

BOARD OF MAYOR AND ALDERMEN

February 21, 1996

7:30 PM

Mayor Wieczorek called the meeting to order.

Mayor Wieczorek called for the Pledge of Allegiance, this function being led by Ald. Pariseau.

A moment of silent prayer was observed.

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

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

Mayor Wieczorek stated there were a lot of people present who were perhaps interested in the school band uniform issue noting it had been included on the previous agenda, however, he had asked at that time to wait until this meeting to see if there was any way in which something could be done noting it did not appear on the agenda but would address the matter. As he understood it there was \$30,000 necessary which they needed to have by March 1st in order to order the uniforms for Memorial High School noting he had talked with Mr. Bernard today. Mayor Wieczorek stated he had been about to get \$10,000 from an anonymous donor and requested that \$10,000 be taken from Contingency and \$10,000 from the School Department.

Mr. Bernard stated the School Department had agreed to it.

On motion of Ald. Domaingue, duly seconded by Ald. Pariseau, it was voted that \$10,000 be taken out of the Contingency Fund towards the purchase of band uniforms for Memorial High School.

Ald. Pariseau expressed his thanks on behalf of the students of Memorial High School.

Ald. Elise stated the donation solved a short-term problem but saw some long-term problems which still needed to be addressed and hoped the Board would look at continued funding for maintenance of the uniforms as well as the issue pertaining to band uniforms on the whole noting West High would need additional uniforms during the coming year and would like to see funding guaranteed for that and would like to see the arts budget looked at more closely so that specifically during budget time the arts programs did not become the target or the bargaining chip during School budget negotiations.

Mayor Wieczorek noted it would be up to the School Board to decide what they would be doing in the future regarding the school bands and in addressing Mr. Bernard assumed there would be some sort of long-term solution to the problem.

Mr. Bernard stated Mr. Poehlman would be contacting the uniform company within the next couple of days and appreciated the Mayor's efforts and the efforts of the Aldermen.

Mayor Wieczorek stated the last week or so it was very interesting that the City of Manchester and the State of New Hampshire really received such notoriety but if anybody was out in the street they must have been interviewed by somebody because they certainly were out there in full force at the polls and in the streets and looking for information about the community and about the State and about the Primary noting he had had calls from people around the country who had indicated it was almost like being home and it had been the largest group he had ever seen attending a primary and it was very good and the State certainly didn't disappoint everybody and stunned the pundits one more time.

CONSENT ITEMS

Mayor Wieczorek 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.

Informational to be Received and Filed

- A. Communication from Randy Sherman, Deputy Finance Officer, responding to Ald. Domaingue's request to identify the specific impact on each department who had indicated they would absorb all or at least a portion of any wage settlements approved by the Board.

Informational Only Referred to the Committee on Community Improvement Program

- B. Communication from Atty. Donald A. Kennedy, on behalf of Joseph P. King, requesting that he be allowed to buy back property located on South Mammoth Road, Tax Map 796, Lot 14 which was taken by the City by tax deed on November 21, 1994.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION

(Note: Concurrent referral to the Committee on Traffic)

- C. Communication from John Erdahl, General Manager, WGIR requesting use of Arms Park and the Bridge Street Bridge for their 5th Annual Memorial Weekend fireworks display on Sunday, May 26, 1996, with a rain date of Monday, May 27, 1996.

COMMITTEE ON BILLS ON SECOND READING

D. Ordinance:

"Authorizing the Mayor to dispose of certain tax deeded property known as 66-68 Orange Street, Map 39, Lot 45."

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM (includes former Committees on Lands & Buildings, Public Works, and Transportation)

- F. Communication from Frank Thomas, Public Works Director, requesting authorization to apply for a State grant for the Closure of the Dunbarton Road Landfill.
- G. Communication from Barbara Vigneault, Director, Elderly Services Department, advising that the lease agreement for the East Side Senior Center facility is up for renewal in November of 1996 and that the lessor must notify the landlord by May 1, 1996.
- H. Communication from Danais Realty regarding a proposed land exchange to resolve encroachment in the area of Wolf Park.

COMMITTEE ON FINANCE

I. Resolutions:

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for the Manchester Challenge Grant."

"Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$20,000 for the 1996 CIP 7.10219 Municipal Infrastructure Improvement Project."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$50,000 for the 1996 4.10302 Manchester Housing and Redevelopment Undercover Officer."

"Amending the 1995 Community Improvement Program, authorizing and appropriating funds in the amount of \$17,466.15 for the 1995 CIP 2.20505 Youth Tobacco Use Prevention Project."

"Amending the 1994 and 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$450,000 for the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Fifty Thousand Dollars (\$450,000) from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center."

"Authorizing the Finance Officer to effect a transfer of Two Thousand Dollars (\$2,000) from Contingency to the Personnel Department's training line item account."

COMMITTEE ON TRAFFIC

- K.** Communication from Patrick Duffy, Commissioner, NH Department of Administrative Services, requesting resolution to parking spaces for Manchester District Court.

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- M.** Recommending that Ordinance:

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include a parcel currently zoned R-2 (Two-family Residential) located at the southwest corner of South Main Street and Varney Street and having an area of approximately 1.6 acres."

ought to pass.

- N.** Recommending that Ordinance:

"Amending the Zoning Ordinance of the City of Manchester by modifying Section 4.03 - Table of Use Regulations - by allowing enclosed warehousing, storage and wholesaling establishments in the I-2 and I-3 Zoning Districts."

ought to pass.

- O.** Recommending that Ordinances:

"Authorizing the Mayor to dispose of certain tax deeded property known as Wellington Hill Road, Map #645, Lots 39 and 40."

"Authorizing the Mayor to dispose of certain tax deeded property situated at Mystic, Myrtle and Shady Lanes, known as Map #863, Lots 33, 34, 35, 36, 38 & 39."

"Authorizing the Mayor to dispose of certain tax deeded property known as Map 222, Lot 79 River Road and Map 222, Lot 52 Chestnut Street."

ought to pass.

- P.** Recommending that Ordinances:

"Amending Sections 18-24 and 18-25 (Police Evidence Room Specialist) of the Code of Ordinances of the City of Manchester."

"Amending Sections 18-24 and 18-25 (Police Maintenance Technician) of the Code of Ordinances of the City of Manchester."

ought to pass.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALD. PARISEAU, DULY SECONDED BY ALD. DOMAINGUE, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- E.** Communication from Jay Taylor, Industrial Agent, requesting the Mayor be authorized to execute a Confirmatory Option to Purchase (Right of First Refusal) satisfactory to Blue Cross, subject to the review and approval of the City Solicitor.

Ald. Domaingue stated item E regarded the property currently known as the Pine Island 4-H Center noted that in paragraph 3 of Mr. Taylor's letter to the Board it referred to paragraph 2 of the attached Development Agreement and prior to sending it to Committee wished to highlight a couple of items such as the attached Development Agreement was not included in the packet for the Board to review and it also referred in that same paragraph of the letter that the Development Agreement made it satisfactory to Blue Cross and she had obtained a copy of the Development Agreement which had not been included noting that the wording in the Development Agreement said that the new Confirmatory Option should be reworded suitable for recording satisfactory to the City and Blue Cross, not only to Blue Cross and had a concern with the proposed Confirmatory Option which was attached to the letter in that the Board did not receive the original Confirmatory Option to look at as they were passing it off to Committee but thought the Committee could review it as well and wished to bring to the Board's attention the fact that in the proposal on page 3, item 5 they were expected to pass to Committee a recommendation that she did not feel comfortable doing because item 5 referred to the option terminating 21 years after the death of the last member of the class of persons composed of the present members of the Board of Directors and all their lineal descendents and what that meant was if she was sitting on the Board presently and had a daughter age 10 whose life expectancy would probably be 85 that option would terminate 21 years after that and giving the parties who sign it certainly Blue Cross the option of purchasing that particular piece of land should those circumstances develop for up to the next 100 years at a purchase price which was stated on the previous page of \$8,000 per acre for that 8.3 acre site noting the property had been purchased by the City in 1976 for a price tag of \$96,000. If for the next 100 years this Board were to even consider recommending that they offer that land back for a price of \$66,000 approximately that would be a loss immediately of \$30,000 to say nothing of what the difference would be a hundred years from now. If the Board wished to pass it along to Committee for review without having the documentation which was so critical to be able to determine whether or not it was good for the City and good for their fiduciary responsibility as what she was reading did not make sense financially for the taxpayers of Manchester.

