

## BOARD OF MAYOR AND ALDERMEN

July 2, 1996

7:30 PM

Mayor Wieczorek called the meeting to order.

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

**Present:** Aldermen Elise, Reiniger, Sysyn, Clancy, Soucy, Shea, Domaingue, Pariseau, Cashin, Robert, Hirschmann

**Absent:** Alderman Wihby

Mayor Wieczorek recessed the meeting to allow participants from the public forum to exit prior to the start of the regular meeting of the Board.

Mayor Wieczorek called the meeting back to order.

### **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.

### **Minutes Accepted**

- A. Minutes of meetings held August 29, 1995 (two meetings); September 5, 1995 (two meetings); October 3, 1995 (two meetings); October 17, 1995; October 23, 1995; and October 30, 1995.

### **Informational to be Received and Filed**

- B. Communications from Manchester Airport Authority submitting minutes of their April 18, 1996 and May 20, 1996 meetings.
- C. Communication from Manchester Transit Authority submitting minutes of their April 30, 1996 meeting and the Finance and Ridership Reports for the months of April and May 1996.
- D. Communication from Randy Sherman, Deputy Finance Officer, submitting a copy of a recent article on the NHPUC Pilot Program wishing to bring to the Board's attention the ad displayed on page two.
- F. Communication from Ronald Gebo, relative to the contract issue between the City and Police unions.
- H. Communication from Executive Councilor Earl A. Rinker, III, advising of items addressed at the May 22, 1996 meeting of the Governor and Executive Council.

## **REFERRALS TO COMMITTEES**

### **COMMITTEE ON ACCOUNTS, ENROLLMENT, & REVENUE ADMINISTRATION**

- I.** Communication from Alderman Reiniger requesting the reexamination of the City's policy of charging Housing Code inspection fees of \$25.00 per dwelling/rooming unit to ensure a more equitable result.
- J.** Communication from Alderman Pariseau recommending the City exercise its right to review all payments in lieu of tax arrangements currently in place and suggesting that the Board designate the Committee on Accounts, Enrollment, and Revenue Administration as the group to review current arrangements and, if appropriate, renegotiate and make recommendations back to the Board.

### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- K.** Communication from Leo Bernier, City Clerk, submitting an amendment to Sec. 17 3/4-7. Departments authorized to issue citations and seeking the Board's approval that such authority be granted to the City Clerk's Office.
- L.** Communication from Deputy City Clerk Bergeron and Assistant City Solicitor Arnold submitting recommended changes to Chapter 27. Weights and Measures.
- M.** Communication from Julien Olivier, Francofest '96, requesting permission to place several banners in public places of the City to include at least one banner across a Downtown street.

### **COMMITTEE ON BILLS ON SECOND READING**

- N.** Ordinance:  

"Amending Sections 18-24 and 25 (Police Crime Analyst and Public Health Translator/HIV Specialist) of the Code of Ordinances of the City of Manchester."
- O.** Communication from the Director of Planning, submitting proposed changes to the Zoning Ordinance relative to limiting parking lots for business uses within residential zones.
- P.** Communication from Aurore Eaton, Local History Tours & Talks, advising of her support of the Heritage Commission Ordinance.

### **COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM**

- Q.** Communication from Alderman Reiniger requesting that the City's policy regarding the payment of repairs to sewer lines be reviewed by the CIP Committee for possible changes.
- R.** Communication from Leo Bernier, City Clerk, requesting the placement of a light fixture/sign on the fascia of City Hall seeking contributors to help with the restoration of City Hall.
- S.** Communication from Deputy City Clerk Bergeron and Assistant Solicitor Arnold, regarding potential changes to Section 7 1/2(b) relating to Assessment and Collection of Taxes in Central Business Service Districts.
- T.** Communication from Deputy City Clerk Bergeron and Assistant Solicitor Arnold

submitting proposed revisions to Section 26-19 Discontinuing Service of Nonpayment of the Code of Ordinances of the City of Manchester.

