going to craft into it?

Alderman Long answered no, it is about a venue. We are looking for a 1,500 or less venue, which they believe will cover our interests.

Alderman Levasseur stated I guess the odds on favorite is probably Millenium just because they have been power housing this for a long time. Has anybody checked to see when they built Pennsylvania what they put in for a venue?

Mayor Gatsas stated Verizon has had conversations with Millenium.

Alderman Levasseur asked conversations about what?

Mayor Gatsas answered to make sure they understand what we are looking for, which is 1,500 or less.

Alderman Levasseur asked and that is what Tim Bechert is okay with?

Alderman Long answered yes.

Alderman O'Neil stated just to be clear, Tim Bechert is doing that on behalf of his client, who is the City of Manchester, which is great. I was surprised to learn that the Palace Theatre wasn't looking for language to protect it. If it is 1,500 or under that protects us no matter who is selected or where it is.

Mayor Gatsas asked do you want to make a motion that we send a letter to support Alderman Long's amendment?

Alderman O'Neil moved to have the board send a letter in support of Alderman Long's amendment on the casino bill. Alderman Katsiantonis duly seconded the motion.

Alderman Levasseur stated Alderman Katsiantonis and I would also like you to add an amendment that they can't give away free food. I know you guys think it sounds crazy but do you have any idea what kind of effect they are going to have on every restaurant in the state or anybody in the southern tier? This is starting to get into a let's protect my backyard type of thing. These guys suck the wind out of not only venues at the civic center but it also sucks the wind out of venues all over the state. That is why we never got one of these things built because people start saying I want to protect my turf. I would say that Alderman Katsiantonis and I as restaurant owners would probably not appreciate that. If this board gets into this let's tell them what we want them to do or what we are willing to do then basically you are selling your vote. You are saying okay, we will give you our vote if you protect our civic center. I think it should be a little more in-depth than that. Think about the fact that they don't build it because we don't want them to have it because we don't want them to fool around with our civic center but if it is bringing in \$100 million and they are going to down shift \$5 million to the City of Manchester because they have taken all of that money out of us... We start playing these kind of games and I don't know if you guys are involved more in that kind of negotiation but you are going to negotiate us out of a lot more money on the other end because we are going to say you guys can't build a venue bigger than 1,500. I don't know if you guys have thought about it that way. There are a lot of us that are concerned about what

the ramifications are going to be; not only from a social aspect but also from a business aspect.

Mayor Gatsas stated I haven't seen any of that down shifting coming or heard it. I know that the surrounding communities like Salem and Atkinson get 3% and 1%. I don't see them sending 3% to Manchester.

Alderman Levasseur responded that is what my point is. If you are going to fight for our City and the Verizon Wireless Arena, I would say listen, if you want my vote and you are going to throw \$100 million in to the budget why don't you give us the money back that you took from us last year or give us more in state funding for our schools. Those are the kind of negotiations I would like to see. We have a strong group of 33 people who are going to pull one way or the other whether that gets through. If I was going to send a message to my state senators or my state reps I would be saying if you want our votes we want you guys to take back your obligation of the down shifting that you threw at us.

Alderman O'Neil stated I may stand corrected by Alderman Shaw, Alderman Katsiantonis and Alderman Long, but I don't think any of the bills send any money back to the City of Manchester. The Verizon Wireless Arena is owned by the citizens we represent. If there is an impact, the citizens of Manchester are on the hook. If we lose the opportunity to have entertainment there that is all part of the... There is no guarantee then.

Alderman Levasseur responded my point is that the state reps and senators have to worry about this City and they have to look at what the ramifications are going to be financially for the City of Manchester when these people want this that badly. I wouldn't sell out my vote for a 1,500 seat venue instead of a 5,000 seat venue. I want to be careful and say that you don't sell your vote but you vote conscientiously on these issues concerning what is in the best interest of Manchester not only from a competitive standpoint but also from a financial standpoint. Alderman O'Neil, you make a great point. There is no money coming to us and there are many of you on this board who have a direct pipeline to some people in Concord and you should be talking to them about the down shifting that cost us as much money as it has. Without that down shifting I think we would be in pretty good financial straits right now. If there is going to be any heavy meaning and we know how badly they want that thing, we should be using our very powerful position with the amount of votes we have and stick together on that.

Mayor Gatsas stated all I know is I was a little nervous when you were saying selling your vote because I don't know if that happens in here sometimes.

Alderman Katsiantonis stated I agree with Alderman Levasseur and Alderman O'Neil. That was the point that I made with my colleagues at the state house. I told them I would support it if we get the same amount of money that Salem is getting and if they don't give us the money let all of the refugees go to Salem and the other towns and cities.

Alderman Greazzo stated it is kind of hard to dissuade the Manchester delegation from supporting this one. Two of our state senators, one of them being the sponsor of the bill, are pushing very hard for it. Having a space monopoly on who can have a casino and who cannot will definitely hurt the City of Manchester and I think if it passes maybe we should be looking at the Manchester civic center and casino.

Mayor Gatsas called for a vote on the motion to send a letter in support of Alderman Long's amendment to the casino bill. The motion carried with Alderman Levasseur being duly recorded in opposition.

Alderman Long duly seconded the motion to accept the committee report and adopt its recommendation.

Alderman Long stated first of all I believe that every member of the delegation has Manchester's interest at heart. As far as the refugees they don't cost us as much as you may think they are costing us and I could argue that all day. There are some members of the delegation who voted to down shift some money.

Mayor Gatsas called for a vote on the motion to accept the committee report and adopt its recommendation. There being none opposed, the motion carried.

- 29.** Recommending that the request from Millennium Running for the use of Arms Parking Lot for a race event on Sunday, October 27, 2013 be approved.
(Unanimous vote with the exception of Alderman Gamache who was absent)

Alderman Greazzo stated I pulled this off simply because the last discussions that I had with the business owners over there, there are no guidelines and no notification to the abutters and no designated areas of use or prohibited areas and things like that. There are usually issues with at least one restaurant that is sharing a parking lot with Arms Park.

Mayor Gatsas stated I think the restaurant approved it and it is in the letter.

Alderman Greazzo responded the last conversation I had with the city clerk at our last meeting was that there are no actual guidelines. They notify the abutters out of courtesy but it is not a directive for them to let anybody who has a business in that area know that there is an event coming or a request has been submitted for the use of Arms Park. I would respectfully request that the committee come up with some guidelines for the use of the area so that we know exactly what areas these people will be using. This has nothing to do with this race but rather the use of the area and the space.