Ald. Robert stated he would be willing to pass it on to Committee keeping in mind Ald. Domaingue's statement noting there was more to the piece of property which met the eye such as a request to rebuild the 4-H Center and there were questions as to how big and

how much money would be spent and thought it was all tied together noting he had faith in his Committee members and anything that would come out of Committee and come back to the Board.

Ald. Robert moved that the communication from Jay Taylor be referred to the Committee on Community Improvement Program.

Ald. Domaingue stated she had no opposition so long as the Chairman, Ald. Robert would assure that every issue which was brought to the Board's attention tonight would be discussed along with what was presented and that the request be made for the documentation of the Development Agreement for the original option and also for a map of the area, if possible, she would not object to it.

Ald. Wihby noted that Ald. Domaingue was a member of the Committee, so she would be able to present it at that time.

Ald. Domaingue knowing she was a member of the Committee reiterated she was very uncomfortable with this Board sending this kind of recommendation down not having appropriate documentation noting the recommendation looked lopsided.

Ald. Shea duly seconded the motion to refer the communication to the Committee on Community Improvement Program. Mayor Wiczorek called for a vote. There being none opposed, the motion carried.

J. Communication from Ald. Reiniger relative to a request by the Downtown Retailers to extend parking arrangements in the Middle Street Parking Lot through June 1, 1996.

Ald. Sysyn stated she would like the full Board to vote on this issue tonight because the Committee on Traffic would not be meeting until the 26th of February noting the parking arrangements would end on March 1st and with the next Board meeting scheduled for March 5th had hoped the Board could move on it this evening.

Mayor Wiczorek requested the Clerk read the recommendation into the record, and it was read as follows:

Ald. Sysyn is requesting that the Board authorize the extension of the lease until June 1st, or July 1st. As the request requires full Board approval and the Board will not meet again until March 5th and is relative to the 17 parking spaces in the Franklin Street Parking Lot and the lease was due to expire March 1st.

Ald. Sysyn so moved to authorize the extension of the parking lease in the Middle Street Parking Lot until June 1st, or July 1st. Ald. Wihby duly seconded the motion.

Ald. Robert inquired of Ald. Reiniger if it had worked out well.

Ald. Reiniger replied it had been a tremendous success according to the retailers Downtown.

Mayor Wieczorek called for a vote on the motion to extend the lease. There being none opposed, the motion carried.

L. Recommending that Ordinance:

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) Zoning district into a parcel zoned I-3 (General Industrial) and I-2 (Industrial Park) located at the southeast corner of Huse Road and South Willow Street and owned by Pindot, Inc."

ought to pass.

NOTE: Communication from Planning Board, submitted February 13, 1996, recommending amendment to Ordinance enclosed; same to be received and filed concurrently with Report of the Committee.

Ald. Elise moved to accept the original ordinance which was moved ought to pass at the Committee on Bills on Second Reading. Ald. Sysyn duly seconded the motion.

Ald. Domaingue stated for clarification purposes she wanted to make sure she understood what Ald. Elise was asking of the Board; that there were two proposal written into the agenda this evening, or at least the awareness of there being two proposals - one being that the Committee voted on with a vote of three to two ought to pass which was to rezone that parcel and the second being provided informationally by the Planning Department of a modified restructuring of that plan and asked Ald. Elise if it was her intention to ask the Board to vote on the original plan which was looked at in Committee.

Ald. Elise replied, yes; that the motion she had just made was that the Board of Mayor and Aldermen approve the original recommendation of the Committee on Bills on Second Reading extending the B-2 zoning to this area.

Ald. Domaingue stated the location was in Ward 8 and began by saying she had more paperwork on it in the last 30 minutes, certainly in excess of what was in the packet; that this particular parcel had received an awful lot of publicity noting it was located at the corner of Huse Road and So. Willow Street and some of the publicity had been downright misleading and wanted to clear it up and she would not turn down in any way, shape, manner, or form turn down \$300,000 in tax revenue nor did she think anybody else

sitting on the Board would, however, to clear up a misleading article which appeared in **The Union Leader** the traffic issues associated with the rezoning of the parcel had nothing to do with the hotel as everyone was in agreement that the traffic to and from a hotel generally went either directly to the highway or to the airport and would not access or traverse through the neighborhood. The problem with the traffic came with the fact that along with the rezoning came rezoning for a parcel of a 52,000 square foot retail space at the corner noting there were several very serious items brought to bear before the Planning Board. She had received numerous letters from the applicant who wanted to see it rezoned and believed if the motion failed it should be moved back to the Committee on Bills on Second Reading was because of the volume of information not presented to the Board and stated that Mr. Nault's letter supported it in that they were not invited to attend nor were they notified of a modification of that plan and thought by rights they ought to, and urged the Board to vote down the motion strictly on the basis of being familiar with the area and knowing that there was so much information in front of them she did not think in good conscience that the Board could go forward with the rezoning and had asked the Police Department to provide her with some of the traffic information they might have over the past two years and read from a letter dated February 6th from one of the Manchester Police Department's officers citing that there were 46 accidents that actually happened in a two-year period on Huse Road, 81 of them in the general vicinity. In 1996, as of the very first six days of February they had already recorded four additional accidents and wanted the Board to know that there was a total of 527 motor vehicle stops made during that period in that area. The Officer went on to say that based on his own personal knowledge and experience he would say that the majority were made for speeding violations as Huse Road was a heavily-traveled road used as a cutoff to beat the traffic on So. Willow Street. She had no objection to the Marriott Hotel going in, had no objection to garnering \$300,000 in tax revenue for the City of Manchester, but the Board the last time around did, in fact, support with its vote its own Master Plan which cost City taxpayers a lot of money and in that Master Plan they had attempted to address the needs of that particular area specifically and also the needs of residential neighborhoods abutting areas such as that one. The Master Plan itself in reference to the area did speak to the fact that they should only rezone to commercial that parcel that was abutting So. Willow Street and the proposal they were being asked to vote on tonight did was rezone that parcel all the way back to Huse Road about a quarter-of-a-mile and reiterated she had a real significant problem with being a Board that spends taxpayer dollars to start addressing some of the neighborhood concerns regarding traffic and then turning around and saying well, we're going to disregard that and we're going to move forward anyway and we're going to rezone this parcel and thought there was certainly enough evidence that the Board could not possibly consider sitting in front of them right now at this moment as it was a very important issue and thought out of respect certainly to the applicant and the Board, the people who live there they were owed the opportunity to get as much information as they possibly could and for that reason indicated she would vote against that particular motion and hoped the Board would be receptive as they would

in their own neighborhoods to some of the critical traffic issues that it would generate - 52,000 square feet of retail space was equivalent to a SAM's Club, it was not a small operation, it would generate traffic from all over the City and beyond through the roads and thought they needed to begin to address the issue and with respect to \$300,000 in tax revenue noted the people she represented weren't for sale for any amount of honor and respectfully requested that the Board be sensitive to their needs.