- U. Communication from Deputy City Clerk Bergeron and Assistant Solicitor Arnold submitting proposed revisions to Chapter 21A, Sewer Use Ordinance of the Code of Ordinances of the City of Manchester.
- V. Communication from Leonard Bernard, Superintendent of Schools, advising that that he has reviewed Hevey School with various other staff, that an architect's recommendation will be needed with subsequent Board actions and the earliest the facility could be readied in January 1997.
- W. Communication from Robert MacKenzie, Director of Planning, requesting the Board's authorization that he negotiate an 18-month extension of the Planning Department office rental agreement.
- X. Copy of a communication from Laura Bascom, advising that she would like to deed 3.28 acres of land on Sheffield Road to the City of Manchester.

#### COMMITTEE ON FINANCE

Y. Bond Resolutions:

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$4,500,000 for the 1997 CIP 3.30519 Middle School Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$2,250,000 for the 1997 CIP 3.30520 School Capital Improvement Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$250,000 for the 1997 CIP 4.20102 SCBA Gear."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$280,000 for the 1997 CIP 4.30208 800 MHz Trunking (Radios)."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$50,000 for the 1997 CIP 5.10153.4 Urban Parks - Wolfe Park."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$100,000 for the 1997 CIP 5.10155 School Recreational Facilities Parking Lot Resurfacing."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$150,000 for the 1997 CIP 5.10176 West Memorial Field Improvements."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$100,000 for the 1997 CIP 5.10258 Livingston Park Capital Improvements."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$600,000 for the 1997 CIP 8.20128 City Computer System Upgrade/Network."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$100,000 for the 1997 CIP 8.20410 Motorized Equipment Replacement."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$500,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$325,000 for the 1997 CIP 8.30338 First Floor Renovations."

Z. Resolutions:

"Establishing a Health Insurance Trust Fund."

"Establishing a Liability Insurance Trust Fund."

"Establishing an "Old" System Pension Trust Fund."

"Establishing a Worker's Compensation Trust Fund."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$33,000 for the 1996 CIP 4.10308 MHRA Summer Police Patrols."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$1,390.32 for the 1996 CIP 4.10309 Vehicular Homicide/DWI School."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for Children with Chronic Medical Conditions in Schools."

"Amending the 1989, 1994 and 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$1,515,120.45 for certain 1996 CIP Projects."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Thousand Dollars (\$400,000) from the 1989 7.10226 Dunbarton Road Bridge, 1989 7.10303 Notre Dame Bridge Project and 1994 7.40371 Recycling Project Construction Recovery to the 1996 CIP 7.10109 Kelley Street Bridge Rehabilitation Project."

"Authorizing the Finance Officer to effect a transfer of One Million One Hundred Fifteen Thousand One Hundred Twenty Dollars and Forty-five Cents (\$1,115,120.45) from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.10103 Annual Right of Way Construction."

- AA.** Communication from Deputy City Clerk Bergeron and Assistant City Solicitor Arnold submitting proposed revisions to Chapter 8, "Finances" of the Code of Ordinances of the City of Manchester.

#### **MAYOR'S MUNICIPAL FLEET MAINTENANCE ADVISORY COMMITTEE**

- AB.** Communication from Michael Roche forwarding recommendations regarding the use of City vehicles.

#### **COMMITTEE ON PERSONNEL/INSURANCE**

- AC.** Communication from Frank Thomas, Public Works Director, submitting a proposed reorganization of the Engineering Division of the Highway Department to address changes in technology, engineering workload and the amount of private development.

#### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

- AD.** Communication from Alderman Cashin submitting proposed ordinances as follows:  
Sec. 17-26. Nudity in Places Selling Alcoholic Beverages, and Sec. 17-27.  
Exotic/Unusual Entertainment in Places Selling Alcoholic Beverages.

