

**SPECIAL MEETING  
BOARD OF MAYOR AND ALDERMEN  
(PUBLIC PARTICIPATION)**

**June 4, 1996**

**7:00 PM**

Mayor Wieczorek called the meeting to order.

Mayor Wieczorek called for the Pledge of Allegiance, this function being led by Alderman Robert.

A moment of silent prayer was observed.

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

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

Mayor Wieczorek advised that the purpose of the special meeting was to give residents of Manchester the opportunity to address the Board on items of concern affecting the community; that each person would be given only one opportunity to speak and any comments shall be limited to two minutes to allow all participants the opportunity to speak and any comments must be directed to the chair.

Mayor Wieczorek requested that any resident wishing to speak should come forward to the nearest microphone, clearly state their name and address when recognized, and give their comments.

Walter A. Stiles, 226 Sagamore Street, Manchester, NH, (Re: City Hall), stated:

It's a pleasure to be here tonight, I haven't been here for quite a while and I'm sure you're very happy that I haven't been. However, I have several concerns but the only concern that I really want to talk about tonight is the concern which lies right outside of this building and that is that I understand we are going to be redoing, repaving Elm Street here in Manchester, but underneath the pavement that it out there now you may or may not know the granite cobblestones that were here many, many, many years ago and so, I am concerned that we might just pave over thee cobblestones rather than expose them. These cobblestones should be exposed out here at the corner of Hanover and Elm in front of City Hall itself. It'll be a wonderful aesthetic contribution to the whole area. You can imagine these granite cobblestones and your brick and stone building here and the brick sidewalks and so on and so forth. So, it'll make the area very eye appealing and will do nothing but enhance Downtown Manchester and City Hall itself. So, hopefully, and I think it will probably happen. Hopefully, these stones will be exposed and we'll all be the happier for it. Now, the only other thing is, I would like to make a comment that everybody be exposed to the fund raising efforts that we have for restoring City Hall here in Manchester and so I'd like to have those of you who are not aware of it, I'd like to have you pay attention to this address right here and send your contributions, large or small, to the City Hall Restoration, Manchester, NH, P. O. Box

3777. If you forget the post office box you really shouldn't because there are three 7's in the post office box number. So, just send in your money, a dollar, ten dollars, a thousand dollars, whatever you can afford and our goal is \$600,000. If we go over, hopefully, we will go over and if we go over we intend to set aside that extra money that won't be needed as a fund for restoration and maintenance efforts here in the City Hall building and it will be administered by probably, hopefully the Manchester Historical Association. Thank you much, folks.

Mayor Wieczorek asked what the zip code was.

Mr. Stiles replied the zip code was 03105.

Gwen Golden, 85 Oak Street, Manchester, NH, (Re: City Parks), stated:

I've lived here for quite a few years in the north end and as a long-time resident I've observed the increasing deterioration of Oak Park. Instead of a place where families can enjoy the fresh air and relax and read a book the park has become a refuge for dogs and their droppings. On April 4th of this year, I notified the Board of Health of our concerns and requested an on-site inspection of the park and we understand that the Board found the park to be a health hazard due to widespread droppings and reported their findings to Mr. Socha at the Manchester Recreation Department. Several attempts were made by me to the Parks and Recreation regarding the upkeep of the park also. Due to lack of manpower and funds was the reason given that the City of Manchester...where given our parks have been neglected over the years. The City of Manchester has a leash law as well as an ordinance that requires all pet owners to act responsible and clean up after their animals. Enforcing the law is why we, the residents of the north end are here and are asking for your help in support in getting back our parks. As concerned taxpayers/ citizens of the City, we feel that we have done as much as we can for this problem. We're asking for additional signs be posted at appropriate entrances as well as proper maintenance. The City expects us to keep our lawns and sidewalks clear. We can expect the City to act accordingly. On April 13th, I sent out a petition with 150 signatures to Francoise Elise, our Alderman in Ward 2. We had a really good response. Officer Dydo has approached people and pet owners to educate them about the ordinances. He has become visible and people are more aware of the fines, but they don't comply with the ordinance. But, as concerned citizens we share, we should be able to file a complaint to an Animal Control Officer or a Police Officer or, I think we should either raise the fines and maybe the offenders will get the point. As it stands now, there are only two Animal Control Officers in this City and I think something should be done. We're all concerned citizens, we're counting on your support and prompt attention to this matter. Thank you.