Ald. Hirschmann asked Ald. Domaingue if she were opposed to any development of that lot.

Ald. Domaingue replied she was not.

Ald. Hirschmann noting it was currently zoned Industrial asked supposing General Electric put a factor there would she then be opposed to that, hypothetically, was it just because it was retail establishment.

Ald. Domaingue stated the opposition she had, the opposition which was generated at the Planning Board level was strictly with respect to the amount of traffic which would be generated by the 52,000 square foot of retail.

Ald. Reiniger in reference to the compromise proposal which came out of the Planning Board asked the owner's how they felt about the compromise and noted that perhaps the hotel deal was not for real and asked if they could address both of those deals.

Ald. Cashin stated they were turning this into a public hearing and asked if that was what he wanted done.

Mayor Wiczorek noted it should not be a public hearing.

Ald. Cashin suggested it be referred back to Committee and discussed at that time.

Ald. Wihby stated questions had been asked at this level previously especially since the applicant's been here noting it had been done all the time.

Ald. Pariseau stated they had never given the Planning Department enough time to respond to the request on rezoning, they have and thought the Committee on Bills on Second Reading should look at the other option.

Ald. Wihby stated in the packet the Board received it answered both of the questions which Ald. Reiniger had asked - one was that he was willing to put a deed restriction in and the other one was that the owner or the tenant who would be there did not feel that

the Planning Board recommendation would work noting it was in the letter he had just read.

Ald. Domaingue stated with all due respect to Ald. Wihby that material was in front of the Board just shortly before the meeting began noting she had not had time to absorb it and all she was asking was that they go through a very careful motion with it mainly because the history of the area included the Mall of New Hampshire and the residents of the area were extremely sensitive to traffic issues and the history with the Mall was that they did go to court to preserve their quality of life and would not want to see the Board do something that would cause them to be put in that position again when, in fact, they could go back to Committee and discuss about the particulars they could get them resolved, hopefully, to the satisfaction of both parties.

Ald. Shea did not think it was asking too much if it went back to Committee noting that the newer members of the Board had not had a chance to be privy to all of the information and thought it might be in the best interest of the Board and the owners that it be sent back to Committee and reexamined and come back with a finding at their next meeting.

Ald. Domaingue asked if the motion to accept the report was voted down could they then make a further motion to send it back to Committee.

Mayor Wieczorek replied, yes.

A roll call vote was taken on the motion to accept the report of the Committee. Ald. Cashin, Robert, Hirschmann, Reiniger, Shea, Domaingue and Pariseau voted nay. Ald. Wihby, Elise, Sysyn, Clancy and Soucy voted yea. The motion failed.

Ald. Domaingue moved that the ordinance be referred back to the Committee on Bills on Second Reading. Ald. Pariseau duly seconded the motion. There being none opposed, the motion carried.

Q. Recommending that Ordinances:

"Amending Section 2-180 (Position Established) of the Code of Ordinances of the City of Manchester."

"Amending Section 18-33 (Compensation Plan Based on Schedules) of the Code of Ordinances of the City of Manchester."

"Amending Section 18-38 (Advancement Within Pay Range) of the Code of Ordinances of the City of Manchester."

"Amending Section 18-40 (Longevity Steps) of the Code of Ordinances of the City of Manchester."

ought to pass

Ald. Reiniger stated these were items he had had discussions with the Mayor's Office on noting they would have serious ramifications for the City and moved that the ordinances be referred back to the Committee on Personnel. Ald. Robert duly seconded the motion. There being none opposed, the motion carried.

Reports of Committee on Community Improvement Program:

- Y.** Recommending that the 1994 and 1996 CIP programs be amended by decreasing 1994 CIP 7.40371 Recycling Project - \$450,000 Bond and adding 1996 CIP 7.40372 Residential Solid Waste Drop Off Center - \$450,000 Bond, and for such purpose an amending resolution and budget authorizations have been submitted.

- Z.** Recommending that \$450,000 be transferred from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center; and for such purpose an amending resolution has been submitted.

Ald. Hirschmann asked that items Y & Z be postponed indefinitely.

Mayor Wieczorek asked why.

Ald. Hirschmann replied because they were asking for \$450,000 to build a building to house trash up on Dunbarton Road which he did not think that the good people of Manchester really wanted to spend half-a-million dollars to house trash and also did not feel that that location was a viable position for the people of Manchester to bring their trash to and asked that it be postponed as there were things going on with transfer stations such as in Auburn and realized it wasn't worded as a transfer station but the way in which he read it a \$450,000 building could become a trash transfer station and had been under the impression that on Dunbarton Road there would be containers sitting there that would not cost the City of Manchester hundreds of thousands of dollars that they could possibly put trash into if they had to but did not agree to building the building.

Mayor Wieczorek requested Mr. Thomas to address items Y & Z.

Mr. Thomas stated it was definitely not a transfer station noting the City was still proceeding under the last vote taken by the Board to pursue the Auburn Waste Management proposal. It was going to develop the land across the street from the landfill for a residential drop off area and would not be a large building but would include paved areas, retaining walls where behind the walls there would be open-topped dumpsters, roll-offs, there would be an area with a shed roof so people could go and drop off recyclables and would be a little glorified trailer-type of arrangement where there would be two full-time City employees to manage the area noting it was to manage a residential dropoff so that a taxpayer of Manchester who might have an extra bag of trash after a party and who didn't want to wait for the next collection day could bring it up and dump it, had some grass clippings and again not wanting to wait could bring it up, and the same with

recyclables; that the area would store tires temporarily until they'd be taken away as well as other automotive products such as batteries and oils, etc., so it was a temporary small-scale and definitely not a transfer facility.

Ald. Hirschmann stated he respected the department head's comments but was not willing to spend half-a-million dollars for a temporary situation noting he had moved to postpone indefinitely and asked that his colleagues support him.

Mayor Wieczorek asked Mr. Thomas if it was temporary.

Mr. Thomas replied it was a permanent facility noting they were going ahead on the notion that the trash which was generated in Manchester would be trucked to the Auburn Waste Management transfer facility which was where the trash would be going, however, as he had mentioned it was not fair to require the residents of Manchester to drive out to Auburn to use that transfer facility and in addition he did not think the Town of Auburn would actually enjoy that type of movement noting it was a convenience to the residents of Manchester, it would be a permanent facility, and it was not anticipated to be expanded into any type of transfer facility.

Ald. Elise stated what might be helpful to Ald. Hirschmann was for him to be able to table it and spend some time talking to Frank Thomas about that particular project in detail to get all of the knowledge he may need to come forward.

Mayor Wieczorek asked Mr. Thomas if he was under any time constraints.

Mr. Thomas replied the facility had to be built and available by July 1st when the landfill did close, so they were under a time bind and could they wait another week or two to satisfy the Alderman's concerns they would try to accommodate him.

Ald. Domaingue agreed with Ald. Hirschmann and in addressing Mr. Thomas asked the \$450,000 did not include the two workers who would be manning the site, it was merely to build the facility so in addition to that amount the City would be incurring annual budget expenses of keeping those two workers there.

Mr. Thomas stated Ald. Domaingue was correct.

Ald. Robert stated he thought it would be good to let it go for a couple of weeks to give it a good look as he recalled what they had gone through with the transfer station and wanted to avoid that and come back with something that would be reasonable.

Mr. Thomas stated last June or July when they had made their last presentation on solid waste and the Board had taken the action to pursue Waste Management and the Auburn

facility the residential dropoff area was part of that proposal and the Board of Mayor and Aldermen at that time voted on that entire proposal which did include this residential dropoff area and there was a little discussion where the facility could theoretically, the residential dropoff could have been run by Waste Management or run by the City and the decision had been made at that time that the residential dropoff area should be run by the City where it was in the City for the residents of Manchester. Regarding the personnel issue, they would be losing positions or eliminating positions come July 1st when the landfill closed and those would be two new positions by title, but they would not be increasing their complement but shifting two out of the existing complement that was presently up at the existing landfill operation.