Alderman O'Neil stated if I recall about a year ago I thought we had a discussion about exactly what Alderman Greazzo is talking about. I believe Jeff Page of Cotton came in and appeared before the Committee on Administration/Information Systems. I thought we already set up some guidelines.

Alderman Long stated this has already been approved with Cotton and Milly's Tavern.

Alderman O'Neil asked didn't we set up guidelines then?

Alderman Long stated I think he is talking about running on the west side.

Alderman O'Neil responded no, he is talking about Arms Lot. We set up some guidelines about a year ago on this, I believe.

Alderman Greazzo stated I know that we discussed it but I haven't seen anything approved and I haven't seen any draft of notifications or areas of specific use or what not to block off and things like that. I haven't seen anything like that and I don't remember us ever approving it. I remember us discussing it and when I asked the city clerk at our last meeting if there were any of those in place his response to the parking manager was that they notified the abutters but there is no directive for them to do so.

Mayor Gatsas stated if memory served me rightm it is nothing like the concert or the fireworks. I think they set up in the morning and have their race and then people are gone.

Alderman Greazzo responded I understand that, Your Honor, but there is nothing directing them where not to set up. If they think that all of Arms Park, that whole area that has parking surfaces is for their use that includes the Cotton parking lot that is

adjacent to the Arms Park lot. There is a roadway that goes in and out. It is one lane. Unless they are directed as to whether they can and can't be they can pretty much take up the whole area.

Mayor Gatsas stated it says in the letter that Milly's Tavern and Cotton have approved the plan.

Alderman Greazzo replied that is not my point, Your Honor. They might have approved this plan but there is no guideline that says they even have to be notified.

Mayor Gatsas asked what do you want to do?

Alderman Greazzo answered I would like the committee to come up with some guidelines and recommendations. I will approve this but I am just making a motion that the committee come up with some guidelines and some directive as to where these events will take place and where they won't.

Mayor Gatsas responded could we ask the Committee on Public Safety, Health and Traffic to do that and then move this?

Alderman Long stated Alderman Greazzo was speaking about the through traffic on a public road and that is part of this. Cotton and Milly's both look at that because it stops people from going to their businesses. When they approved that, that is what they consider. I believe Ms. Boutillier is the one that verifies that with them. These three entities okay it and also Milly's and Cotton look at shutting down the road for access to them. If there are going to be runners on their road and there is no access for an hour and they don't like that then they wouldn't sign off on it. Also, with Cotton it is the parking. They are not allowed to be parking in their area and that is what they also consider when they okay this.

Alderman Greazzo asked can you point me to the policy, alderman?

Alderman Long answered no.

Alderman Greazzo stated that is my point.

Mayor Gatsas stated let's send it to the Committee on Public Safety, Health and Traffic.

Alderman Greazzo moved to accept the committee report and adopt its recommendation. Alderman Katsiantonis duly seconded the motion. Mayor Gatsas called for a vote. There being none opposed, the motion carried.

Alderman Greazzo moved to have the Committee on Public Safety, Health and Traffic come up with guidelines and directive as to where events in Arms Park will take place. Alderman Katsiantonis duly seconded the motion. Mayor Gatsas called for a vote. There being none opposed, the motion carried.

Mayor Gatsas stated let me congratulate Bill O'Neil. He is the new state representative that was elected in the special election in Ward 2. It was 297 for O'Neil and 260 for Win Hutchinson. Congratulations to Bill O'Neil.

REGULAR BUSINESS

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

There were none.

41. Nomination of Daniel Bergeron as Ward 6 School Committee member.

Alderman Corriveau moved to approve the nomination.

Alderman Roy asked does this mean we are going to confirm this tonight?

Alderman Corriveau answered I was going to make a second motion. First of all, I want to thank Mr. Bergeron and his family for being here and for being very patient. I would also like to and I think we will address this a little later, thank Senator Soucy for her service to Ward 6 for seven and a half years on the Board of School Committee. I, for one, have no doubt that Mr. Bergeron, although he has some big shoes to fill, is very capable of filling them as I am sure you have all seen his resume. He has an extensive record of civic leadership. I believe he is going to add invaluable professional experience in his roles in technology, business and as an adjunct professor. As you can see from the material that we received a week ago, he also has an extensive record and a passion for improving education in our City. I am very happy that he has agreed to serve and

accepted this nomination. With that I will move on the nomination and I will make a second motion in terms of suspending the rules.

Mayor Gatsas stated a nomination usually lays over.

Alderman Corriveau replied well then I will make two motions in one. I move that the Board of Aldermen suspend Rule 20. I understand that it is an unusual request for me to make. Perhaps I am an imperfect messenger to make it but I have spoken with all of you individually and you have my word that I have done my utmost to bring this nomination along as quickly as I could and perhaps even more quickly than ordinarily I would have liked to. Commissioner Bergeron has been previously vetted by this board two years ago when we appointed him to the MTA. We have had a week to review his qualifications and ask him questions. He is here tonight. I know he has met with many of you and that many of you reached out to him and had conversations with him. I tried to give, out of professional respect to all of you, as much time as I can for you to consider this nomination. I hope that many of you if you were in my position where your ward needs a voice on the Board of School Committee, particularly with a vote that is scheduled for March 26th for the selection of a new superintendent... There may be no more important vote that the Board of School Committee will be taking this year than that vote. As I said, I apologize for being an imperfect messenger on rule suspension. I ordinarily agree that we should always abide by our rules but I do believe these are exigent circumstances and on behalf of the people of the east side of Manchester and of Ward 6 I ask for your consideration in suspending the rules so that the people of Ward 6 will be represented very ably by Commissioner Bergeron on the Board of School Committee.

