

**CHARTER COMMISSION  
PUBLIC HEARING**

**March 27, 2013**

**6:00 p.m.**

**Chairman Duval** called the meeting to order.

**Chairman Duval** called for the pledge of allegiance, this function being led by Commissioner Martin.

The Clerk called the roll.

Present: Commissioners Duval, Girard, Martin, Lopez, Pappas, Clayton,  
Ashooh

Commissioners D'Allesandro and Infantine arrived late

**Chairman Duval** stated before we begin tonight's public hearing, I would call to the attention of commissioners that I received a very nice phone call from former Mayor Emile Beaulieu who apologized again for not being able to assist the commission during this process due to some health issues. For residents at home listening or for people in the audience this evening, Mayor Beaulieu had emergency triple bypass surgery. It caught him completely by surprise, but he wanted me to report to his friends on the commission and to members of the public who he once served that he is doing incredibly well. He sounded strong. Of course I extended, on the commission's behalf, our best wishes for a speedy recovery. Publicly, we want to express to former Mayor Beaulieu our best wishes and hope he is well real soon.

**Chairman Duval** advised that the purpose of the public hearing is to receive information, views, comments and other pertinent material relative to its functions; that each person will be given only one opportunity to speak; that comments shall be limited to three minutes to allow all participants the opportunity to speak and any comments must be directed to the Chair; that any resident wishing to speak come forward to the nearest microphone, clearly state their name and address when recognized, and give their comments. I want to thank you on behalf of the commission from taking time from your busy schedules to be with us this evening. It is really important that we get input from our citizenry in Manchester so we welcome you to the commission tonight.

**Mr. Win Hutchinson**, 386 Orange Street, stated:

I'm here tonight because I'm concerned that we are missing a once in a decade opportunity to change the governance of the City. I'm afraid that what we have allowed to happen is a parting of the ways of the commissioners and everyone has their own opinion and everyone has, not their own pet project, but their own stance on what should happen. We have to find middle ground because people have the right to decide which way they want the City to be governed. There is an awful lot of support for making the school department part of the City and making it a department rather than a standalone board. Whether or not that is the opinion of a majority of the people, I don't know, but at least they should have the opportunity to make that decision. Secondly, there appears to be a mood to make the tax cap the boogey man for all the problems in Manchester and that is not really true. The tax cap went through a long and lengthy process with a lot of citizen support to become law. There is a way for the aldermen, if they have the intent or the intestinal fortitude to do it, to override the tax cap and spend more money if they really believe that is what is necessary. I would oppose any tinkering around the edges with the tax cap. We have focused on divisive subjects and clearly these

items will fail if they get on the ballot. They won't receive the kind of vote or the kind of support that they really need. There are three things that I think we should consider to allow the people to vote on. One, as I said initially, the school department being part of the City government and working under one budget umbrella with the superintendent being a department head. The second thing that I think might be wise is the elimination of the at-large positions. The problem with those is that they were supposed to bring about better representation for the City by spreading it out over the entire City rather than one distinctive ward. Basically they have become coalitions of special interests. The third thing is that we should eliminate the non-partisan elections. There is no secret that it is partisan so let's make it real and allow the people to vote their party. I thank you very much for your time, Mr. Chairman and members of the board.

**Mr. Glenn Ouellette**, 112 Auburn Street, stated:

Thank you for hearing us tonight. Let's make something perfectly clear. There are more undeclared registered voters in this City than there are democrats and republicans. Nearly 44% of our voters are undeclared so heed the warning: if you turn back the clock and go back ten years, the charter will fail. There is nothing more that I hate than a politician who says they don't vote. We know for a fact that in the last six or seven years there were out to undeclared... Neither party can win an election. Let's stick with the facts. If you want to solve the problem and you want to know who is running as a candidate, put "DEM" in front of the democrats or "GOP" in front of the republicans and put "UN" in front of the undeclareds. That would solve your problem and you wouldn't have to have a pink and a blue ballot. You would have one ballot. You would be recognizing who is running. You would recognize who they really are and you would be saving the taxpayers thousands of dollars by not having a second ballot. To do away with the local primary is a real disgrace. We don't want to lose our powers. We want to at least keep what we have. If people do chose not to vote in any