Ald. Wihby asked Mr. Thomas if the City ended up not going to Auburn and one of the proposals was to put everything on Dunbarton Road would this item get in the way, knock it down, what would happen.

Mr. Thomas replied they were currently reviewing a final contract which would be going to the Board regarding Waste Management and the Auburn proposal noting the intent at the time was to go ahead with Auburn and it had cleared the Planning Board process but there was still a potential of an uphill fight for Waste Management, but it did appear it would eventually go ahead and if by chance it did fail the facility could be modified, shifted around for a transfer station up there potentially.

Ald. Robert asked if it could be reviewed again by the Committee on Community Improvement Program noting there was a meeting scheduled for next week so they would be able to refer back to the Board at that time.

Mayor Wieczorek stated if Mr. Thomas could wait till the next meeting and clear up whatever misunderstandings there were, he would entertain a motion to table it till the next meeting and noted the Board would then have to vote for it at that time.

Mr. Thomas replied that was fine so long as they could have a decision within the next few weeks because they needed to have the facility built by July 1st.

Ald. Hirschmann stated everyone was being appeased but him noting he had two problems with it: number one, was the cost as he did not agree with the cost and would rather roll out \$500,000 worth of tar as his whole ward could use it and the other problem he had was that everyone thought it was so convenient, people from Ward 9, all these other wards would drive up to his side of town to drop off a bag of trash and we're going to spend a half-a-million dollars to do this and was not in agreement with it and did not think he would change.

Ald. Pariseau stated the people of Manchester had been using Dunbarton Road for 50 years.

Ald. Hirschmann stated the residents had not been dropping off their trash, the City had been bringing it there.

Mayor Wiczorek noted that further information would not appease Ald. Hirschmann at all then the Board should perhaps vote on it tonight.

Ald. Hirschmann stated he had made a motion to postpone it indefinitely.

Mayor Wiczorek noted he had not yet accepted the motion.

Mr. Thomas stated the concept with the transfer station in Auburn, all of the City trucks, all of the commercial trucks would be going to the Auburn transfer facility, so all those vehicles would not be going up Dunbarton Road; that right now residents could go up there with that extra bag of trash or recyclables or with some yard waste clippings, so those people were already on the road now and it would not be an increase to any type of activities up on Dunbarton Road once Auburn transfers were implemented and the facility was implemented and the landfill was closed, the traffic volume on Dunbarton Road would be significantly decreased.

Ald. Robert moved to table item Y & Z. Ald. Elise duly seconded the motion.

Ald. Cashin asked Ald. Hirschmann if he had a week would it help him or change his mind in any way and if not, he then agreed with the Mayor that there was no sense in postponing it and thought it would give him an opportunity to sit down with Mr. Thomas and get more information.

Ald. Hirschmann stated he did not agree with the location; that an inexpensive salt bin had been built in the City yard and that was what was needed as they did not need to spend half-a-million dollars and did not need to stick it where it was inconvenient and suggested it be put right in the City yard and spend \$50,000 rather than \$500,000.

Ald. Soucy asked if a tabling motion was debatable.

Mayor Wiczorek noted it was not and requested a roll call vote be taken starting with Ald. Robert. Ald. Robert, Hirschmann, Wihby, Elise, Reiniger and Domaingue voted yea. Ald. Sysyn, Clancy, Soucy, Shea, Pariseau and Cashin voted nay.

Mayor Wiczorek inquired of Ald. Hirschmann if it would do him absolutely no good to speak to the head of the Highway Department between meetings.

Ald. Hirschmann stated the people in Ward 12, think about them and that was what he was asking and if the Mayor wished to cast his ballot, it was his turn.

Mayor Wieczorek voted nay. The motion failed.

Ald. Soucy moved to accept items Y and Z, the reports of the Committee on Community Improvement Program. Ald. Shea duly seconded the motion. A roll call vote was taken. Ald. Soucy, Shea, Pariseau, Cashin, Wihby, Reiniger, Sysyn and Clancy voted yea. Ald. Domaingue, Robert, Hirschmann and Elise voted nay. The motion carried.

Reports of Committee on Community Improvement Program

- R.** Recommending that a request for proposal will be initiated relative to the land and property located at 88 Lowell Street.
- S.** Recommending that the Manchester Water Works, be authorized to purchase 6.9 to purchase 6.9 acres of land currently owned by Joseph and Irma Weiss, located off Tower Hill Road in Auburn, NH for the amount of \$5,000.00 subject to review and approval of the City Solicitor; and further that the Mayor be authorized to execute such documents as may be required.
- T.** Recommending that the Public Works Director be authorized to purchase two parcels of land to allow for reconstruction of Groveland Avenue subject to review and approval of the City Solicitor; and further that the Mayor be authorized to execute such documents as may be required.
- U.** Recommending that the 1996 CIP be amended by adding Manchester Challenge Grant - \$500,000 10/1/95 - 3/31/96, \$628,002 4/1/96 - 12/31/96 (Federal Department of Education) and for such purpose an amending resolution has been submitted.
- V.** Recommending that the 1996 CIP be amended by decreasing 1996 7.10217A Valley/Tarrytown/Massabesic Intersection Improvements - Sidewalks - \$20,000 CDBG and increasing 1996 7.10219 Municipal Infrastructure Improvements Project - \$20,000 CDBG (from \$475,000 to \$495,000) and for such purpose an amending resolution and budget authorizations have been submitted.
- W.** Recommending that the 1996 CIP be amended by adding 1994 4.10302 Manchester Housing and Redevelopment authority Undercover Officer - \$50,000 and for such purpose an amending resolution and budget authorization have been submitted.

- X.** Recommending that the 1995 CIP be amended by increasing 1995 2.20505 Youth Tobacco Use Prevention Program - from \$7,466.15 to \$17,466.15 - State of New Hampshire Division of Public Health Services and for such purpose an amending resolution and budget authorizations have been submitted.
- AA.** Recommending that the Manchester Economic Development Office be authorized to proceed with a Revolving Loan Fund proposal; and further the Committee wishes to note that one change was made to the proposal.

Ald. Elise stated the reason for her pulling the remaining Reports of the Committee on Community Improvement Program was because the consolidation of that particular Committee may not work to the extent that it would be beneficial to all Aldermen on the Board with respect to CIP, Lands & Buildings, Public Works, and Transportation noting the Committee controlled all of the projects and cash issues for the Board of Mayor and Aldermen noting as a policy of the Committee in sub-committee was where all of the work was done as far as intense presentations, etc. as well as having voting power and her experience with one item on the agenda which indirectly affected her ward brought it to mind; that there were five Aldermen which sat on the Committee noting there were seven who did not and thought if there was a question on the agenda then it needed to be researched in depth on their own time, so any type of voting or heavy discussion would have to be done at the full Board level unless the Committee were to be made a Committee of the Whole when CIP was in session; that it was basically an executive committee of the Board of Mayor and Aldermen making all of the preliminary decisions on projects and money for the Board and as it may have affected Ald. Hirschmann as he did not sit on the Committee or Ald. Soucy who had extensive drainage and sewerage issue did not sit on the Committee either or Ald. Sysyn who had a lot of inner-city issues was not a member as well as herself who dealt with a lot of sidewalk and road issues in Ward 2 noted she did not have initial advocating powers or voting powers on the Committee and one instant relative to item V which dealt with sidewalk projects there was a shifting of funding and because sidewalk issues were important to her ward she went and researched the issue as to how it would affect her and in researching the funding and the priority rating for sidewalks ran into a problem regarding the priority lists for the sidewalks for the City whereas in the past Mammoth Road sidewalks used to be second on the list for priorities and in a new listing that came out which she had requested found that Mammoth Road sidewalks were put down to a priority 4 level and in the new documents noting Frank Thomas had researched the case and found that was not the case in that Mammoth Road was still second on the list.