***Alderman Long** duly seconded the motion to suspend the rules and confirm the nomination of Daniel Bergeron to the Board of School Committee.*

Alderman Roy stated Alderman Corriveau, I do appreciate that you called me and we had a good conversation about it and I told you I was going to think about it. The other night as I watched the School Board meeting, and I don't always watch them so it was funny that I was watching it this time, but I was in disbelief as the Ward 6 School Board member resigned. I find it hard to believe that the incumbent didn't know the amount of work required of a state senator. I find it hard to believe that it is too much work to handle after having observed two of our members over the years participate in both the senate and this board. I find it hard to believe there isn't some other underlying reason that the incumbent resigned and I can only hope that it is not her health. At the beginning of this current term we as a group decided that everything would go through our

committee process. A few weeks later, this very policy that we are being asked by the alderman from Ward 6 to suspend tonight, was established by that same alderman. He had an issue with the nomination and appointment of one of our volunteers who served on a committee and was succeeding himself and he had to lay over. I understand that this nominee was vetted before also, but we set this policy in place. The reason this whole thing came to a head was because that volunteer apparently had the gall to support the wrong candidate but you know what, that is the process that we have in place and he has the right to support whoever he wants. I just couldn't believe it that night. If any one of us elected officials on this board had the opportunity to complain, some might say it was me. I don't want anybody to think I am complaining right now because I am not. However, any of my constituents who came to vote in Ward 4 had to run a gauntlet of union people who were unhappy with my performance. Some of whom not only did not live in Ward 4 but didn't live in our City. I have no ill feelings towards any of those people who were against me. That is the process and they have the right to support anybody they want. At the time I stated that I wouldn't suspend the rules in the future for the previously stated reasons and at that time my fun meter was pegged and I had had enough of that issue. I have heard that there are extenuating circumstances in this case such as the impending vote on a new superintendent but I disagree. The School Board committee has narrowed the list to three candidates and I read in the paper today that they are not even interviewing them until next week. Just last night, Dr. Brennan sat in front of us and said he is working until June 30th. I know that we are not going to be paying two superintendents to be working at the same time. There is no need for the School Board to rush to vote. They can wait for two weeks until the new rep from Ward 6 is seated. Also, maybe I am wrong, but my recollection is that past votes for the superintendent position weren't even close and they might have all been unanimous because the School Board wanted to show support for the new leader of the district. I want to state right now that I have no problem with this nominee. I think he is going to do a great job. I read his resume and I met him tonight and he is a nice man. It is just that my fun meter is still pegged on this issue and I see no reason to suspend the rules so I will vote against that.

Alderman Levasseur stated I actually have in the past month or so asked for a suspension of the rules for people who already sit on a board and are being reupped. I wasn't even allowed to bring the motion forward by the mayor. I don't know why we are allowing that motion to go forward tonight. We are talking about people who actually serve for three years and then they are being reupped and they have to wait two weeks to lay over. I don't know why, if we can't do it for people already serving on boards and commissions, we can do it for someone who is not already serving. Personally, if we are

going to do this then I think we should waive the rule in its entirety as far as layover goes. We set a precedent before that everyone else has to go through it and I believe there was a School Board member from Ward 2 who was nominated and the next meeting something changed and people wanted to vote against it and they could because there was a layover period. So precedent has been set and it is an extremely important position. The person who gets voted into that office, and every single one of you in here knows, we go through a vetting process the minute we sign up. When you sign up to run there is four, five or six months for people to vet you. If we are going to vote tonight to suspend the rules then we should change the policy altogether because I don't believe we should have to have people layover if they are already sitting in positions. If somebody is on the zoning board and they get reupped by the mayor, which has happened numerous times, I don't think those people should have to wait two weeks. We should suspend the rules and confirm them. I have tried to suspend the rules and the motion doesn't get accepted. Tonight it looks like the motion has been accepted and we had a second. Can I ask what the requirements are for suspension of the rules and how many votes are needed to suspend the rules?

Mayor Gatsas answered ten votes of two-thirds.

Alderman Levasseur stated if ten people are going to vote to suspend the rules on this particular issue, I am going to ask to suspend the rules going forward on every other person or every other nomination and I think that is only fair. As far as the requirement that he come in due to exigent circumstances... I am not going to say anything bad about the current School Board member or her motives because that is her decision to make and she has put in her time and worked tirelessly on behalf of her constituents. Her and I couldn't agree what side of the planet the sun comes up but that doesn't matter. She decided to retire. As far as the superintendent being picked, I don't believe it is going to be picked on the 26th. I understand that it has to go through committee first and then to the full board and that meeting would be the second meeting of April. Am I wrong? The whole board is going to pick at that time? If I am, that could be a consideration in this matter then. I don't know if there is a meeting coming up within the next couple of days where School Board members would be able to step into the meeting. I know there is going to be a non-public hearing for these people to be vetted.

Mayor Gatsas responded the entire board will be asking questions of these three candidates.

Alderman Levasseur replied well under those circumstances and the fact that the 26th is coming I think that may be a good enough reason. Again, if it is a good enough reason for somebody in this situation then I think we should suspend the rules from now on. The policy should change. We have a vetting process called the election process. Now we are just going to appoint somebody who has been in the paper since Sunday. I think I found out last Thursday or Friday and I met the gentleman and there is no question he is qualified. He even had the honor and courage to call our show and speak to the public for a good ten to 15 minutes. I find nothing wrong with his resume. I don't know anything about what party he is affiliated with and I don't care. He is definitely qualified for the job. However, this board set the precedent and if we are going to do this the next time somebody comes up that is already sitting on a board or commission I am going to ask this board to suspend the rules and I hope I am given the same consideration. That is my only issue because I have asked for this before and I couldn't get it.

Alderman O'Neil stated I have no intention of suggesting we change the policy permanently. I agree with the layover. However, as an alderman I can't control when the School Board is going to act on this. I have heard them say other dates and I heard them say they were going to have ten finalists and I have tried to follow it and then I read in the paper today who the three finalists are. There is no more important vote for the future of education in this City than the selection of the superintendent. It doesn't matter how many millions of dollars we send the School District. Who the next superintendent is is critical to the future of education in this City. If I had assurances and the School Board went on record and said the vote was not going to be until sometime in April, I would not even consider suspending the rules tonight. The fact that I don't have that assurance and I don't know what their dates are, the people of Ward 6 deserve to have a representative and a voice in the selection of the superintendent. Mr. Bergeron has had opportunity to meet with the three finalists and be part of the process going forward if we suspend the rules tonight. I will vote to suspend the rules and confirm Mr. Bergeron tonight but I am not going to vote to change the policy. This is an extraordinary situation that is before us and I think we need to act on that extraordinary situation. I plan on voting for Mr. Bergeron and I also plan on voting to suspend the rules tonight so that tomorrow he can be part of the discussion and in a position to vote for the next superintendent of schools whenever that comes forward.

Alderman Osborne stated I believed from the beginning... As far as the policy change I didn't care about swapping over to this new policy anyway. I think that each time a nomination comes into the board they should consider whether they want to lay it over for two weeks or not. I think there are certain circumstances involved here with

Alderman Corriveau and Mr. Bergeron and a lot of others who have been in the past with other commissioners who are just renewing their posts. I don't think it is fair to have them layover for two weeks just per policy. I think this policy should be changed and brought back to normal again so the board can decide each time a nomination comes in whether we want to lay it over for two weeks or not. Then there are no hard feelings between aldermen on which way it is going because it was voted to lay it over or not. This is the way I feel about the situation. I'll be voting for Mr. Bergeron.

