

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN**

January 22, 1996

**Immediately Upon Conclusion
of Public Hearing**

Mayor Wieczorek called the meeting to order.

The Clerk called the roll. There were eleven Aldermen present.

Present: Ald. Wihby, Elise, Reiniger, Sysyn, Clancy, Soucy, Shea, Domaingue, Cashin, Robert, Hirschmann

Absent: Ald. Pariseau

Discussion relative to a referendum question on CenterPlex.

Mayor Wieczorek stated he had been reading a little bit about the comments being made by various Aldermen regarding this particular issue and the things happening at the State noting there had been a lot of conversation about the Board not being in favor of, or me not being in favor, and maybe some of the Aldermen of having a referendum noted that was absolutely not true. What they had wanted to do was to make sure that they had some solid basis on which to go to the public with a referendum and the solid issue he saw that would necessitate going for a referendum and getting the opinion of the people was that Senate Bill 175 had to be passed by the Legislature and the Senate which was the income stream they were talking about using if the City were to build one. If that Bill did not pass, there would be no CenterPlex because it had been said that we would not be digging into the pockets of the taxpayers to build CenterPlex, so that was the basis on which he thought there should be a referendum once the Bill is passed and would have liked the Board to move to have a non-binding referendum on the item once they knew the income stream was there, then they would have something to go to the public with. Other than that, if it didn't pass there was no point in having a referendum because it would be done.

Ald. Sysyn asked if the question could be reworded.

Mayor Wieczorek replied they were not ready to word the question yet noting all he wanted to do was to go on record as to what the Board wanted to do.

Ald. Wihby stated he could not recall anyone having said that they did not want public input and did not think anyone was worried about once the decision was made on how to go and once the Bill passed to have a question and thought it was everyone's intent to get public input noting he would also like to see some public hearings also, not just the

question so that people could come to the public hearings, learn what was going on, and then come to the referendum to vote.

Mayor Wieczorek was in agreement with Ald. Wihby and stated if, in fact, it did go ahead then the public would certainly have to be educated as to what it would be that they would be voting on.

Ald. Wihby asked if the vote taken this evening would help when it went to the Senate to let them know that there would be a question once they made their decision.

Ald. Wihby moved to have a non-binding referendum question once information from the State has been made available. Ald. Sysyn duly seconded the motion.

Ald. Robert asked if he were to assume they would not pass it unless the City decided to have a referendum.

Mayor Wieczorek did not think that was the case and did not wish to speak for them but knew that there was a Bill that had been heard in the Legislature last week which had to do with the referendum on this particular issue.

Ald. Robert asked if there had been a decision made by that Committee.

Ald. Soucy replied, no.

Ald. Robert asked if the City were not to decide to have a referendum would it reflect negatively up in Concord.

Ald. Soucy replied it could.

Mayor Wieczorek stated he did not see anything wrong with giving the public a vote on it once there was something in place that, in fact, they would support.

Ald. Wihby noted the key would be in having the public hearing so as to let the people know prior to their going to vote.

Ald. Soucy in reference to time tables stated the legislation had to come out of the Senate Finance Committee, go to the Senate floor, crossover to the House, and probably go to a standing committee, go back to the floor of the House, go back to the House Finance Committee, go back to the floor of the House, and then be signed by the Governor noting all of it took time and realized the process could be expedited as much as possible and asked what kind of time table was needed for the Clerk and what kind of time table would be needed for Mr. Wood for the hockey team as it was her understanding that they needed

a decision by June 30th and asked if it would give the Clerk enough time and at what point would the legislative actions have to be complete in order to have a referendum and conduct a public hearing, absentee ballot and that type of a process.

Mayor Wieczorek replied if June 30th was the outside date then they would have to work back and find out what number of days the City would need to meet all of the legal requirements.

Clerk Bernier replied as it was non-binding the Board could then direct it to the ballot which would take about thirty days and as indicated by Ald. Wihby and the Board to hold public hearings it would depend on the number of public hearings held.

Ald. Wihby suggested three public hearings, one at each high school on a Monday, Tuesday, and Wednesday.

Clerk Bernier indicated the Clerk's Office would be ready to do whatever the Board wished and thought that thirty days was plenty of time.

Mayor Wieczorek indicated he would not want to push it that way.

Ald. Shea asked what the implications were relative to a non-binding referendum. If, for instance, the public voted against CenterPlex but yet the process was being decided at the State level in a different manner asked what the impact would be.