Mayor Wiczorek requested that Ald. Elise address the items before the Board because he thought it was an entirely different discussion if she was talking about the Committee structures and asked her what she wanted to do with the items before the Board.

Ald. Elise stated one of the items affected her ward specifically and because she did not sit on the Committee she had to research that one particular item and did run into

misinformation whereas she would want to pull the item and table it and then maybe prevent the project from going forward but that particular issue for her brought out the bigger issue that the CIP Committee the way it was now formulated may not enable all of the Aldermen to have access to the initial information.

Mayor Wieczorek reiterated that was a different discussion and asked Ald. Elise what she wished to do with those items she pulled from the agenda.

Ald. Elise reiterated for her it was not a different issue, it was the same issue and she had wanted to bring it to their attention in terms of the Committee and how it was structured may not serve the full Board and all of the Aldermen in the way that it was probably intended and thought the Committee should be relooked at in terms of its structure so that more Aldermen could have initial access to the information given at Committee level, have dialogue and have information and the decision-making process and have initial voting power versus taking a lot of time up at the full Board discussing individual items which may affect them.

Mayor Wieczorek stated they would then effectively be having two more Committees, ten more people noting it would not make any difference and if there was something that would impact on you or your ward no matter what Committee, you wouldn't sit on the three Committees so you would still have to have it taken off the agenda and could not see how that would be beneficial in any way.

Ald. Wihby stated if the sidewalk issue was the concern and in reference to item V because Valley/Tarrytown/Massabesic should not be done before what was done on the list he thought it was using CDBG funds noting those funds could not be used in the other areas.

Ald. Elise stated that was not the issue; that in terms of researching this issue she had to research how it would affect her and her ward and it brought home the point that she would have to research all of these items in detail to find out if they would affect her in her ward and in the past where the project issues such as CIP and a lot of the money issues in the Public Works Committee and on Lands & Buildings were broken up so that all of the Aldermen sat on either one of the Committees so they had initial access to the basic information and the presentation noting that in this particular instance only five Aldermen did and only five Aldermen had voting powers at the basic level.

Mayor Wieczorek asked Ald. Elise what she would do if she did not serve on the sidewalk committee.

Ald. Elise replied she would have done something similar.

Ald. Robert stated for a lot of the projects, a lot of the things they had to do there was really no money allocated to them and thought the Committee realized that and knew that the people who had sat on the Board the last term had an idea of what was in the budget and thought the Board might want to rethink the Committee structure noted it would be very difficult to make everybody happy with the little money they did have and had stressed to all of the department heads and staff involved that the competition for funds could get difficult and had asked them for all of the recommendations that need be the focal point and use what little money there was and fix those things which were in the worse shape and was unsure they would make everybody happy all of the time but if he could get a recommendation from a department head telling him that was the worse situation, something from Bob MacKenzie saying that was the only money they had whether it be federal money or City money and that would be their option and felt that was what had happened in this case and all he could do was to try and reassure the Board that they would review everything on that basis and do the best they could.

Ald. Shea agreed with Ald. Elise in the sense that the structure of the CIP Committee if it was not careful tended to exclude other members of the Aldermanic Board and thought that perhaps the Committee could find a way to inform the Aldermanic members as to possible agendas or possible items which might be planned as it was their concern that the CIP funds were allotted on the basis of priorities but one also could speak for ones constituents in terms of prioritizing different funding and thought that was a concern and in deference to the other people perhaps the Committee could formulate some policy wherein other members might be notified but thought if they could come up with a recommendation it would be helpful for those who felt in a sense left out.

Ald. Robert thought something which could be helpful for the whole Board would be where there used to be Community Improvement handbooks with the whole program all laid out and thought that perhaps as a start and particularly for the newer members something such as that could be put together again noting the practice had been stopped but that way it would give everybody a basis point so they would know what had already been planned, what would be coming down the pipeline, and they could proceed from there as he wanted to make sure that everyone had all of the information they needed as they developed policy.

Mayor Wieczorek in addressing Mr. MacKenzie asked if what Ald. Robert had discussed regarding the program book, he knew they would have that for the budget process.

Mr. MacKenzie stated they would be happy to put that together noting it would take a little time as they were in the throws of working on next year's CIP Program, but thought it was important that the Aldermen understood what was going on and would be happy to try and put that together either next year's proposed or the existing program and it had been contained in some form in last year's budget, but would actually be glad to put

together booklets with programs and were also hoping to put together some program guidelines or rehabilitate the existing guidelines and work with the Finance Department on some of the other issues like bonding guidelines noting it would take a few weeks to do.

On motion of Ald. Elise, duly seconded by Ald. Wihby, it was voted to accept the remaining reports (Items R, S, T, U, V, W, X, AA) of the Committee on Community Improvement Program.

On motion of Ald. Reiniger, duly seconded by Ald. Clancy, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Wieczorek called the meeting back to order.

OTHER BUSINESS

A report of the Committee on Finance was presented recommending that Resolutions:

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for the Manchester Challenge Grant."

"Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$20,000 for the 1996 CIP 7.10219 Municipal Infrastructure Improvement Project."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$50,000 for the 1996 4.10302 Manchester Housing and Redevelopment Undercover Officer."

"Amending the 1995 Community Improvement Program, authorizing and appropriating funds in the amount of \$17,466.15 for the 1995 CIP 2.20505 Youth Tobacco Use Prevention Project."

"Amending the 1994 and 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$450,000 for the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Fifty Thousand Dollars (\$450,000) from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center."

"Authorizing the Finance Officer to effect a transfer of Two Thousand Dollars (\$2,000) from Contingency to the Personnel Department's training line item account."

ought to pass.

Ald. Clancy to accept the report of the Finance Committee. Ald. Soucy duly seconded the motion. The motion carried with Ald. Domainque and Hirschmann duly recorded in opposition to Resolutions relative to project numbers 7.40372.

A second report of the Committee on Finance was presented recommending that Personnel Committee actions on agenda PC 1-96 be approved with the exception of A-21, A-23, and A-25.

On motion of Ald. Clancy, duly seconded by Ald. Hirschmann, it was voted to accept the second report of the Committee on Finance.

Brief presentation by Manchester Airport Authority relative to the Economic Impact Study of the Manchester Airport.

Mr. Duffy stated it was a pleasure on behalf of the members of the Airport Authority to present the Economic Impact Study noting the Airport had had a very significant impact upon Manchester, the Greater Manchester area, and the State of New Hampshire. They were presently undertaking a master plan which looked out over the next 20 years and thought it would be appropriate to do and document an economic impact that the Airport was having on the area not only in the present time but also over that period of time and requested Fred Testa to present a brief summary of some of the material covered in the report.