Alderman Shea stated this is an extremely important and extenuating type of circumstance. Aldermen Roy and Levasseur raised an extremely important point. However, Alderman Corriveau approached me and asked me if I would be in favor of waiving. I said that I think it is very important. I gave my word. My word is what I give and I will support this.

Alderman Craig stated I too will be supporting suspending the rules and I am open to relooking at the policy, especially and only if we receive the information as much in advance as we did in this situation where we were able to see it a week in advance and Mr. Bergeron was here this evening and available this week for us to speak to. If things like that are going to happen, I would be open to looking at the policy.

Mayor Gatsas stated I think that you get every nominee's packet on Friday. I don't think we can provide it any sooner than that.

Alderman Arnold stated as a result of the rule change. It is a result of the rule that we get that information.

Mayor Gatsas stated I understand. I'm not going to get into the discussion on the rule changes, but I think it was a misunderstanding from the last time that someone decided to get the rule changed. I don't disagree with that. Rules are rules and we have a committee process and we should be sending things to committee. Alderman O'Neil, it wasn't you. It was Alderman Corriveau. He had the conversation.

Alderman Greazzo stated I'm in the same position as Alderman Shea. I had spoken to Alderman Corriveau about this. I'm not a big fan of suspending the rules. However, Mr. Bergeron is a MTA commissioner currently and a selectman in Ward 6, but I would think that it should be incumbent upon Alderman Corriveau to revise the policy so that as Alderman Levasseur stated, folks who we have who are already members of our boards or commissions don't necessarily have to go through the two week layover process. Just as I look at Item 42, these are two folks who are succeeding themselves who have had to layover for two weeks. A few of them are actually City employees. I don't necessarily think that the policy we have is the strongest one and I would hope that after this vote Alderman Corriveau would bring forward a change to the rule that he instilled in this board.

Alderman Arnold I share the view of many of my colleagues in terms of resisting a suspension of the rules. I certainly join my colleague from Ward 6 in trying to be a staunch opponent of that, especially when we feel we want more information. I agree with statements made by my colleagues about this being a very special situation, a special circumstance. I can honestly say, and it is unfortunate that we treat some boards differently and some positions differently, but I can honestly say that I never heard from people in Ward 12 about a vacancy on the conversation commission or the heritage commission. On the other hand, if there was a vacancy on the Ward 12 School Board seat, I know the people from Ward 12 would want to make sure that they are represented in any major decisions that take place on the School Board. Like Alderman Shea, I was reached out to by my colleague from Ward 6 and had a conversation about it with him and information that I had requested was subsequently provided and I appreciate that very much. I too will be joining my colleagues in suspending the rules tonight.

Alderman O'Neil stated out of respect to the position of School Board, we can't put it in the same vein as people who are serving on advisory commissions who don't have a vote. It is not apples to apples. This is a very unique situation. With the exception of the zoning and planning boards that have some judicial responsibility, I guess MTA would be another commission, but very few of our appointed commissions have any power with them so by laying them over we are not impacting decisions to be made. These are very historic times in the city and very historic times as they relate to the Manchester School District. I plan on voting for Mr. Bergeron and getting him in that seat with the ability to vote whenever that vote comes up. That is extremely important. I am not going to put in the same vein as comparing it to a commission that is advisory. It is not apples to apples, folks.

Mayor Gatsas stated apples to apples is an appointment by a Ward 2 alderman for a School Board member. That is an apples to apples comparison. I'll just remind everyone that it happened once before.

Alderman Corriveau stated as I said, I believe we have a good, not a perfect, it is imperfect, nominating process. It is imperative for the people of Ward 6 to have a voice on the School Board and a vote to know that they will have a vote on the next superintendent of schools. I acknowledge, maybe karma is coming back, but...

Mayor Gatsas stated we will remind you for the next one.

Alderman Corriveau stated I'm taking my arrows tonight, Your Honor. You must be happy.

Mayor Gatsas stated I'm not happy. All I'll saying to you is that someone may ask you to suspend.

Alderman Corriveau stated the suspension of the rules is actually a rule. It is Rule 25. I don't want us to think that we are making history here. We are not.

Mayor Gatsas stated let's move the question.

Alderman Corriveau stated I am asking you on behalf of the people of Ward 6 that we have a voice and a vote on the School Board immediately. These are, in my opinion, extenuating circumstances. This is a very important time. I thank you all for your words.

Alderman Levasseur stated I think it is good that he throws his feet right in the fire and get him in there and see how it is going to vote anyway. Let the ward see where this guy stands. I don't want to see the ward not get their representation because of the bad decision on behalf of the person who was sitting here. I think it was a mistake for her to leave at this point with such a huge vote coming up. I don't want Ward 6 to let this guy off the hook. I want to see how he is going to vote. Hopefully he is going to show us something good right from the beginning and pick the right person for that extremely important position. I will vote to suspend the rules because I want his feet thrown into the fire and he wants the job and he is sitting here right now. Let's see what he is made of and get it going.

Mayor Gatsas called for a vote on the motion to suspend the rules so the nomination could be confirmed this evening. The motion carried with Alderman Roy voting in opposition.

Alderman Corriveau moved to confirm Daniel Bergeron as the Board of School Committee member for Ward 6. The motion was duly seconded by Alderman Ludwig. There being none opposed, the motion carried.

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

Jessica Chambers to succeed Dennis Anctil as Mayor's Designee to the Planning Board.

Gregory Telge to succeed himself as a member of the Manchester Development Corporation Board term to expire March 11, 2016.

On motion of Alderman Craig, duly seconded by Alderman Ludwig, it was voted to approve the confirmations.

43. Communication from the Public Works Director requesting authorization to accept funds from the State for the Household Hazardous Waste Collection Project; to enter into a contract with the NH DES, Waste Management Division for the program; and to execute any necessary documents related to the contract.

On motion of Alderman Osborne, duly seconded by Alderman Roy, it was voted to approve this item.

44. Legislative Update, if available.

Mayor Gatsas stated the legislative update is in your packet.

Alderman O'Neil stated we did receive an email, I believe.

Mayor Gatsas stated yes, it was also sent by email.

45. Communication from William Sanders, Finance Officer, regarding the increased appropriation of rooms and meals tax receipts to towns and cities.