election that is their business, but don't take it away from those who have that right and chose to vote. Instead, the City needs to educate its people to vote... more so the mayor already do it. Please do not take away our voting rights. You are doing that if you go back to partisan politics. We know that it is partisan, but that is not the point. If I, as an independent, want to run for office and I don't belong to a party, I should be able to run in the primaries anyways. That is how it is now and that is how it should be, specifically when 44% of your voters are independent. On the increases, \$80,000 or \$85,000 for the mayor is enough; 59% increase and then you guarantee the mayor, whoever he or she will be, will get 6% increase per year and then you are going to put them in Yarger Decker, the very issue that has ruined this City at this point... We have no money, but you spend. To raise the salary of the aldermen and the school board at \$15,000 is another shame. It is like the Congress, they vote in their salaries, but they don't do anything. We need to solve the problems. You guys tell us, at least the Board of Mayor and Aldermen tell us, that we are broke, that we have a fiscal crisis, but we are raising salaries. You do not pay part time employees in our City or in the school system benefits. Why are we paying our part time elected officials? That wasn't created by the people. That was given to them by themselves. That is not the reason to run for office. For the school, I think the mayor should remain. The change that needs to be made...

**Chairman Duval** injected Mr. Ouellette, can I interrupt you. You are over three minutes right now. Please wrap it up.

**Mr. Ouellette** stated I will end with this statement. When the superintendent came here to meet with the Board of Mayor and Aldermen a couple of Mondays ago, you didn't see the superintendent saying, Your Honor, may I speak? Raise his hand. We are not kids anymore. The same rules that apply on the Board of

Mayor and Aldermen should apply on the School Board. It is called respect. It is a board of 15, not a board of one.

**Mr. Ian Poirier**, 24 Maybrook Avenue, stated:

Good evening, commissioners. First of all, I want to thank all of you for your dedication to the City and your hard work. I want to speak to you about the proposed pay raise or stipend for the aldermen and School Board members. I have two parts to this. First of all, I don't understand or can't comprehend why we are giving part time employees who are elected to office benefits to begin with or why they are allowed to pay into the system. Paraprofessionals in the school system can't do it; part time librarian can't do it so why are aldermen and School Board members exempt from that. That is my first point. My second point would be that if you are indeed probably going to go ahead and do it, why such a jump? To piggyback on what Mr. Ouellette just said, we don't have any money, yet we are going to give these men and women a raise. That doesn't make any sense to me. In a time when we are scratching and clawing for every penny in this City, we are going to give the board a raise. I do agree that the mayor needs to have a raise. I do agree that that salary is too low in compared to other mayor' salaries in the state. I just don't agree that we need to be rewarding... Commissioner Lopez was talking about how if we are going to take away their benefits then we need to give them a higher stipend. They are not supposed to have that benefit to begin with. Why are we rewarding them with something they were never supposed to have? I appreciate you allowing me to speak tonight.

**Mr. Albert Jernigan**, 428 Candia Road, stated:

I too was a candidate for the Charter Commission and I really appreciate you guys volunteering to do this and doing the right thing. I, like the rest of the citizens of Manchester, have not given the Charter Commission the due respect, attention that it needs. The reason why I am here, I was watching the Charter Commission last

week and what I saw was nine unorganized people passing around motions, voting, not voting, giving to discussion. What I have learned in my daily life, anytime you put a group of people together like this... You guys are a team. You are not nine separate individuals doing nine different things. Mr. Hutchinson said that you guys need to come together as a group. I would say that a round table is probably better than just sitting here as nine separate seats. I passed a table on the way in here that had nine chairs sitting around it and for you guys to get a little closer together and to look at each other eye to eye, and really look into each other and say what are you thinking? Are you guys making decisions based on the people of Manchester, the citizens of Manchester, or are you making decisions based on an education theme or a political... Make sure I am getting my stipend, make sure I am getting my benefits. There are more citizens of the City of Manchester who aren't getting stipends, who aren't getting benefits, who aren't getting a HMO, they are getting PPOs. My insurance right now costs me money to have insurance. Like the other gentleman before me said, part time officials are getting full time HMO benefits for free. I pay \$100 a week now on a PPO benefit that used to be a HMO plan three years ago. I pay \$5,000 a year in co-pays that comes out of my pocket every year. We have, just like the last gentleman said, part time people getting free insurance. That is not right. The board members at large and the school commission people need to be removed. The raise of the mayor can happen, but way reduced. No raise for the stipend for the aldermen. That is pretty much it. My biggest thing, like I said, you are not nine separate people. You are a group. That is why I put my name on the Charter Commission ballot. I'm not the high school popularity people that most of you people are. I'm just a regular citizen who lives in Manchester, who has high taxes and wants to see them reduced and wants to see the Charter Commission make sure that those things happen for the citizens of Manchester, not just one group, not just one faction. There are over 100,000 people in this city and those are the people who you should be making motions for. When a motion ends, you should say that my