Mr. Testa stated he would take a ten minute presentation and turn it into two and indicated he wanted to point out several minor items in The Economic Impact Study which they forwarded to the Board. First, the Economic Impact Study methodology was very conservative noting he had been involved in other airport economic studies that used multipliers of sometimes two, two-and-half, sometimes three and this one did not; that it was an extremely conservative methodology in using economic impact, looking only at the direct impacts, some induced and some indirect but on a very small amount of numbers. The Airport had about a thousand employees who worked at the Airport who relied on the two runways being open, with over a \$21 million payroll that did not include the employees of Arms Textiles and Freudenberg and Safety First and Davidson Rubber, anybody who relied on the airport but only those who worked on airport property which relied on the two runways to be open. It also included the expenditures of on airport business and the expenditures of travelers who came into the area for a total direct economic impact in 1994 of \$170 million per year in this area. It also had forecasts in there toward the end which showed based upon a low-end forecast and a high-end forecast (1994, 2000, 2005, 2015) which was the 20-year range of the master plan and asked that they not look at the years but look at relative numbers of enplanements because that was their best guess as to when they'd happen as some things could happen that could either slow it down or increase the number so that the impact in 2000 could actually be here in 1998 or 2002 but based upon those numbers they could have an economic impact of anywhere between \$226 million and \$550 million a year over the next several years depending upon the level of use noting it had become a very significant economic engine, some of the interviews done with the local business people who were absolutely adamant that the airport, and wanted to say that when business locates or relocates new or existing plants much like the real estate agent would say relative to location, location, location the thing that new business looks at noting they

were constantly hosting new business groups for either the State Department of Resources and Economic Development, Jay Taylor and the Economic Development Office where they're looking for transportation, transportation, transportation.

Ald. Robert asked if Mr. Testa could put a finer pencil to the benefits to the tax base and to the employment of the area.

Mr. Testa in reference to page 18 noted it had been done by area (Manchester, Londonderry, Bedford, Nashua, and others) with actually the number of employees in each of the types of businesses and if divided by salaries (and they also gave gross payroll although they didn't like to say how much they paid) and if you divided the number of employees into that gross payroll you'd be able to tell the average salary. Cargo airlines which had become a real big issue at Manchester Airport had the biggest economic impact of any small group noting there were 280 employees in cargo alone at the Airport with total wages of almost \$7 million a year, and those were the towns and cities they came from (i.e., rental car companies, general aviation, governmental agencies, ground transportation). In looking at the kinds of expenditures one of the things they also did was monthly surveys by the University of New Hampshire which pointed out that travellers, the fastest growing segment of travellers at Manchester Airport over the past three years has been out-of-state and was not talking about Maine, Vermont, New Hampshire, or Massachusetts, but talking about out-of-area people choosing to use Manchester Airport to come into the area and when they did that they tended to rent a hotel room in the area whether it be in Manchester or in the surrounding area, tended to rent cars here, and tended to make this their base of operations, spend their meal money and if they bought gifts or did shopping it was used at the area they would noting that number alone had increased since 1992 100,000 passengers, so other people were discovering the benefits of coming into Manchester, covering the area whether it be sales and was also a good testimony as to the good influence of southern New Hampshire's business community, software, hardware, high tech kind of things and those areas growing very substantially.

Ald. Robert asked Mr. Testa if he could say what impact it has had on the tax base.

Mr. Testa replied they saw that there was \$610,000 paid in local taxes plus another \$350,000 of businesses that were located on Airport property for about a million dollars in property taxes but it did not quantify things like Lockheed Air Center which was an empty building when Lockheed moved out and since that time Lockheed Air Center which did pay taxes to the City of Manchester had now started to fill up and knew that New Hampshire Freight and several other companies and CSA (Computer Services of America) had a manufacturing facility for computers just applied to the U. S. Customs Office for the start up for the Foreign Trade Zone which would be the first time the Foreign Trade Zone in this State had been activated and wanted to activate that and

operate a facility for a lot of other people using foreign trade zones in and out for duty free noting there would be a need for employees. The building of new hangars on the Manchester side and the indirect kinds of property taxes in that they had the highest number of employees almost 50 percent living in Manchester noting they worked and paid property taxes in the area and thought that was the kind of impact the Airport had in the local area.

Ald. Domaingue stated she had a question relative to Business Express which was listed as a regional carrier and whether or not their current status in bankruptcy would have any impact on the Airport's finances itself primarily because she was asked the question on a regular basis following the news reports as to whether or not the Airport's finances would be affected by the bankruptcy of Business Express and asked if they owed the City any money.

Mr. Testa replied, yes and no. Yes, they would have an impact on the short-term noting they were currently up-to-date with all of their bills but they had a bill of about \$35,000 a month with the Airport including landing fees, rentals, and space rentals and were up-to-date when they had bankruptcy forced upon them in the middle of January they only owned December which was normal and since the bankruptcy was filed on the 23rd anything pre-petitioned which meant anything also in January which they had not yet been billed for was also held in abeyance noted it came to about \$70,000 but had paid the Airport and were now paying them up-to-date since the 23rd of January. Their leases had a clause in it if in case Business Express went into Chapter 7 or that the trustees in bankruptcy determine that they would only pay them 20 cents on the dollar, every penny they lose had to be made up by lease by all of the rest of the airlines noting they had already gone through this with Precision Airlines. When they first came on Board they foresaw that possibility with smaller airlines and asked would it affect passenger service, they had already been in contact with two major airlines lining up replacement service if, in case, Business Express did disappear.

Communication from Kathleen N. Sullivan, Secretary, Charter Commission, submitting a proposed budget in the amount of \$27,350.00.

Mayor Wiczorek asked what exactly was the Commission Coordinator position.

Ms. Toni Pappas, Chair of the Charter Commission, replied it should probably be called a Commission Consultant, someone who would help the Commission focus on how they would go about drafting if, in fact, they decided to make changes in the Charter, so it was more of a person to help them with the drafting of the Charter and to do research for the Commission.

Ald. Soucy asked if they could address the difference between the legal services, Commission Coordinator, and secretarial services noting they were three separate lines and asked if they were intending on having three separate individuals and asked to explain why.

Ms. Pappas replied the Commission would need to have outside legal counsel but were not sure how much they would need, but while the City Solicitor's Office had agreed to help them as much as possible it was felt that there would still be situations where they would need outside legal counsel. The secretarial services would cover basically all of the recording of their minutes which was a figure that Deputy City Clerk Johnson had estimated would be needed.

Ald. Hirschmann asked Solicitor Clark if he had any input for the Board relative to the \$4,000 request for legal expenses.

Solicitor Clark stated he had met with the Charter Commission this evening at 5:30 and had offered the services of his department to the extent that they were able to give them legal advice, however, he did feel that they should have the ability to have some independent legal advice noting he was Counsel for the City of Manchester, the corporation and to the extent that the Commission might be doing something that the Board did not agree with he would be the City's lawyer, not theirs so they should have the ability to have some type of independent legal advice.

Ms. Sullivan added the Commission would also need to have independent legal counsel certify the proposed revised Charter if, in fact, there was a proposed revised Charter it had to be certified by someone other than the Solicitor's Office.

Ald. Wihby asked where the monies would come from.

Mayor Wieczorek replied it would have to come out of the Contingency fund noting there was \$170,000 remaining, however, they had taken out \$10,000 this evening for a total of \$160,000.

Ald. Shea in addressing Ms. Sullivan asked if that amount would be sufficient or would they need an extra appropriation.

Ms. Sullivan replied that was their best guesstimate noting that Toni Pappas, Bob Baines as well as herself had met with Leo Bernier and other members of the City Clerk's Office and had also talked with other individuals who had been involved with the Charter 15 years ago noting they had also reviewed the old budget and hoped that amount would be

sufficient and hoped they wouldn't have to spend it all, but were trying to be realistic and cognizant of both the City's needs and their needs also.

Ald. Wihby suggested they do some of the funding now and some in the budget for the next year.

Ms. Sullivan stated the schedule was such that the Commission needed to file a preliminary report by July 21st which would go to the Board and submitted to various agencies and if there was a proposed revised Charter it would then have to go on the ballot in the November election, so they were on a very short time frame which was why they might not spend all of the money but on the other hand in order for them to do an adequate job within the constraints of the time they had they'd need some outside help because they would not have the time to do it all themselves, unfortunately.