Atty. Robert S. Stephen (Re: Charity Monte Carlos), stated:

I represent 61 Canal Inc. also known as The Stardust Room. Here with me tonight is Peter Poulos from The Stardust Room and he'll speak after me. I believe each of you have a copy of my letter so I'll just try to highlight some of my major points. The Stardust Room is an upscale banquet facility on Canal Street here in Manchester. It has been approached by a number of charities interested in running Monte

Carlo nights in order to raise funds for these charities. Some of these charities that have approached The Stardust Room are Make-A-Wish, New Hampshire Aids Foundation, and various little leagues in southern New Hampshire. The Attorney General's Office, the procedure is that the Attorney General's Office must first issue what's called a Certificate of Authorization to solicit and what this does, in effect, is recognize the legitimacy of the charity and that's been done in all cases of charities who have applied to hold a Monte Carlo night. At that point, after the charity is given the green light so to speak from the Attorney General's Office the statute on point for games of chance 287-D requires that the Chief of Police issue a license for all games of chance after he finds that the requirements of the statute are met and that is where these charities are running into a snag with the Chief of Police. It is Deputy Chief Mark Driscoll's opinion and I respect Deputy Chief Driscoll but we just have a difference of opinion on the statute. It is his opinion that the statute requires for the charities to not only run the event, to be there and to supervise the event of the Monte Carlo night, but also to run every single table, to deal the cards, to run the craps tables and roulette tables, whatever tables are there. It's our position that this interpretation doesn't make any sense. First of all, many charities don't have enough members, I know Make-a-Wish Foundation had one full-time member, so an organization like that could never have a Monte Carlo night because they'd never have enough members to run all the tables. The other problem is, I certainly don't know to deal blackjack or run a craps table and I would imagine that a lot of members of different charities don't know how to do that either. So, to require them to actually run the tables, I believe is an unreasonable interpretation under the statute. It's our opinion that the intent of the statute is to avoid the promotion of illegal gambling, but it is to encourage charities to raise funds and that's exactly what's going on here. These charities are trying to raise some funds through Monte Carlo nights. It's put on professionally, the wages are limited and the large percentage of all revenues go to the charities. So, we're trying to find a way for the City to send a message that these charities are encouraged to raise funds because it's essential to their existence. We tried to reach a compromise with the Police where we would make all of the people who are dealing the cards members of the charity, so that even under Deputy Driscoll's opinion of the statute, we would make them members, they would sign a volunteer form, they would disclose all kinds of information and they'd become members, but he still wouldn't grant the licenses so you have a lot of charities now who can't run Monte Carlo nights, so we're just here to ask the City to recognize that this is a permissible event, that anything should be done to encourage these Monte Carlo nights so that these charities can raise some funds. It's done in other cities, it's done in Laconia, Nashua, Portsmouth and upon information and belief the individuals dealing the cards in those cities, in those entities are not members of the charity. As long as the charity runs the event, supervises it, and organizes it, it shouldn't matter that they're not dealing the cards, so that's the dispute and we would just like to ask that you vote in a way that sends a message that the charities are allowed to do this because otherwise we're at a stand still and we have to go to court. So, thank you for your time and consideration.

Pete Poulos, 51 Little Brook Way, Manchester, NH, (Re: Charity Monte Carlos - Stardust), stated:  
I represent The Stardust Room, 61 Canal Street, Inc. and I just want to add a little bit to what our attorney just said. When we got this idea to do it, we got it because some of the charities were renting