- AE.** Communication from Alderman Wihby requesting the closure of the following streets due to increased volumes through residential areas as a result of motorists using such streets as shortcuts to and from major arteries.  
Campbell Street at Hamel Drive;  
Arah Street at Hamel Drive; and  
Old Smyth Road at Smyth Road.
- AF.** Communication from Deputy City Clerk Bergeron and Assistant City Solicitor Arnold submitting proposed revisions to Section 17-12. Curfew for children.
- AG.** Communication from Bob Carter, American Red Cross, seeking free parking at the Center of New Hampshire Garage on July 25 & 26, 1996 from 10:00 AM until 8:00 PM each day in conjunction with their scheduled bloodmobile drive.
- AH.** Copy of a communication from Trustees of the Manchester Historic Association, requesting the closure of Chestnut, Amherst, and Pine Streets bordering Victory Park from 6:00 PM until 12:00 midnight on September 21, 1996 in conjunction with their Birthday Gala.
- AI.** Copy of a communication from Diane Dubiz relative to parking in the Millyard.  
(Note: copy of Mayor's response to Ms. Dubiz dated 6/21/96, enclosed.)

#### **REPORTS OF COMMITTEES**

##### **COMMITTEE ON ACCOUNTS, ENROLLMENT, AND REVENUE ADMINISTRATION**

- AJ.** Recommending that the Board of Assessors provide the Committee on Accounts, Enrollment, and Revenue Administration with monthly reports on: the update on the tax base; the status of the overlay account; the status of outstanding abatement cases at the Board of Tax and Land Appeals and/or Superior Court; the status of tax appeals granted or not granted; the record of exemptions for the elderly, disabled veterans, veterans, etc.; and non-profit fees in lieu of taxes; and that the Board of Mayor and Aldermen approve such recommendation.

##### **COMMITTEE ON BILLS ON SECOND READING**

- AK.** Recommending that Ordinances:

"Amending Section 18-25 (Video Technician/Productions Coordinator) of the Code of Ordinances of the City of Manchester."

"Amending Chapter 17 of the Code of Ordinances of the City of Manchester by replacing Section 17-25. Dog Fouling Prohibition so as to require owners of dogs to carry an article or means to remove feces and dispose of same."

ought to pass.

- AL.** Recommending that Ordinance:

"Amending the Zoning Ordinance of the City of Manchester by rezoning five parcels of land currently zoned R-1B (Residential One-family) located at the intersection of Bremer Street and Coolidge Avenue and having a combined area of approximately 1.16 acres, to R2-PO (Residential Professional Offices)."

be referred to public hearing on Monday, July 29, 1996 at 7:00 PM in the Aldermanic Chambers of City Hall.

**AM.** 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 3.16 acres."

ought to pass.

**COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM**

- AN.** Recommending that a request for approval of an amending resolution and budget authorization allowing for acceptance and expenditure of grant funds in the amount of \$33,000 from the Manchester Housing and Redevelopment Authority for MHRA Summer Police Patrols be granted and approved.
- AO.** Recommending that a request for approval of an amending resolution and budget authorization allowing for acceptance and expenditure of grant funds in the amount of \$1,390.32 from the NH Highway Safety Agency for a Vehicular Homicide/DWI School be approved.
- AP.** Recommending that a request for approval of an amending resolution allowing for acceptance and expenditure of \$3,000 from the Robert Wood Johnson Foundation & Dartmouth Medical Center for Children with Chronic Medical Conditions in Schools be granted and approved.
- AQ.** Recommending that a request for approval of amending resolutions and budget authorizations providing \$1,515,120.45 in funding to effect needed repairs to the Kelley Street Bridge and to reconstruct various streets throughout the City through transfer from Dunbarton Road Bridge, Notre Dame Bridge, and the Recycling Project of prior years completed CIP projects be granted and approved.
- AR.** Recommending that a request for sewer abatement at 88 Chauncey Avenue be granted and approved in the amount of \$1,012.15; the Committee notes that such amount was recommended to be abated by the Environmental Protection Division of the Highway Department.

**COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

**Note: Referral to Committee on Bills on Second Reading**

**AS.** Advising that Ordinance Amendment:

"Amending Chapter 9, Fire Protection and Prevention of the Code of Ordinances by adding Article VII to Establish an Office of Emergency Management for the City of Manchester."

has been approved and recommending it be referred to the Committee on Bills on Second Reading for ordinance preparation.

- AT.** Recommending that a request from George Copadis, St. George Greek Orthodox Cathedral, for the closure of Kenney Street at Hanover Street and Hilton Street at Amherst Street from 10:00 AM to 11:00 PM on September 13, 14, 15, 1996 in conjunction with the annual Glendi celebration be granted and approved subject to review and approval of the Fire and Police Departments.