Ald. Wihby stated if they were going to put in \$27,000 and they didn't spend it all, come July 1st they wouldn't have any money and couldn't use the \$27,000.

Mr. Clougherty stated his office had been asked to look into what the prior year's spending had been with such report being forwarded to the Commission which served as the basis of their budget and as the Commission members had stated it was a very front-end intensive process and it would be their understanding that most of the money would be encumbered by the end of the year, as there would be a contract for legal services, or a contract for secretarial services or things along those lines so that the appropriation given at this point would be carried into the next year because of those encumbrances to cover those things related to this year and in the event they'd get closer to the budget process and there was some need to do some adjustments and do appropriations it would be included as part of next year's budget and as he understood it this was their best estimate given prior experience at this point in time and it would be their intent that it be funded out of Contingency.

Ald. Reiniger inquired as to the amount of \$1,500 for rent.

Ms. Pappas replied the space the Commission was looking at was next door in the Bell Building on the 3rd floor, which included phones, xerox, fax machines noting it was all set up and ready to go and had a conference room and was accessible to the disabled and offered good public access.

Ald. Reiniger noted the District Court space next door in the Annex would be opening up next month.

Mayor Wieczorek noted a lot of their work was being done now.

Ald. Domaingue asked Mr. Clougherty if he could tell the Board what the prior experience amount had been.

Mr. Clougherty believed it was about \$21,000-\$22,000 in 1981 noting there was a similar breakdown and they not only had looked at the line items but also looked at the drawdown in terms of the pattern and found that it was something that was frontended and was very intensive and the intent was to try and provide them with sufficient resources and the flexibility to be able to carry out the job within the time frame and if they got other options down the road in terms of space certainly the Commission would take advantage of it and would make adjustments as may be necessary.

On motion of Ald. Cashin, duly seconded by Ald. Pariseau, it was voted to authorize the budget as submitted for the Charter Review Commission in the amount of \$27,350.00 from Contingency.

Resolutions:

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for the Manchester Challenge Grant."

"Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$20,000 for the 1996 CIP 7.10219 Municipal Infrastructure Improvement Project."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$50,000 for the 1996 4.10302 Manchester Housing and Redevelopment Undercover Officer."

"Amending the 1995 Community Improvement Program, authorizing and appropriating funds in the amount of \$17,466.15 for the 1995 CIP 2.20505 Youth Tobacco Use Prevention Project."

"Amending the 1994 and 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$450,000 for the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Fifty Thousand Dollars (\$450,000) from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.40372 Residential Solid Waste Drop Off Center."

"Authorizing the Finance Officer to effect a transfer of Two Thousand Dollars (\$2,000) from Contingency to the Personnel Department's training line item account."

On motion of Ald. Soucy, duly seconded by Ald. Reiniger, it was voted that the Resolutions be read by the titles only, and it was so done.

Ald. Soucy moved that the Resolutions pass and be Enrolled. Ald. Pariseau duly seconded the motion. The motion carried with Ald. Domaingue and Hirschmann duly recorded in opposition to Resolutions relative to project numbers 7.40372.

Confirmation of nomination of Calvin Cramer to sit as an Alternate on the Zoning Board of Adjustment.

On motion of Ald. Reiniger, duly seconded by Ald. Pariseau, it was voted to confirm the nomination of Calvin Cramer to sit as an Alternate on the Zoning Board of Adjustment.

Confirmation of nomination of Fred E. Harris to succeed George Lindh as a member of the Parks, Recreation, & Cemetery Commission, term expiring July 7, 1997.

On motion of Ald. Sysyn, duly seconded by Ald. Pariseau, it was voted to confirm the nomination of Fred E. Harris to succeed George Lindh as a member of the Parks, Recreation, & Cemetery Commission, term to expire July 7, 1997.

Confirmation of nomination of Michael Cunningham to succeed Jack Rice as a member of the Piscataquog River Local Advisory Committee.

On motion of Ald. Robert, duly seconded by Ald. Wihby, it was voted to confirm the nomination of Michael Cunningham to succeed Jack Rice as a member of the Piscataquog River Local Advisory Committee.

Confirmation of nomination of Patrick Duffy to succeed himself as a member of the Airport Authority, term expiring March 1, 2001.

On motion of Ald. Reiniger, duly seconded by Ald. Domaingue, it was voted to confirm the nomination of Patrick Duffy to succeed himself as a member of the Airport Authority, term to expire March 1, 2001.

Report of the Committee on Personnel recommending approval of Item A-23. Approved the Personnel Policy proposal to include approving the concept that the Personnel Director and Mayor approve regularly budgeted positions. The Personnel Director will provide periodic reports to the Personnel Committee and Board of Aldermen on the positions that are filled. The Personnel Committee would continue to be responsible to approve reorganizations, reclassification, grade changes and any other policies relating to employees.

Approved the concept that department heads could employ temporary employees up to five days without prior approval after which the approval of the Personnel Director and the Mayor would be required.

Approved the concept that approval of non-resident employees shall not be required. Department heads shall be required to continue to recognize the employment of City of Manchester residents. The Personnel Director is to periodically remind Department Heads of this requirement.

Ald. Robert moved to approve the Report of the Committee on Personnel. Ald. Reiniger duly seconded the motion.

Ald. Wihby in reference to the first part of the report asked about during budget deliberations wouldn't the Board be giving that up by allowing them to fill positions.

Mayor Wieczorek noted it would still have to go to the Mayor.

Ald. Robert stated anyone who sat on the Personnel Committee in the past knew that there were a lot of reclassification work that had not yet been done or was being accomplished very slowly noting there was a Personnel Ordinance which had its major problems but they had to focus in on it noting it had been his intent to have the Personnel Director not focus on preparing so often, so much for the next meeting because doing those things for those meetings took him about 2 1/2 days or so and would rather have him spend his time on getting things done to make the Personnel structure fair and just to make it work and he had confidence in this Mayor and his staff to handle the duties and the obligations and responsibilities which would be delegated to him and looked forward to reviewing those items he had mentioned as he wanted to spend his time in Personnel reviewing those issues.

Ald. Hirschmann also approved of giving the Mayor the power to fill positions and thought it would be expedient and the Personnel Committee would not get in the way of running the City although he had dissented on the residency requirement thought they should try to retain City people to work here.

Ald. Cashin believed Ald. Elise had commented on the combination of certain committees and how she felt she was giving up some of her authority or losing some and felt what they were doing was giving up more of their authority and he personally did not want to see that happen and would, therefore, not support it.

Ald. Robert in reference to the residency requirement stated in the lower level positions, unskilled positions Manchester residents were always right there but anybody who may have served on the Personnel Committee with respect to the higher skilled positions sometimes could not get people who lived within the City of Manchester to even apply and in looking at it in another way especially for some of the more critical positions sometimes they had to have the best person they could get to be in that position so they could serve the people as best as they could as the people deserved good people in good positions.

Ald. Domaingue as a member of the Committee was also concerned with giving up their power to an extent and would agree with Ald. Wihby, however, it was brought to her attention that during the budget process those positions are brought before the Board for the coming year as to what the department's need on their staff and at that time would be an opportunity for them to question the need for those positions and whether or not there was financing to support that need, so she had no problem because it always included the fact that if there was any restructuring or any pay increase that would automatically go back to the Committee and thought the people would want the Board to do that.