Mayor Wieczorek stated when the City would go to the public with a referendum the City would know what they would be asking the voters to vote on noting you couldn't ask them to vote on a referendum and then have it changed because if it were changed it would not be the question they voted on and that was the reason they really needed to clarify how it would be handled so that when it would be presented to the voters they would be in a position to vote on the item being presented.

Ald. Shea stated it would be non-binding, they would be voting on it, so that the implication might be that even though the general public might be against it, there would be a force in fact that would indicate it would still go through.

Mayor Wieczorek thought it would be a pretty tough public relations thing to try to continue moving forward with something the public did not want noting it would not be very popular.

Ald. Domaingue stated the Mayor had referred to the income stream which would be needed to build the facility noted some of the questions she had coming at her regarding the CenterPlex issue were routed in the maintenance stream required to maintain the

facility on an annual basis and asked if the Board should take a vote to support a non-binding referendum asked if they would take the vote with the understanding that that issue itself would also be cleared up for the voters so that when they walk into the voting booth they would understand and would not be limited to voting just on the creation of the institution but also the cost would be presented to them on annual maintenance.

Mayor Wieczorek replied it was one of the items which were being discussed noting there were two things: one, they didn't want to go to the taxpayers for new money and that was why they had identified this stream and, secondly, they wanted to make sure there would not be an operating loss because people who were reading the paper that time knew they were talking about a potential \$500,000 a year operating loss. Well, through the discussions that have been held by the CenterPlex Committee with the two largest managements companies (SPECTACOR and Ogden) both of them had indicated in testimony to the State Senate that they would guarantee that there would not be any operating loss, so you've got that covered and then if it went through the Legislature and the City was guaranteed this income stream and it went through the regular and the Governor signed the bill then the City would go ahead.

Ald. Domaingue asked if the operating loss the Mayor referred to directly tied to the annual maintenance cost of the facility.

Mr. Clougherty stated from their perspective they would want that included as he thought it was one of the guarantees the Board would want to make sure was included, so he would say yes.

Ald. Domaingue stated the annual maintenance costs to run the facility was included in all of the figures that had been discussed and would not some day down the road find itself on the backs of the Manchester taxpayers.

Mr. Clougherty stated right, that was what the Mayor was saying to make sure that any type of management contract entered into would have those provisions to make sure those things were covered as he thought it was important to the people and would be important to the City as well and would want that disclosed.

Ald. Soucy stated there would not be an executed contract with the management company prior to a referendum taking place.

Mr. Clougherty stated there probably wouldn't be an executed contract but it would be part of the understanding of however the question were to be worded and if they couldn't get it, the City would not go forward noting everything would not be lined up but the referendum needed to be pretty clear in terms of what the expectations were indicating all

the pieces were in place it could be worded so that everyone reading it had the same understanding which was critical.

Ald. Soucy asked why wouldn't they do a binding referendum if it were such a publicity nightmare to not comply with the wishes of the voters.

Mayor Wiczorek replied the reason for not having a binding referendum was that if it did pass and the City ran into some compelling reasons why it should not proceed with it.

Solicitor Clark stated legally they were not authorized to place a binding referendum on this question on a ballot as it would take special legislation through Concord, the City could not bind itself by putting a question on the ballot noting the City was only authorized to place non-binding referendum questions on a ballot.

Ald. Hirschmann stated because of the Presidential Primary turnout thought the City would like to see it on the Presidential Primary ballot because of the voter turnout noting there had already been a few elections this year and asked if it would be another special election.

Mayor Wiczorek did not think they should let the Presidential Primary dictate when a referendum would be held on this question noting what would dictate it would be when all the information was gathered to present to the public notably the guarantee from the State and to make sure the operating expenses were covered.

Ald. Shea stated if it were such an important question thought that people would be interested in coming and voting specifically on that issue and thought that those people who were not interested would obviously not have a vote in the matter and thought it should be considered individually if it were that important.

Ald. Clancy asked if the question relative to CenterPlex could be phrased such as do you want the taxpayers of Manchester's money to be spent for the CenterPlex - yes or no.

Mayor Wiczorek noted they would not be deciding this evening on what the wording would be on the ballot, the question was whether or not to decide if the Board wanted to go ahead and do it once all of the information was gathered at which time they could then pick the wording.

Mayor Wiczorek called for a vote. The motion carried with Ald. Robert duly recorded in opposition.

Mayor Wiczorek called a recess to permit discussion with the Chief Negotiator regarding union negotiations.

Mayor Wieczorek called the meeting back to order.

There being no further business to come before the special meeting, on motion of Ald. Shea, duly seconded by Ald. Soucy, it was voted to adjourn.

A True Record. Attest.

City Clerk