- AV.** Recommending that certain regulations governing standing, stopping and parking, be adopted and put into effect when duly advertised.

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

- E.** Communication from Frank Thomas, Chairman Pro Tem, Department Head Quality Management Team, reporting to the Board on the Total Quality Management Seminar which was held on March 26, 1996.

Alderman Shea stated as a member of the Quality Management Team believed that the Board of Mayor and Aldermen should grant their approval for the funding of a second seminar relating to total quality management training which was as a result of the responses received by those who attended the first seminar. Furthermore, he would strongly encourage Board member attendance to allow for Board member familiarization with the different types of strategies and techniques of the program whose main aim was development of employee excellence in the delivery of goods and services to and for our citizens. As was mentioned in Mr. Thomas' memo to the Board, "to achieve the positive goals set forth in the total management training both labor and elected policy makers have to join with the department heads in committing to the quality management philosophy" and wished that it be considered seriously by the Board members.

On motion of Alderman Shea, duly seconded by Alderman Soucy, it was voted to receive and file the communication from Frank Thomas.

- G.** Communication from Nancy Muller, NH Division of Historical Resources, advising that the Victory Park Historic District was entered in the National Register of Historic Places on June 3, 1996.

Alderman Reiniger noting the communication was advising the City that the Victory Park area had been designated and placed on the National Register of Historic Places and thought it was a significant achievement for the City and a very good one and asked that the letter from Nancy Muller be read into the record so the citizens could here what she said about the advantages to it.

The Clerk read the letter into the record as follows:

Dear Mayor and Members of the City Council:

As New Hampshire State Historic Preservation Officer, I am pleased to inform you that the property referred to above was entered into the National Register of Historic Places on June 3, 1996. A copy of the official notice and the National register nomination are on file and available for your inspection at the division of Historical Resources, 19 Pillsbury Street, Concord, New Hampshire.

The National Register is the official federal listing of significant heritage resources (buildings, structures, sites, districts and objects) worthy of preservation, but does not impose any restriction or limitation on the use of private or non-federal property unless federal funds or programs are directly involved. Registered resources are eligible to be considered for federal matching grants-in-aid for protection, preservation, rehabilitation or reuse. National Register designation also provides for review by the Advisory Council on Historic Preservation (a federal agency) of potential effects which any federally funded, assisted or licensed project might have on registered properties.

If a property is listed in the National Register, certain federal tax provisions may apply. The tax Reform Act of 1986 revises the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1984, and as of January 1, 1987, provides for a 20 percent investment tax credit with a full adjustment to basis for rehabilitating, historic commercial, industrial, and rental residential buildings. The former 15 percent and 20 percent Investment Tax Credit (ITC's) for rehabilitation of older commercial buildings are combined into a single 10 percent ITC for commercial or industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification, please refer to 36 CFR 67.

Additional information about the National Register program is enclosed. If you have any questions, please call the Division of Historical Resources at (603) 271-3483.

Sincerely,

s/Nancy C. Muller, Director  
New Hampshire State Historic Preservation Officer

On motion of Alderman Reiniger, duly seconded by Alderman Soucy, it was voted to receive and file the communication from Nancy Muller.

**Report of Committee on Traffic/Public Safety**

**AU.** Recommending that a temporary closure of Pepperidge Drive from Connecting Road and Brown Avenue to Westwood Drive from July 15, 1996 through August 31, 1996 be granted and approved.