motion is to benefit the citizens of Manchester and no one else. Thank you. I appreciate your time.

**Mr. Howard McCarthy**, 52 Valentine Drive, stated:

I wish I had a hand microphone. I feel like I have more power if I can stand up. I think I can get something across that I really want. Howard Howard is my name; the reason I have a double name is because when I was baptized the priest stuttered so when I kick the bucket, Saint Peter is going to say Howard Howard, I have a few things I want to talk to you about. Howard Howard is my name; if you don't know me then that's a shame. What I am about is very plain. Music and common sense is my game. The music is because I have a television show and I attempt to sing. Can I sing? No. Do I like to sing? Yes. The first place, I wanted to make a statement. I'm not here to kiss your foot or kiss any other part of your body to get what I want. I'm not here to promote myself. I'm here to accomplish something, something very serious. I disagree with the gentleman who spoke against me and I would like to ask everyone here who has ever come up with an issue, has it only taken three minutes? I doubt it and you know it and I know it. It takes a lot more. Three minutes is definitely not enough. What does Concord know that you don't know here in Manchester. Do you know that they allow five minutes and if you haven't succeeded in explaining your issue they give you another three minutes and if you still are not satisfied with your presentation they will give you an additional minute. One minutes, five, three, one... Manchester, forget it. This is a serious issue. If you could put yourself in my shoes... That is what you have to do here for all the decisions you make. Try to put yourself in the shoes of the next person and come up with a decent decision. What else can I say? Do you want to give me another one? How about the parking? The parking is disgraceful here in Manchester. Eight a.m. to eight p.m. Where can you find another city that does that? You won't. Even in Concord it is 8:00 a.m. to 5:00 p.m. Manchester is 8:00 a.m. to 8:00 p.m. If they are trying to get more money,

why don't you start at 6:00 a.m. and go to 9:00 p.m. How does that sound? There must be other ways to get money besides ruining restaurants. When do you go out for your dinner? In my case I say supper. When do you go out? Do you go out at 5:00 p.m.? Of course you do or 6:00 p.m. or 7:00 p.m. But 8:00 p.m. and find a ticket on your window. There are a lot of things wrong here in Manchester. Another issue is parking. Let's do it humanely like 8:00 a.m. to 8:00 p.m. Before I leave I want to thank everybody here who took up my issue of the additional minutes. I want to thank the people who voted for me. I want to thank the people who did not vote for me. What I would like is each of your names to find out who you are, what you are and what you were thinking so I can... This is not the end. It will be facing the aldermen. You know and I know that that is the final decision. No matter what decision you make it always comes down to the aldermen. You know, your words may be majestic or that is what you think, that they are majestic and grandiose and my words are only pitiful. I don't know what else to say. I know I have taken more time than I have. One other thing.

**Chairman Duval** stated I have to ask you to wrap it up, Mr. McCarthy.

**Mr. McCarthy** stated it was a comedic way that you presented me on my issue. It was all a joke. It is not a joke. It is serious. Thank you. Good night.