Mayor Gatsas stated I think that is a letter that you are looking for this board to send to the legislature.

Mr. Sanders that's correct, Your Honor.

On motion of Alderman O'Neil, duly seconded by Alderman Ludwig, it was voted to send a letter to the New Hampshire legislature regarding the increased appropriation of rooms and meals tax receipts to towns and cities.

- 46.** Budget projections to be submitted by William Sanders, Finance Officer, if available.

Mr. Sanders stated you have handed out to you this evening the most current general fund expenditure and revenue forecast for 2013. The current projected surplus for the general fund is \$885,000. It is comprised of a revenue surplus of \$579,000 and an expenditure surplus of \$306,000. As has been the case for some months now, the most significant contributor to the forecasted surplus is the \$914,000 balance remaining in the contingency account, which is substantially offset in this forecast by a projected deficit of \$800,000 in the severance line item. Through March 15th, the severance line item was overspent by \$420,000. Departments are forecasting an additional 11 retirements through the balance of the year for an additional nearly \$400,000. The only remaining earmarked amount in the contingency is the \$150,000 that was set aside for the fleet management facility. If you look at page two, you can see the components of the forecast. I would note the Police Department in the expenditure category is \$120,000 surplus. I have also increased the Economic Development surplus to \$70,000 on the expenditure side. It has essentially left room, if positions are replaced at the beginning of May, there would still be about \$25,000 left in the account. If there was no replacement for the balance of the year there would be an additional \$30,000 in the Economic Development Office. Our revenue forecast is slightly higher. The tax collector has increased the revenue forecast by \$25,000 from her last forecast so we are at \$375,000 on auto registrations. The other major change from the prior forecast is down in non-departmental expenses. The City retirement line item would appear to be in surplus by about \$80,000. That is based on the final actuarial report that we just received in the last couple of weeks. Overall, we are \$104,000 better than we were a month ago. We would have been nearly \$200,000 better if the severance account hadn't jumped by \$95,000. We are still doing well. Just as a frame of reference, the mayor had asked me a question earlier today on last March on what our forecast surplus for the general fund and it was \$1.7 million.

Mayor Gatsas asked where was Highway at that point?

Mr. Sanders replied they were at about \$1 million on that forecast. It was about \$800,000.

Mayor Gatsas stated we are basically the same if it didn't snow as much.

Mr. Sanders stated yes, sir. You would have to ask the public works director, but I believe that to be true. The overtime report is also attached.

Mayor Gatsas asked Chief Burkush, you are still doing okay? You are going to end up with a surplus at the end of the year. I know you are.

Alderman Levasseur stated chief, concerning the \$132,000 deficit, can I ask you a question about that please? Are you going to have to come to the board for money to cover any of this? How does that work?

Mr. Burkush asked you are talking the deficit in the overtime line?

Alderman Levasseur replied yes. Do you have plenty of money in another line item somewhere?

Mr. Burkush replied yes.

Mayor Gatsas stated I just asked him if he was going to have a surplus and he said he is working on it.

Mr. Burkush stated the vacation buyback line is down so we anticipate, at this point, making our budget.

Alderman Roy asked is Kevin Sheppard here?

Alderman Levasseur asked is it necessary to have a budget where you have to put together the number for overtime? You have your overtime number in there, but it is funded under a different... It is all one budget.

Mayor Gatsas stated there is a line for overtime. If you look at his budget, he has a line item for overtime. He has the ability to control his budget and work within his budget to provide a surplus, as I like to say.

Alderman Roy stated I have a question on the Central Fleet overtime. Is that due to the snowstorms that we have had?

Mr. Wesley Anderson, Central Fleet Management Director, replied a little bit was for the initial move-in, but the majority of it is for the snowstorms.

Alderman Roy stated it is \$33,000 over. That is due to the snowstorms.

Alderman Craig asked Mr. Anderson, do you anticipate any more overtime or is this it?

Mr. Anderson replied it depends upon the weather. All my overtime is weather driven.

Alderman Craig asked do you anticipate needing the \$150,000 from contingency?

Mr. Anderson replied yes. As it sits right now, because of the weather we had this year and how much I need to cover the utilities, I will need the \$150,000 in contingency to balance the budget.

Alderman Corriveau stated Mr. Sanders, I want to go back to a line of questioning I had for you at the Committee on Accounts, Enrollment and Revenue Administration from last night regarding shortfalls in federal revenues the City is experiencing. I was rather surprised and dismayed to learn that sequester has had an immediate impact on revenues that the City is receiving. If memory serves me right, we have taken an immediate hit of \$80,000. Maybe you can speak to that.

Mr. Sanders stated we did incorporate that into the DRA tax rate that we put together for this year so our budget was adjusted downward, but the City, last year, received about \$800,000 in Build America Bond rebates, the bonds that we used to finance the municipal complex. As part of the sequestration procedure that the Congress went through with the administration in the last couple of months, at the Treasury Department, one of their sequestration items was that they were reducing the Build American Bond rebates and other similar rebates to the tune of about 8.5% or 9% so we lost nearly \$80,000 this year in rebates. At this point in time we are assuming that they will not be coming back, certainly not this year and even for our budget next year, we have assumed that they will be non-paid.

Alderman Corriveau asked regarding the long term impact of that, how much is that shortfall?

Mr. Sanders replied the bonds were 30 year bonds. As we pay down the principle the annual interest goes down as well. The rebate is declining, but if you thought about a ten year for a quick calculation, it would be \$800,000 to the City over the 30 year period.

Alderman Corriveau stated this question is for you, Mr. Sanders, but it may actually be better posed to any department head here. In addition to what we are looking at for the hit we are taking to the Build America Bonds...

Mayor Gatsas interjected if you take a look at the responses that the departments have send out, the ones that were handed out tonight, I know that Health has a discussion about what the federal government has done there. I know that Leon has some discussions about CDBG funding and HOME funds. I know that Kevin has some discussions on Community Block Grants that are coming from the state. I think if you look at all of those you will have a pretty clear idea of where we are. Some of them came after our budget presentation. It looks like Washington is trying to work through some of the discussions and some of the issues. I think that collectively, this board should be taking a pretty strong position and telling our Senators and our two Congressmen by sending them a letter or asking them to come in or do something, because we can't afford any more... The federal government and the state have an awful lot of pots that they can pick at. We don't have many. We only have one and that is called the taxpayer. Anytime there is a downshift to us, the taxpayer sees it. I know that there are quality things that we would like to do in this City, but there are only so many dollars to be able to do them.