Alderman Pariseau stated he did not want to get into a lengthy discussion relative to his opposition to the closing of Pepperidge Drive noting that no one had to convince him of the traffic situation in the area; that back in the early 80's he had spent some time with Alderman Couturier in trying to alleviate the problems which existed at that time with the solution at that time being the installation of stop signs which would hopefully deter people from using Westwood Drive, Pepperidge Drive, Donahue, and Sherwood as shortcuts and also to discourage speeding. The proposal as recommended by the Traffic Committee to close Pepperidge Drive he thought comprised safety in the fact that the fire equipment having to stop, someone get off the truck, unlock the gate, get back on the truck, and climb up the hill noted

there was an instance in Ward 9 in the early 80's where there was a gate positioned on Dunbar at Sundial Avenue and Engine 2 at the time was the primary responder with a fire having occurred on Riverdale Avenue and because the mechanical things of the lock Engine 2 could not open the gate, so they had to come back to Sundial to Queen City Avenue, down Brown Avenue, down West Mitchell and indicated he was not saying it would happen at Pepperidge Drive, but it could happen and for that reason he did oppose the closure of Connecting Road as well as had been mentioned here this evening.

Mayor Wieczorek inquired of Alderman Pariseau what he would like to do with the item relative to the temporary closure of Pepperidge Drive.

Alderman Pariseau replied he sympathized with Alderman Domaingue, he was willing to work with her to find a solution to the problem, and moved that the Board not accept the report of the Committee on Traffic/Public Safety and that it be received and filed. Alderman Clancy duly seconded the motion.

Alderman Domaingue requested the Clerk distribute the handout she had provided for the Board's reference. Alderman Domaingue stated after the Traffic Committee meeting she had taken it upon herself as she was uncomfortable with not having a majority of the residents to petition or survey each household along Pepperidge, Donahue, Westwood, and Sherwood Drives noting the result of the survey was before the Aldermen at this time. There were a total of 115 houses and on the surveys were 150 signatures were written with 122 in favor of closing that area and 29 opposed with a ratio of over 4 to 1 in favor. The breakdown by streets, the total represented in favor were 83 and the total households represented opposed were 25 with 12 households not having an answer. The difference of five votes was because quite frankly there were five households where a husband and wife split their vote and they allowed for that, they did have a disagreement and they wanted to voice it noting that was perfectly fine. But, there was a campaign of misinformation apparently generated in the next hill and needed to express very sincerely that she was quite familiar with the Ward 9 area which Alderman Pariseau represented noting she was familiar because for a total of eight years she had represented that area until redistricting and it was hardly likely that she would forget them. Alderman Domaingue stated she had acknowledged the difficulties the parent's would have in getting their children to school and when she spoke to the department heads regarding the issue, when she spoke to the residents who arrived at the meeting at Highland Goffs Falls, when she spoke to Principal Joseph Forseze regarding a subsequent meeting because it was a request for a temporary closure noting she had requested a subsequent meeting allowing for the possibility of people on the other hill would probably want input at that time and was at the Traffic Committee meeting and outside the meeting the MAPS were there and Alderman Pariseau stopped by, asked about the MAPS and had informed him what the proposal was and asked him whether he wanted to join the Traffic Committee meeting because she was making the

presentation that evening noting he may have had another meeting to go to, did not have time to stop in at that point in time, so to say that no one knew that the proposal was forthcoming she knew Alderman Pariseau was there, Alderman Hirschmann was in the hallway who had also asked her about the proposal. Both neighborhoods were represented tonight with some very sincere people both of whom shared common problems which the City had not addressed for decades (i.e., sewage treatment plant odor is one, airport noise the other). The resident of Pepperidge, Donahue, Westwood, and Sherwood Drives also incurred the tree devastation, the removal of trees on Goffs Falls Road by the Airport and now 3,400 cars a day in their neighborhoods. The 115 homes represented as of July 1st the total payment of half-a-million dollars a year in property taxes noting she had attempted to respond to her constituents request, she set up traffic counters, met with department heads for over 8 1/2 hours, met with the constituents themselves who had requested that she do so at Highland and was not satisfied because she had a lack of a majority of households and sent out door-to-door a second notice to those residents and then followed that up after the Traffic Committee meeting with a door-to-door survey asking each one how they felt about the closing of the hill noting it was an overwhelming number in favor. Alderman Domaingue stated when a suggestion had been given to her by some of the people and Alderman Pariseau's neighborhood that they close the base of the hill rather than just one side she did relay that to Alderman Pariseau to see if there was possibly a compromise to be reached between the two areas and between the Aldermen noting that Alderman Pariseau at that time does not feel that that compromise is something that his people were willing to accept and noted for the Board's information that in 1989 the State Department of Transportation did a survey of intersections in the southern part of the City and their recommendation based on the high volume then was to prohibit a left-turn onto Brown Avenue from the Pepperidge Drive area noting that was seven years ago and seven years ago they could see that there was a continuing in long-standing problem and would not get any better with the traffic numbers out there and reiterated she was responding to the residents of Ward 8 who were quite frustrated; that they had attended two traffic study meetings last year and found to their surprise that the southern Manchester traffic study did not include their neighborhood with traffic counts, did not include Goffs Falls Road, and did not include Huse Road indicating they were frustrated with people speeding down their streets through their stop signs, frustrated with a tremendous increase in vans, trucks, dump trucks, and 18-wheel vehicles, they were tired of having obscenities screamed at them and drivers giving them the finger when they don't cross their own streets fast enough, they were being forced back into their driveways when they attempt to back out and residents were frustrated to the tune of exasperations such as Mrs. Van Vranken on Westwood who last Wednesday attempted to pull onto Westwood from Goffs Falls Road noting hers was the second driveway in when she came face-to-face with an automobile that was going toward her and a van coming behind the automobile that apparently the auto wasn't going fast enough, so the van attempted to pass the auto, the auto sped up, and two vehicles were headed at Mrs. Van Vranken at breakneck speed and luckily hers was the second driveway in Westwood or Alderman Domaingue would have