**Mr. Nick Want**, 623 Belmont Street, stated:

Thank you for taking public comment this evening and I would also like to join in all members of the public for thank you for your service to our city. I think it was already stated that we a once in a decade opportunity to modify, improve, facilitate, how our city runs some of its processes. There are a couple that I would like to comment on. I know there has been a lot of discussion about the schools in general and I think given the situation that we have right now, with the attempt to try to find a superintendent, issues with the school budget, etcetera, we do in fact

have to modify that process to improve it. One of the considerations is the position of the mayor, or a mayor, not necessarily this mayor, but a mayor, on the School Board. I think a comment was made by several people in regards to the mayor representing the taxpayers and the citizens of Manchester to have pertinent impact and input into the School Board simply in regards to large financial decisions that may come around to CIP projects, overall budgets, and the impact of long term bonds, etcetera to the City. I have advocated in the past that the mayor should not be a member of the School Board in any respect whatsoever. I know you guys have been having long discussion on this, but I think if one of you were able to look at the opportunities, to compromise and to collaborate collectively for the potential to have another opportunity where the mayor may be able to contribute, but not necessarily at the chairman level so that the input to look out for the City can be noted, the people who can talk about that so that the understanding for the School Board and what they are doing as it pertains to citizens so input may be considered. If one of you are able, someone could consider that and perhaps discuss that opportunity because again, the function of the process that we have today is clearly not working. The three superintendents who came before all clearly noted the disfunctionality of our current process, the lack of funding, the turmoil and the issues that are relevant to our School District today. We have an opportunity and you guys have the opportunity to make a relevant change, a nudge, in the right direction to put us on a slightly different path and that is the area that I would ask you to consider again; the role of the mayor on the School Board and if perhaps there are solutions that allow for medication to be made there that may help the process going forward. Thank you for your time.

**Ms. Patrice Benard**, 31 Aurore Avenue, stated:

I want to echo the comments made by Mr. Hutchinson and someone else about the stipends and the insurance for the School Board and the Board of Mayor and Aldermen. They are part timers. They ran for this job. We really can't afford to

be insuring them, nor should they be getting an increase in their stipends. A part time job gets part time pay. The mayor is not a part time job so I can understand if he needs an increase in pay for someone working 40, 50, 60 hours a week. If you have to pay a mortgage, car payments or for children's education or lessons, you probably need a little more than \$65,000 a year. I would like to comment on the tax and spending cap. We voted for it. We went out in the cold and we voted for it and we will do it again. Just try to mess with that and you will be sorry. I was watching on public television last night your previous meeting from last week and there was supposed to be a list posted somewhere about all the motions that had passed. I searched the City website. I went to Commissioner Martin's page and Commissioner Girard's page last night. I understand that they are there this morning. You had posted a list of motions that had failed, but I didn't see a list of motions that passed. I watch your shows on public TV with a five-year-old running around and a teenager and her woes. I'm homeschooling so I don't know exactly everything that has passed. You have a really cute grandchild on your facebook page. I think you have been passing a lot and you really want something to pass on the ballot because if you put eight or nine things in that voting booth no one is going to sit there and read. They are going to have to read what the current wording is and then the new wording. No one is going to read eight or nine things. You better settle on one or two and that will be it because I really think that is all you are going to get through. I know that when the little one is with me in the voting booth, I simply don't have time to read it all and I do my best to follow on public TV. Please come to agreement on one or two items and hopefully you will have some success. Thank you for your service and thank your families. Some of you have young children at home so thank your wives and families for allowing you to spend the time here doing the City's work.

**Commissioner Girard** stated I would just like to advise Ms. Benard and anyone else that I did have those lists of what has passed and what hasn't passed posted to the blog at Girardforcharter.com this afternoon. I apologize I didn't get it there sooner.

**Commissioner Martin** stated in the interest of full disclosure, I apologize. It is report card week at school. I now have all of them on my page as well. I had to read 461 report cards first.

**Commissioner Infantine** stated I thought we had agreed last week that they were going to be posted up on the City's site.

**Clerk Leahy** replied there really isn't a spot on the City website, but I'm happy to get it to anyone if they would like it.