Alderman Corriveau stated I strongly agree with you, Your Honor. What I am hoping to do, having found out about the hit we are taking on Build America Bonds, I will certainly review this budget material that we just got, but perhaps someone, whether it is the City Clerk's Office or Mr. Sanders, could compile all of the information about the hits the City of Manchester taxpayers are taking from the sequester, we can quantify that number and I would certainly support...

Mayor Gatsas interjected they aren't taking any yet. It depends on what happens with the budget going forward.

Alderman Corriveau stated what we are looking at going forward. I do think that it is important that we have that information and we contact our congressional delegation. If you would like that motion right now I am happy to make it.

Mayor Gatsas stated I think we ought to collectively get our information so we know what we are talking about in case the delegation calls one of us.

Alderman Corriveau stated that's fine. Should I do it under new business?

Mayor Gatsas stated I think what we ought to do is get that in front of us after the April 15th meeting when we have all the departments come before us and then we can send something off.

Alderman Corriveau stated thank you, Your Honor.

Alderman Levasseur stated Mr. Sanders, on the \$33,000 on the fleet management, is that part of the \$150,000 that he is short? I don't know why we don't just transfer that \$150,000 over. I thought we did vote. Why don't we just vote to send that over to his department? Is it \$150,000 or \$188,000?

Mr. Sanders replied the \$150,000 is the net number.

Alderman Levasseur stated so this number is including it.

Mr. Sanders responded right.

Alderman Levasseur stated if we put the \$150,000 in there, he would not have this number showing like this.

Mr. Sanders stated that's correct.

Mayor Gatsas stated there was a shortfall in the City Solicitor's budget but because he had that retirement, he is going to be able to make up some of those dollars. I would say that before we move dollars let's find out... Mr. Sanders closes out the end of the year.

Alderman Levasseur stated he was just asked if he is going to need the whole \$150,000 and he said yes. I understand that we hired another person. He needed a staff person to handle the phone calls and that is where some of the \$150,000 was going to. I'm a little confused. I thought the \$150,000 was already something that became obligated.

Mr. Sanders stated no, it was earmarked when the aldermen approved their budget. They increased the contingency this year and they earmarked some amounts. That wasn't an official approval to transfer. The primary reason that I would prefer, unless Mr. Anderson needed the money immediately, which I don't think he does, he is still within his appropriation, there is not any concern that he does not have enough money to do things, but maybe it won't be \$150,000. It could be \$120,000. Not that Mr. Anderson wouldn't return the difference to surplus, but it is just easier, particularly in a situation where the aldermen are considering next year's budget. I would limit the amount of contingency that you transfer at the moment, until it really becomes urgent to the department so you have a good sense of what is available as you look at next year's budget.

Alderman Shea stated I think that we have normally allowed this to stay until the end of the year. He may have some adjustments between now and June as well as other departments. He knows that it is available to him if he needs it, but he may not need the \$150,000 due to a resignation or a different type of expense in another account that he may be able to make up for. It is a precedent that we usually do this.

On motion of Alderman O'Neil, duly seconded by Alderman Roy, it was voted to recess the meeting to allow the Committee on Finance to meet.

Mayor Gatsas called the meeting back to order.

49. Report(s) of the Committee on Finance, if available.

The Committee on Finance respectfully recommends, after due and careful consideration, that Resolutions:

“Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Four Thousand Six Hundred Twenty Five Dollars (\$44,625) for the FY 2013 CIP 810713 Second St. Corridor Grant.”

"Authorizing the Finance Officer to utilize \$250,000 from the Special Revenue Account to pay Sun Gard Public Sector."

ought to pass and be enrolled.
(Unanimous vote)

On motion of Alderman O'Neil, duly seconded by Alderman Osborne, it was voted to accept the report of committee and adopt its recommendations.

The Committee on Finance respectfully recommends, after due and careful consideration, that Resolutions:

“Continuation of the Central Business Service District.”

“Authorizing the Finance Officer to utilize surplus funds from the Fiscal Year 2012 budget to fund a prepayment of \$750,000 for Fiscal Year 2014 City pension costs.”

“Authorizing the Finance Officer to transfer \$130,431 from the Special Revenue Reserve Account to the Parking Division in Fiscal Year 2013 to reimburse the Parking Division for Fiscal Year 2014 debt service associated with the Hampshire Plaza parking garage.”

ought to pass and be enrolled.

(Unanimous vote)

On motion of Alderman O'Neil, duly seconded by Alderman Craig, it was voted to accept the report of committee and adopt its recommendations.

On motion of Alderman Greazzo, duly seconded by Alderman Shaw, it was voted to table this item.

The Committee on Finance respectfully recommends, after due and careful consideration, that appropriating Resolutions:

“Appropriating to the Parking Fund the sum of \$5,000,000 from parking revenues for the Fiscal Year 2014.”

“Appropriating the sum of \$13,229,048 from Sewer User Rental Charges to the Environmental Protection Division for the Fiscal Year 2014.”

“Appropriating the sum of \$2,130,115 from Recreation User Charges to the Recreation Division for the Fiscal Year 2014.”

“Appropriating to the Manchester Transit Authority the sum of \$1,080,536 for the Fiscal Year 2014.”

“Appropriating to the Manchester School District the sum of \$155,724,449 for the Fiscal Year 2014.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in the Fiscal Year 2014 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year under the Financing Agreement.”

“Appropriating to the Manchester Airport Authority the sum of \$47,887,649 from Special Airport Revenue Funds for the Fiscal Year 2014.”

“Appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,796,000 from School Food and Nutrition Services Revenues for the Fiscal Year 2014.”

“Raising Monies and Making Appropriations of \$134,970,938 for the Fiscal Year 2014.”

“Appropriating to the Central Business Service District the sum of \$258,000 from Central Business Service District Funds for the Fiscal Year 2014.”

ought to pass and layover.
(*Unanimous vote*)

On motion of Alderman O’Neil, duly seconded by Alderman Corriveau, it was voted to accept the report of committee and adopt its recommendations.

On motion of Alderman Craig, duly seconded by Alderman Arnold, it was voted to table this item.

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

There were no reports.

- 51.** Report(s) of the Committee Administration/Information Systems, if available.

There were no reports.

- 52.** Report(s) of the Committee on Lands and Buildings, if available.

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the communication from Mayor Gatsas requesting that the purchase and sale for the Granite Street lot (TM 692-11) be approved contingent on selling the property across the street; that the property be transferred through a quitclaim deed; that the property be deemed surplus to City needs and further determined that a direct sale is in the best interest of the City and the authorized means of disposition for this parcel.