Ald. Soucy stated as the Aldermanic representative to the Total Quality Management Team which was a group of the department heads who had elected certain members to represent them that those recommendations had come from the Total Quality Management Team and their feelings were the same as Ald. Domaingue's in that it was the power of the purse strings that the Board had and that department heads were hired because of their management skill and because the Board believed they were competent and could oversee their department and when the Board sets up the budget, the Board had the authority to grant the number of positions and if the position is established, it's an established position because the Board feels it's needed so another set of hoops for them to go through they felt was unnecessary and with regard to the residency requirement, the problems that the department heads have had with that requirement was not in trying to keep with it because it was the intent of every department to hire Manchester people, the problem was that the City could be sued because it was unconstitutional and couldn't enforce such a policy if they were ever challenged in court.

Ald. Wihby stated even though during the budget process they funded the positions, they had come back a number of times to the Board making cuts and almost did it a month ago when they thought they were going to have problems, so to say that just because they're funded we're going to allow it to happen he thought they would lose controls with it noting he had sat on Personnel where a lot of times it made sense in Committee to have something passed but yet sometimes the Mayor felt it wasn't, there were certain departments which might be looked over because the Mayor was upset or whatever and would come back saying to the Committee, don't do it and the Committee would still look at it and it would still be voted in but now that step would be gone, the Aldermen would not have any say as to whether or not they would fill it or not fill it and realized it perhaps speeded up the process but thought that was what the Personnel Committee was about and would be taking away half of their work and it didn't make sense on reclassifications. They'd tell Hugh Moran to go out and sit down and reevaluate someone's position, he'd do it and would come back and says you're right that person deserves more money and then it's voted down anyway and it didn't make any sense and those were the types of things where if he went out and it was deemed that somebody's job was different or doing more they should be okay but if he didn't go out and do the study it shouldn't be okay but that was something they would spend time on in Committee when he'd already done a study on it, it didn't make sense and asked why didn't those go through also and other thing should go through also, but thought that was part of the Committee and those were the types of things the Aldermen liked to do and were able to save the money in there during that time frame noting it always went to the Mayor before it went to the Committee with the Mayor's recommendation so it wasn't as though there was never any input from the Mayor and felt the Aldermen were giving up too much authority.

Ald. Reiniger stated as Chairman of the Personnel Committee noting he had also served on the Committee during his last term felt it was an excellent recommendation from the

Personnel Director and the Total Quality Management Team and thought there was a huge area of saving money by looking at reclassifying positions and modernizing the whole Personnel system noting that move would free up the Committee to spend the time in the areas where it should be spending time and supported the policy change.

Ald. Wihby asked if the Mayor said yes would there be opportunity for the Aldermen to say no.

Ald. Cashin noted if the Mayor said yes, that was it.

Ald. Wihby noted if the Mayor said yes, it was yes and if the Aldermen said no, it was no and the Aldermen could not overrule the Mayor in any way or vice versa.

Ald. Cashin noted that would be the way it would be.

Ald. Domaingue stated wasn't it a fact that the Board got its input during budget time as to the number of positions and the need for those positions and asked if they weren't suppose to be allowing department managers to manage so they could be held accountable rather than trying to second guess them or trying to run those departments around them and felt strongly about it and in order for the Board to hold those department managers accountable they had to let them do their jobs.

Ald. Robert stated because of the time constraints placed upon the Director of Personnel to get things done change had to be, he had to focus on other things and if the work of the Personnel Committee was to focus on policy something had to give someplace and reiterated he had all of the confidence in the Mayor for this term, the Board next time would not have to abide by those rules.

Ald. Wihby asked why it couldn't be done the way it was, if it was to not have it go to Personnel and take the work away from Hugh Moran that was fine but why couldn't it still go to the Board after the Mayor would say yes or not so the Board could okay it or not and could not understand noting it was not causing any more work in Personnel.

Ald. Hirschmann stated the last agenda which had 27 items took them three hours and went past eleven o'clock at night.

A roll call vote was taken on the motion to accept the report. Ald. Cashin, Wihby, Elise, Clancy and Pariseau voted nay. Ald. Robert, Hirschmann, Reiniger, Sysyn, Soucy, Shea and Domaingue voted yea. The motion carried.

Report of the Committee on Personnel regarding Item A-25, reflecting approval of the provisions of the Parks and Recreation/Cemetery reorganization plan

except that an Accountant I shall be substituted for the proposed Business Service Officer I.

On motion of Ald. Robert, duly seconded by Ald. Reiniger, it was voted to approve the second report of the Committee on Personnel. There being none opposed, the motion carried.

Report of the Committee on Personnel regarding Item A-25, reflecting referral of the issue of the Parks and Recreation/Cemetery Director's grade change (Grade 30 to Grade 32) to the Board of Mayor and Aldermen without recommendation.

Ald. Reiniger wished to make two points to clarify that this was not a request made by the Department Director, Mr. Ludwig, but rather a request from the Commission and secondly, asked that it be sent back to the Committee on Personnel for further review.

On motion of Ald. Reiniger, duly seconded by Ald. Elise, it was voted to refer the third report of the Committee back to the Committee on Personnel.

NEW BUSINESS

Ald. Soucy stated she had requested a constituent to send her a letter following concerns he had expressed to her relative to the Impact Fee Ordinance which had recently gone into effect and asked that it be read into the record and moved that it be sent to Committee.

The Clerk read the following communication into the record as follows:

Dear Ms. Soucy:

Per our phone conversation on February 8, 1996 I am sending you this letter to explain my complaint.

I have been a homeowner (taxpayer) in this ward since 1985. I currently live at 13 Phinney Avenue, Manchester, New Hampshire, 03109.

In 1992 I purchase a piece of land to build on in Deerfield, New Hampshire, but decided to sell the land in Deerfield in 1995. I then purchased a piece of land in October of 1995. The land is 1301 Island Pond Road in Manchester, NH (tax map #823 5-2).

This piece of land was subdivided in 1990 by Paul & Joan Steckowych. They subdivided their house lot into 3 pieces, lot #823-5 (their home), lot #823-5-1 and lot #823-5-2.

In the beginning of February 1996 I was gathering information to see what it took to obtain a building permit. When I went to the Building Department and asked how much the permit was going to be I was told there were "impact fees" of \$1,632.00 for school and \$190.00 for fire. I find these fees unfair and outrageous.

Why should I be required to pay "impact fees" when I have been living in the same neighborhood and paying property taxes since 1985? This building lot I purchased has been approved since 1990.

Also, in the same subdivision lot #823-5-1 was built in 1994 and didn't require any "impact fees". Why would one have to pay it when they were both subdivided in 1990? Taxes on these properties have been paid since 1990 as SINGLE BUILDING LOTS!!!!

If you have any questions, please call me at 624-0644. I would appreciate hearing from you soon.

Sincerely,
s/Raymond A. Labore

Ald. Soucy stated she was very concerned when the property owner called her and although she had supported the concept of impact fees for major developments and subdivisions occurring, it was not her understanding that when the act went into effect a lot that was already subdivided would be impacted this greatly and thought it was very unfair in this instance and felt they needed to revisit the impact fee ordinance and moved that Mr. Labore's communication be referred to the Committee on Bills on Second Reading. Ald. Shea duly seconded the motion. There being none opposed, the motion carried.

Mayor Wieczorek stated he would recess the meeting to meet with the Chief Negotiator.

Ald. Pariseau noted the item was not on the agenda and this had occurred at the last meeting.

Mayor Wieczorek stated it would not happen again as he had talked with Mr. Hodgen about it today.

Ald. Domaingue stated the Board did not have the materials needed for the non-public sessions.

Solicitor Clark stated the meeting was being recessed and was not a public meeting and it could be done any time they wished to meet with the Negotiator.

There being no further business to come before the Board of Mayor and Aldermen, on motion of Ald. Wihby, duly seconded by Ald. Cashin, it was voted to adjourn.

A True Record. Attest

City Clerk