**Chairman Duval** stated the notice of the hearing was, but not the motions.

**Clerk Leahy** stated I would be happy to look to see if I can set something up though.

**Commissioner Infantine** stated Mr. Chairman, I sent them all to the *Union Leader* so maybe they would post them.

**Mr. Carl Hebert**, 355 Bridge Street, stated:

I echo everyone's thanks. I have spoken here before but I do thank you all for the time and effort that you are putting into this. I have to echo what the nice lady before me said about keeping as many proposed changes to a small or at least a manageable number because I do think that if there are eight or nine things it is going to be difficult for voters to really process that if they don't follow this as

well as some of us do. I was reading something the other day by someone way smarter than I and they were describing democracy and how wonderful a system it is and I do agree that it is. He was saying that there is something profound and almost spiritual about committee meetings. I couldn't figure that out until I read the rest of it, but it really is all about individuals coming together to compromise, to try to solve things and get things accomplished. Our system in Manchester doesn't have a whole lot of that of late, at least on the School Board and the aldermanic realm. I would also say that I agree with some of the folks who said that something has to change in the educational funding process and the way that the aldermanic board and the school committee do their business. I would echo what Nick said. I think it would be more appropriate to have the mayor be an ex-officio member of the School Board and not the chair. I think the board should elect its own chair. I think checks and balances are very important in democracies. I would argue that the stipends for the part time elected officials are probably appropriate, especially given that our state reps and state senators don't get very much money in that regard and most states keep that to a minimum. I think the health benefits are very over generous and should not be provided to part time folks. Thanks for your time and again, thank you for your service.

**Mr. John Alexion**, 110 Blackstone Street, stated:

I thought I would just chime in a couple words. I want to thank you all for what you are doing. I know it is taking a lot of time out of your schedules and to spend your time here at city hall probably isn't that fun. At times, watching the various board meetings, it seems like it is orchestrated chaos. I'm sure this commission probably is going through a lot of things that are relevant to the tax rate and also with the composition of the boards and what we are looking at. I guess I'm just here to make a couple of comments. First, the tax cap. You are looking at one of the smiling faces who voted for the tax cap. Part of the reason why I voted for it and I'm not sure why other citizens voted for it, but there was a fear of the tax rate

in the City being uncontrolled. I think in recent years, not too long ago, we were hearing possible tax increases from anywhere from 7% to 12%. If that isn't fear, I don't really know what is. A lot of people are on fixed wages, middle income earners or low income wages would be priced out of their homes. They would not be able to afford to live with the tax increases. I think with the tax rate being limited to what the CPI is, I think that is a good thing. As Commissioner Ashooh stated last meeting, the Board of Mayor and Aldermen, through a majority of the vote, have the possibility of ten votes to override the tax cap. That is the financial medium or the fiscal management that they have as a board. With the composition of the Board of Mayor and Aldermen that they have today, I can't see why they don't go with an override of the tax cap. I don't think anyone is going to begrudge the City of an additional 1% or 2% if it really needs it during a year. The other part of this that I want to address is that I am against the Board of School Committee and the Board of Mayor and Aldermen stipends. I realize that they are a voluntary board. They come in, they get elected to do a job for the city residents but I think to grant them a \$15,000 stipend in lieu of benefits or to offer benefits is something that they really don't need to do. The last comment that I am going to make is regarding the mayor. I would like to see the mayor remain on the Board of School Committee. I think it is a vital partnership between the City and the School District and it needs a spirit of collaboration. In other words, the Board of Mayor and Aldermen needs to work with the Board of School Committee. We have seen some good and wonderful things that have been accomplished: the design build project, which helped repair and expand the physical size of the schools, Manchester School of Technology moving towards a four year high school in its own right, text books being purchased, information technology being expanded to support new technologies and physical plan upgrades. These are all wonderful things that I think could work in the spirit of collaboration. You folks have a great evening.