(*Unanimous vote with the exception of Alderman Ludwig who voted in opposition*)

Mayor Gatsas stated it is also contingent to the other lot across the street being sold, the one that GMDC has.

Mr. Clark stated Your Honor, there is one other item that we talked to the developer about, that it be a quit claim deed and not a warranty deed.

Alderman O'Neil this particular property is the one next to the glass company?

Mayor Gatsas replied that's correct.

Alderman O'Neil stated it is continued because it is part of the property where we hope to kitty-corner it for parking. It is the southeast corner.

Mayor Gatsas stated correct.

Alderman Arnold stated I'm trying to confirm whether or not that was part of the committee discussion. I didn't catch the committee discussion on this item.

Mayor Gatsas stated I think it was. I think the committee knew that it was subject to the sale across the street. This is an additional piece for his parking.

On motion of Alderman O'Neil, duly seconded by Alderman Corriveau, it was voted to accept the report of committee and adopt its recommendations. The motion carried with Alderman Ludwig voting in opposition.

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that

- Properties at 167, 187, 189 Lake Avenue and 120 Spruce Street be deemed surplus;
- The Planning and Community Development Director be authorized to move forward with drafting a purchase and sale agreement with Families in Transition; and
- Determine that a direct sale is in the best interest of the City and the authorized means of disposition for this parcel.

(Unanimous vote with the exception of Alderman Osborne who voted in opposition)

On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to accept the report of committee and adopt its recommendations.

53. Resolutions:

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to waive readings by titles only.

“Amending the FY 2013 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Four Thousand Six Hundred Twenty Five Dollars (\$44,625) for the FY 2013 CIP 810713 Second St. Corridor Grant.”

"Authorizing the Finance Officer to utilize \$250,000 from the Special Revenue Account to pay Sun Gard Public Sector."

On motion of Alderman O’Neil, duly seconded by Alderman Ludwig, it was voted that the Resolutions ought to pass and be enrolled.

NEW BUSINESS

Mayor Gatsas stated I have a couple things. The superintendent candidates will be in next week. There will be a community forum as soon as the time is confirmed. We will pass it along to every board member. I had my staff forward the profiles yesterday and they are also posted on the district website. I would hope that we would welcome all three candidates with open arms to go forward.

Alderman O’Neil stated in the paper it said that the gentleman from Hoboken, New Jersey, was a superintendent of a school district of over 1,000 people. Hoboken, New Jersey, is bigger than the City of Manchester.

Alderman Levasseur stated there may be more than one district.

Alderman O’Neil stated I got asked that by a couple people today.

Mayor Gatsas stated I don’t think Hoboken is only 1,700 people. I could be wrong.

Alderman Shea stated Your Honor, most of the superintendents are retired. I think all three are retired. Aren’t they? They may be excellent candidates.

Mayor Gatsas stated I know that the committee has worked very hard and very long to go through some 12 or 15 candidates. This is where we are. I know they worked hard to bring the best candidates forward.

Alderman Shea stated my wife has remarked that you aren't going to expect the good Lord to take over the school system. No one is that perfect. I hope that when the superintendent is assigned people will give that particular person a great deal of cooperation.

Mayor Gatsas stated I will continue being the mayor. In your packet, we have Senator Soucy resignation letter. There is a request from the joint Board of Mayor and Aldermen meeting for MYAC. The BIA membership—I would like the board to take a look at it. Should we send this to the Committee on Administration/Information Systems to take a look at it and see if we want to continue?

*On motion of **Alderman Long**, duly seconded by **Alderman Roy**, it was voted to forward the BIA membership letter to the Committee on Administration/Information Systems.*

Mayor Gatsas stated the MDC annual meeting is also listed in here. The Senior Luncheon is also in here. If you have questions call the senior center. The legislative update is also in your packet.

Alderman Craig stated just a question regarding the MYAC presentation. There is not a date here. Will your office be setting that up?

Mayor Gatsas replied we need to agree to a date. As soon as we do we will get it to you.

Alderman O'Neil stated the Manchester Saint Patrick's Day Parade is this coming Sunday, March 24th, stepping off from Salmon and Elm Street at noon. All are welcome to march. The Shamrock Shuffle, which is sold out at 2,500 runners, begins at 11:15 a.m. and there is also a fun run for 500 kids prior to that. Secondly, we talked a little bit about this in the Committee on Administration/Information Systems because there was a letter in from the Chamber regarding a plaque from the Manchester UK delegation. Based on what I believe was a very successful visit, I know a number of the aldermen, as well as you, Your Honor, had a chance to visit at different times. My understanding is that some Manchester, New Hampshire, firms conduct business in the UK, including in Manchester, UK. Some of those firms actually have offices in the UK, including in greater Manchester. In my debrief with the Chamber, I would like to suggest at some point there be a presentation by the Chamber, Chris King and possibly Southern New Hampshire University to either the board or send it to the Special Committee on Job Creation/Job Retention and Economic Development. Apparently there are some real opportunities there that we should seize on.

Mayor Gatsas stated let's have them come in and do it to the full board.

On motion of Alderman O'Neil, duly seconded by Alderman Greazzo, it was voted that the UK/Chamber of Commerce presentation would be presented to the Board of Mayor and Aldermen.

Alderman O'Neil stated one; I would ask Maura to hand out... The mayor and I had a discussion about what policy we adopted on grant applications. Back on August 7th I actually wrote a letter that any grant that requires a City match or reciprocal investment on the part of the City shall be submitted to the Committee on Community Improvement on their agenda for review and approval prior to submitting the grant application. At the end, I will be asking the board to confirm this policy at our next meeting. Apparently we never confirmed the policy.

Mayor Gatsas stated I thought we look a vote on it, but I could be wrong.

Alderman O'Neil stated the clerk had some technical issues one meeting. They have asked us just to clarify this.

On motion of Alderman O'Neil, duly seconded by Alderman Roy, it was voted to adopt the policy on grant applications.

Alderman O'Neil stated I hope it is clear to the departments that before they submit it, it has to go to CIP. The final thing is that I would like to recognize the City Clerk's Office. Their fearless leader is out, but despite that they ran a full day of elections, full schedule of Board of Mayor and Aldermen meetings. I think they all deserve some credit for that.

Mayor Gatsas stated Matt, you are still missed.

Alderman O'Neil stated he is absolutely missed, but fortunately Matt has built a great staff around him. Their efforts are appreciated today.