had a different story to tell. Alderman Domaingue stated there was a whole City of neighborhoods such as this and what they were asking was why did they continue to hear the City tell them what they could not do, they wanted to know what the City would do noting Ward 3 had had a problem with permit parking with residents not even being able to park outside their own places of residence, Ward 6 had also commented in the Traffic Committee that she was experiencing the speeding and the neglect in her neighborhoods, Ward 12 thanks to the State of New Hampshire no longer had to endure dump trucks up and down their streets because the landfill was closed, but wondered if they still wouldn't have that problem if it weren't for the order from the State of New Hampshire; that southend development had outpaced the City's ability to manage its traffic noting she needed her Planner back, she needed Bob MacKenzie to do what he should be doing and helping plan for the future of the traffic problem rather than attempting to stretch him between helping being a liaison between the School Department, Public Buildings Services, and any other project which might come along, she needed that Planner back. Alderman Domaingue asked if the message in the City was going to be "if you don't like it, we're a City, move out" and asked would they do their neighborhoods what they had already seen happen to our Downtown which was to drive them out and wanted to publicly apologize if she had offended the residents of Ward 9 because she had represented those people noting they were very fine residents, but she would not apologize for representing the people who elected her to serve them.

Alderman Reiniger asked if anyone knew of road closures in the City noting there had to have been some cases of roads being closed such as the Queen City Bridge and thought there must be some policy for that somewhere.

Alderman Cashin stated this would have to be viewed and what not, it could not just be closed.

Assistant City Solicitor Arnold stated there was certainly a procedure laid out in statutes for discontinuing a public highway but did not know offhand whether it would apply to a temporary closure such as what was being proposed but added that the City certainly could incur liability for damages by closing off the road.

Alderman Sysyn stated she was going to ask if there was a legal question on it.

Alderman Reiniger stated there had been a lot of controversy and instead of receiving and filing asked if it couldn't be sent back to Committee for further discussion.

Mayor Wieczorek called for a vote on the first motion to deny the report of the Committee on Traffic/Public Safety.

Mayor Wieczorek advised he would take a vote on the first motion, which was to deny the report of the Committee on Traffic/Public Safety. Alderman Domaingue requested a roll call. A roll call vote was taken. Aldermen Domaingue, Hirschmann, Reiniger and Shea voted nay. Aldermen Pariseau, Cashin, Robert, Elise, Sysyn, Clancy and Soucy voted yea. The motion carried.

Mayor Wieczorek suggested they might still want to take a look at it to see if some accommodation could be made and perhaps something new could be brought into the Traffic Committee.

Alderman Domaingue asked if she would need submit it to the Board that this time.

Mayor Wieczorek replied he did not think that would be necessary.

**Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen.**

**AW.** Warrant for Collection of Sewer Charges in the amount of \$119,393.02.

Alderman Soucy noted abatements totaling \$5,398.15 had been distributed and moved to commit as abated. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

Communication from Randy Sherman, Deputy Finance Officer, relative to an electric supply contract in conjunction with the NHPUC Pilot Program and the City's Plan for Aggregation seeking the Board's approval of contract, if available.

Alderman Pariseau moved for discussion. Alderman Shea duly seconded the motion. There being none opposed the motion carried.

Mr. Clougherty stated at the June 6th meeting of the Aldermanic Board those working on the bids had come in asking that all of the bids be rejected and asked for authorization to go out with an RFP. The RFP's were sent out on June 13th with a deadline to respond by the 20th; that on June 24th they took a list of six companies who had responded to the RFP and short-listed that to four whom they wished to negotiate with; that on June 26, 27, and 28 they met with those four and yesterday they performed due diligence and worked with the companies to formulate a decision and arrived at a signed contract yesterday pending the receipt of some surety which they had received today. Mr. Clougherty stated the process they went through was in accordance with the Procurement Code and they were at this time bringing before the Board a proposal in the form of a contract with Green Mountain Energy Partners; that they knew the Board did not like these matters coming before them without additional advance knowledge, however, due to the deadline of the RFP process they had been working under a tight time

constraint and just completed those negotiations this afternoon. Mr. Clougherty stated that Green Mountain Energy Partners was made up of a number of established companies that had been providing power in the region with Green Mountain Power being one of the companies which was a 103 year old investor-owned electric utility in Vermont with long-standing ties to the electrical industry there noting they performed the due diligence on those companies with the Public Utilities Commission and reviewing financial statements as well. Another member of the partners was Hydro Quebec owned by the Province of Quebec which was one of the world's largest electric utilities, Consolidated National Gas was the enterprise subsidiary based in Pittsburg which provided electricity, natural gas, and other forms of energy throughout North America, and finally, Noverico, Inc. which was a Quebec energy holding company whose properties were Gas Metropolitan Unlimited Partnership which was Quebec's natural gas distribution company. So, they had long-standing companies coming together to provide a partnership to provide services to the City of Manchester. The proposal they received from the partnership was to provide service to members of the aggregation program; that if the City were to commit for two years then it would received a 2.16 cents rate plus the one percent franchise tax for kilowatt hours and as a total amount of people participating in the aggregation program grew as they brought in other members and new industry the rate could conceivably drop to 2.11 cents. Mr. Clougherty stated that without a commitment there were members of the aggregation who wanted to go to an arrangement where they did not have a two-year commitment but wanted to keep a flexible arrangement noted that would be 2.18 cents plus a one percent franchise tax per kilowatt hour and as was the custom with all of the proposals they saw whenever they go into the variable rate it was not fixed for the two years but was over a 60 day notice during which it could be changed; that the rates they received they felt were the lowest they had seen in the pilot and thought they were very competitive and thought the companies were certainly able to provide the service to the City. Mr. Clougherty stated he wished to turn the presentation over to Mr. McGarvey from SVBK, the consulting group the City had been working with so as to be able to put into perspective what the savings would mean to the City and there was also representatives present from the company Paul Barnett and Greg Morgan from Green Mountain and would be prepared to answer any questions there might be. The group which had been involved in negotiations consisted of members of the Finance Department, the City Solicitor's Office primarily Tom Arnold, and people from the Manchester Economic Development Office primarily in the form of Jay Taylor who could not be present this evening, but had signed off on the proposal and felt it was a program he could market to companies to relocate to the City.