**Mr. Keith Hirschmann**, 296 Dunbarton Road, stated:

I came down tonight to offer what I think is a unique perspective from myself, being that I served on the board of aldermen under two different charters. The first charter I served under had 12 aldermen, 12 School Board members and a mayor and it was a little bit stronger form of government. There was more control by the elected mayor figure. Then we came into the charter that we are existing under now and I served on the board of aldermen under that charter so I served with 14 aldermen and a mayor. I can honestly say that I never objected to the size of the board. That was never a detriment. The more minds, the more input, that was fine. What wasn't fine was the compensation because I knew that, after serving on both boards, and growing the government under the next charter, that we really couldn't afford to offer these compensation packages anymore. I'm probably discussing something that you have already voted on. In my opinion, you could have the board of aldermen at any size you like and the partisans and the citizenry out there wouldn't object. It is a financial thing. If those stipends and that compensation was frozen or held back or cut or something to show good faith you could honestly have any size. You could have 15 or 16 aldermen and no one would complain because they know that things are being attended to. It was only a financial opposition, in my mind and in the mind of many other people in the community. We really can't afford some things in government and we wish that someone could scale it back. We were hoping that this charter panel could do it. I also served under the last Charter Commission that was elected about 11 years ago. Everything was five to four and everything was partisan. We tried to get along, but there was philosophy and there were people who didn't want change and people who did want change. I voted in the majority to shrink in the amount of numbers, only because it was a financial consideration. It failed when it went to the citizenry. I don't know why to this day. I could speculate. I really think that it is all about people's perceptions, that elected leaders are getting something that maybe they are not entitled to. If you could scale that back, have at it. In

closing, the structure of government for Manchester, we have a weak form of government where the mayor can be overridden and things like that. I think that if you take him off the School Board or anyone who is the mayor, it doesn't matter who the personality is, I think it is more cohesive to have the mayor as part of the School District or school system and to all the City departments. I'm going to close with that. I'm really praying that we have a West High in the future. There are a lot of West High alumni. Mr. Chairman, I know you will sell a lot less homes if we don't have a high school on the West side. Not that you can control that, but I figure I would throw that in. You all have a wonderful experience with your elected responsibilities and I hope that you can help the citizens reign in government in a financial way, not necessarily in a participation way.

**Mr. Mike Farrington**, 1320 Goffstown Road, stated:

I urge you to reconsider the initial vote on the tax cap. I think everyone here can see that it is strangling this City. You look at the roads, you hear what is happening with education, you see the businesses leaving town, I keep hearing how vital Elm Street is. When things go awry in a thriving downtown, the first thing that happens is eateries, drinkeries come in and retail goes out. We saw that happen. We need to revitalize the City downtown. This tax cap does not encourage that. We need to move past that, whether it is this year, go back to it, get on a level field and then go back. It was put in place in a place in time that... We live in the most expensive geographical area in the country. To put a tax cap in when we were the second from the bottom on the tax burden is unsustainable. We are seeing it play out right now. Please reconsider that vote. I would also like you to reconsider the mayor's position as chair of the School Board. It is an obvious conflict of interest, which I also think is impairing as that is playing out this year.

**Commissioner Girard** stated Mr. Chairman, could we note that there is a written communication here from Scott Weigler regarding tonight's public hearing. Apparently he could not be here. Could this be read into the record?

**Chairman Duval** replied I think we are going to receive and file those like we did at the last public hearing to be consistent. So noted that we receive the note from Scott Weigler.

**Commissioner Infantine** stated I have written twice requesting the finances from the lawyer. I can't seem to get it. It has been three weeks. Can we do something to get that, please?

**Chairman Duval** replied it has been requested. Clerk Leahy, do we have a response from him yet?

**Clerk Leahy** replied I have not heard back from him, no.

**Chairman Duval** stated Attorney Lehmann will be present at next week's work sessions so we will ask that he bring it with him if we don't receive it between now and then. The request has been submitted to him a couple of times.

*On motion of Commissioner Ashooh, duly seconded Commissioner Girard, it was voted to take all comments under advisement and further to receive and file any written documentation presented.*

## **TABLED ITEMS**

*A motion is in order to remove items from the table*

5. Education Discussion:
- Timeline of the school budget
  - School District becoming a City department

This item remained on the table.

6. Proposed motions by commissioners:
- Eliminate the tax cap, while maintaining the expenditure cap.  
*(Commissioner Martin)*
  - The restriction of using "one time funds" to balance an operating budget. *(Commissioner Ashooh)*
  - A person running for mayor needs to be a resident of the City for at least 3 years. *(Commissioner Infantine)*

This item remained on the table.

*There being no further business, on motion of Commissioner Girard, duly seconded by Commissioner Ashooh, it was voted to adjourn.*

A True Record. Attest.



*Secretary of the Commission*