Mayor Gatsas stated Saturday night at Saint George's there will be a Greek Independence Day Celebration. Alderman Katsiantonis still has tickets. They are \$35 each. If you don't buy a ticket and go to the dinner, you won't be able to march on Sunday.

Alderman Levasseur stated I just want to thank the City Solicitor's Office for sending us... This board made a policy that any lawsuits that are filed against the City we would be notified of them. I will tell you that, mayor, I had to defend you on this one to some individuals... As a person who sits on the Committee on Human Resources/Insurance I found out about the Miklovich case through the paper. It wasn't my recollection, sitting on that committee, that that was actually settled. I understand that there were some parameters set for a possible settlement. I would ask this board that we have a policy that let's us know when there are suits filed, that we also have a policy so we know when cases are settled so we don't have learn about it though the *Union Leader*.

On motion of Alderman Levasseur, duly seconded by Alderman Craig, it was voted that the board would be informed of when suits are filed against the City and when they are settled.

Alderman Levasseur stated mayor, you didn't know about that settlement.

Mayor Gatsas stated I did not know about it.

Alderman Levasseur stated and you weren't too happy about it.

Mayor Gatsas stated I was not happy about it.

Mr. Clark stated under the right to know law, every settlement the City makes is filed with the City Clerk's Office. They can compile them monthly and forward them to the aldermen.

Alderman Levasseur stated we haven't had anything filed or sent to us.

Mayor Gatsas stated the report didn't have anything other than saying that there was a settlement. It didn't say for what or how much.

Mr. Clark stated not the one that is filed with the City Clerk's Office. By law, when a case is settled, the lawyers have to file a report with the City Clerk's Office for public record.

Mayor Gatsas stated I think his motion is clear that if there is one, it is sent to the board and we see it. Once you get it from the Solicitor's Office, send us a copy so we all know something is going on.

Mr. Clark stated it doesn't always come from my office. Sometimes it comes from outside counsel. We will circulate it.

Alderman Shaw stated this is in regards to the Mayor's Youth Advisory Council. I just wanted to go back to that and say that these kids work really hard on a daily basis. They are unsung heroes in regards to homelessness, which does exist in Manchester. There are a lot of homeless kids. These kids work hard through the Office of Youth Services to work on this program. I hope that when the date comes for this presentation that everyone will make an effort to attend because these kids have a lot to say.

Mayor Gatsas stated maybe what we will do, Alderman Shaw, is bring them right here and that way no one can go anywhere and they can make their presentation in this chamber.

Alderman Shaw stated that would be great.

Alderman Shea stated I'm glad we have that clarification about notification because I was some what bruised, but that's alright. Newspaper-wise, that's customary for me. The point is that the Committee on Human Resources/Insurance is not in a position to release that information. It is not up to us to say that this case has been settled and here are the results. I think that clarification will be helpful.

TABLED ITEMS

54. Report of the Committee on Accounts, Enrollment & Revenue Administration

Advising that it has accepted the City's Revolving Loan Fund report and has approved the write-offs for S&H Williams (Make and Take) and Under the Veil.
(Unanimous vote)
Tabled 3/05/2013

On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to remove this item from the table.

Alderman Long stated I was looking to confirm that this was a bankruptcy and we couldn't confirm that last time. I have confirmed that it was a bankruptcy. We had written it off. It said it was a bankruptcy, but they weren't sure it was a bankruptcy. I got it confirmed by Mr. Arnold that it was a bankruptcy.

On motion of Alderman Long, duly seconded by Alderman Arnold, it was voted to accept the report of committee and adopt its recommendations.

Mayor Gatsas stated I want to thank the Finance Office because they are certainly doing a yeoman's job with trying to get all these loans squared away and put in place so we know where they are and what we are doing. I know the solicitor had a call from the antenna lease that is up on Hackett Hill. The gentleman said to my staff that they shouldn't be talking to us because it is still owned by Manchester Housing Authority. I guess we own it and they weren't happy with the numbers that we gave them. I think they were looking for an alternative way to get their arms around the situation. I guess they have come to their senses and they understand that the City owns it.

Alderman Roy asked is this the same group that came to one of the committees in the last year to reduce our fee?

Mayor Gatsas replied I don't know.

Alderman Roy stated there were a couple that wanted us to reduce our fee and we refused. Is this the same group?

Mayor Gatsas replied I don't know if it is the same group, but the last conversation I had with them, their fees are going up.

Alderman Roy stated sounds good to me. More revenue, right?

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

Mayor Gatsas stated this petition for Hayward North Back Street has been sitting here an awful long time. Are we prepared to do anything with this? This is not the complex. We all went up and saw the property. It is someone who has paved the street without any permission from us and we tabled it. Can you come back, Kevin, at the next meeting with a recommendation on this?

Alderman Roy stated there is some litigation on the property that is to the east of that newly paved area and it has to do with whether or not he is going to have access. That is what I thought we were waiting for.

Mayor Gatsas stated I thought that we had to get clarification as to why it is sitting there. Kevin, if you can get it to the board.

Alderman O'Neil stated we all had the opportunity, through your office, to meet with Attorney Upton this evening. My understanding is that, although there may be a formal proposal that Jane showed me, somehow I was confused on that, but with a formal proposal to you, HR will be the approver of record and we will have to appropriate some money this fiscal year to begin and then most of it will be in the next fiscal year. We will be in negotiation on the two outstanding contracts that we have.

Mayor Gatsas asked do you want to do that now? I think we all have a pretty good idea of where he is.

Alderman O'Neil stated I think he just wanted to revisit the numbers. There was something about the numbers. That was my understanding talking with Attorney Upton.

Alderman Arnold stated it is my understanding that, based on the last conversation we had, he is going to get whatever documentation he needs to get from your office and it was our understanding that it will be disseminated to this board at that time.

Mayor Gatsas stated that's fine.

Alderman O'Neil stated we should probably have him at the next meeting. We are going to have to sit down and give him some parameters.

Mayor Gatsas asked in non-public?

Alderman O'Neil replied yes.

Mayor Gatsas stated we can do that. Let's just check what the agenda looks like so it is not a meeting where we have to sit here for four hours.

Alderman Shea stated that tabled item, I do have something I can give to Kevin. It is from the attorney for the parties. I think they can resolve it.

ADJOURNMENT

*There being no further business, on motion of **Alderman Shea**, duly seconded by **Alderman Katsiantonis**, it was voted to adjourn.*

A True Record. Attest.



Assistant City Clerk