equipment from me and they were saying gee, can't you people do it, they do it in Nashua, they're booked a year-and-a-half in advance. In Nashua they do it Thursday, Friday, Saturday, and Sunday nights and then Laconia does it, and Portsmouth, they do it, they have a fund raising organization. So, we decided we'd try to do it so we approached the Attorney General and said what do we need to do to this thing. So, they told us this is what you need, these are the forms that we have to fill out with the Attorney General's Office, what I have here. You have to get Internal Revenue forms stating that the charity is, in fact, a non-profit organization and have a number. We have to get a Certificate of Good Standing from the Secretary of State that the charity is a charity and has been in good standing for at least two years and then we have this notice of contract and solicitation that goes to the Attorney General's that's three pages long and we submit this to the Attorney General and they finally give us a Certificate of Authorization, so that these events can go on and then we got to the Chief of Police or the Police Department for the game of chance application and all of these things have to be looked at by the Attorney General and finally we get this notice and at that point in time, we go to the Police for their authorization and, of course, to hire an officer that has to be there for every one of those charities. At the end of the charitable function, we have to make a profit and loss statement to the Attorney General, a copy going to the Police, and a copy going to us. Our employees have to have Workmen's Comp, they have to be registered with the Attorney General. This is something that we went through all this paper work thinking that this is fine, everybody else...or I shouldn't say it that way that everybody else is doing it, so should we, but this is a successful type of operation in other cities and where we have the equipment to begin with which we've had for the last 12 years and we rent it and we have the room to do it in. And, our stalemate of course is that the Chief interprets the RSA and that their people should run all the games of chance. This is a problem, this is a problem with the charities. When they go to Nashua, Laconia, Portsmouth, I forget the name of the other town that does it all the time, they don't have to do it because they can't get the members to do it. Whenever I rent equipment, I have to go out and try to train the members. I've trained some of their people when I rent them the equipment and you see all kinds of things happening here. You have people saying who won, did I win or did you lose, nobody knows what's going on. Anyway, this is our plight and we're bringing this to the fore to see what can be done. I want to thank you.

Alderman Cashin stated, Mr. Poulos, if you don't do this are you telling us that the charities can't raise the money because they don't have the people to run these things.

Mr. Poulos replied, no; that there are charities that have people to run them but usually what happens is the last one I ran they had 8 blackjack tables or whatever their logistics were. Only about half of their people showed up, so they had no people to deal anything at their tables.

Alderman Cashin stated so, they can't raise the funds unless you people help them, is that basically what you're saying and we're cutting down in CIP, your Honor, we're not doing what we used to do, I really don't see anything wrong with this.

Alderman Wihby asked is this something new and just got denied and you've been doing it up until a certain time.

Mr. Poulos replied, no, we haven't been doing it, we just began doing this. We used to rent the equipment to people. They'd come in, they'd rent the equipment, we'd bring it to someplace (Concord, Hooksett, wherever).

Alderman Wihby stated so, since you've changed they've stopped you from doing it.

Mr. Poulos stated what we try to do is every...we were trying to do it at our own function hall so that it would become like an every Friday night thing for this charity and consequently what would happen is you would develop a core of people who would come may 50, 60 people and then whoever the charity brought in would be in addition to that and the charity could end up doing...

Alderman Wihby asked doesn't the Police Department have the same type of thing, do you rent the equipment to them.

Mr. Poulos replied, yes, I have in the past.

Alderman Wihby asked do their own officers deal.

Mr. Poulos replied, no, they didn't in this particular circumstance, we did, it was a big bust anyway.

Alderman Wihby stated in that case they allowed you to deal for the Police officers but not for charities, is that true.

Mr. Poulos replied, yes, back then.

Alderman Elise stated I know this is an item we will be discussing on the agenda, so maybe if these gentlemen could stay we could have a full discussion about it including the Police Department.

Alderman Clancy asked how many of these Monte Carlos would you run a year for say Make-a-Wish Foundation.

Mr. Poulos replied, they're limited to 10 a year. They usually sign up for five to ten because the bottom line is and the reason they like to go to places like in Nashua, Laconia, and Portsmouth is that they guarantee you they can't take a loss. Assume you had it this Friday night and God forbid there was a snow storm and nobody showed up all of the people there have to get paid, the room has to get paid, well, they don't have to pay anything. They cannot suffer a loss.

Alderman Clancy stated they are all for charities, right.

Mr. Poulos replied, absolutely, they have to go through the Attorney General's for approval.

Alderman Pariseau asked are you proposing that The Stardust Ballroom or whatever will become a professional gambling place where if I belong to Make-a-Wish Foundation I would write to you to have you sponsor a Monte Carlo night.

Mr. Poulos replied, I can't sponsor them, they have to. They could rent our hall to run it, there's no percentage, it's a flat fee developed through the Attorney General's through a contract.

On motion of Alderman Soucy, duly seconded by Alderman Pariseau, it was voted to take all comments under advisement and to receive and file any written documentation presented.

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

A True Record. Attest.

City Clerk