Mr. McGarvey in reference to the material distributed stated it showed a comparison of what they recognized as a residential monthly bill representing 600 KW hours and wished to emphasize that the only portion or the rate that they were negotiating, the only portion of the bill that had moved into a competitive environment was the generation portion which was on the top line of the handout; that the delivery service was set and the only difference between being in

the Pilot Program and not being in the Pilot Program was that a Pilot Program participant would receive an incentive credit as part of the delivery service. Mr. McGarvey stated to summarize what those rates meant to a residential customer with an average monthly use of 600 KW hours that 48 percent was saved on the generation rate over the existing PSNH rates, would save on an average monthly basis 22 percent, and on an annual basis it was 600 KW hours and stood to saved \$250.00; that on the next page of the handout what they did was to take one of the municipal accounts, City Hall in fact, and plugged in it's 1995 billing determinence (19,000 KW hours) and plugged those into the same format, there was the existing PSNH rates on the left-hand side of the page and as stated by Green Mountain on the right-hand side of the page; that the only portion they negotiated was the generation portion at the top of the page with the rest of it standing no matter who and it stood as is; that at the bottom on the page the average savings just for City Hall, the average monthly savings was at \$628 per month with an annual savings of about \$7,400. Mr. McGarvey stated in order not to lose them in all of the details that was in the delivery service rate noted it had been unbundled, which was where they separated the generation from the transmission distribution; that part of the unbundled rate was a line item marked "Stranded Investment" which would be a very big issue immediately; that he had been at the restructuring, pre-hearing conference last week and that was the predominant issue which was what all of the utilities wanted to talk about. For years utilities had been working specific geographic boundaries and had had a pretty good idea as to what their customer base would be and could even assume a certain amount of growth year-to-year; that now, all of a sudden, they were faced with a move towards a competitive environment which meant that people could come in and take their customers away from them; that they had been building for years their generation facilities to serve their customer base and now all of a sudden they had to start considering very seriously the fact that they'd overbuilt, they had these generation facilities which they would not longer need because utility "B" came in and stole all of my customers, or competed for all of their companies; that it was a very real possibility noting they were entitled under Order 888 to recover what was considered their viable, prudent, stranded costs noting that was the cost of those facilities which were being abandoned by the competitive move. It was an issue they felt was important to the City, it was an issue which they felt the City could take a stand on or at least take a part in and impact policy really across the State for some time to come; that every utility at the restructuring pre-hearing conference were all given an opportunity to stand up and state the issues they felt were important noting that was the first thing out of their mouths that stranded investment and stranded costs were the issues.

Mr. Clougherty stated there were two issues before the Board this evening; that one was the contract and if the Board allowed them to proceed they would then be able to go out and contact the members who had already signed up for the aggregation program along with anybody else who would want to participate going forward, the 700 families that were part of the program locally and allow them to join as well; that they were trying to meet another deadline noting that the next billing cycle which would be the next time people would be able to come on was prior

to the next Aldermanic meeting which was a month away, so if the Board was interested in...the sooner they could move on with the approval, the sooner they could have people sign up and enjoy the savings at the earliest possible date. Mr. Clougherty reiterated it was an option to people and if they wanted to participate, fine, but if they wanted to choose the 2-year firm commitment or the optional variable rate that was something that was also allowable for them also; that the Solicitor's Office had reviewed the contracts and had been involved in it, so they felt comfortable in presenting the contract to the Board this evening. The second piece concerned what was going on in Concord with regard to stranded costs; that in the interim, the City had at the suggestion of the Solicitor's Office and the consultants filed as an intervenor in that hearing so that the City would have the ability to comment on what was going on there. Mr. Clougherty stated the value of the stranded cost to the City of Manchester was \$800,000 per year; that if as a result of participating in the costs the City could somehow protect its situation and the residents so it wouldn't all get shifted down to the towns and the individuals and were able to effect half or a quarter of that it would pay the city back in a very short time frame; that the deregulation process was moving at a very rapid pace; that they were trying to assess how the other cities and towns wanted to participate in it; that they'd spoken to Nashua, they'd spoken to the Municipal Association who were moving along at a certain rate; that they would like to be able to intervene until next month's meeting, so they could keep abreast of what was going on, try to work out what they thought was the best strategy for the City to deal with it and how they wished to participate either if they felt they should go alone, with some other cities, with the Municipal Association and come back to the Board at the August meeting with a plan and a budget for that noting those were the two issues before the Board this evening and would be happy to answer any of the questions the Board had.

Mayor Wieczorek commended Alderman Elise with her original group who got started with the electric rates and started to get the whole ball rolling; that things were moving very rapidly now and recommended that the Board authorize the City to move forward with it, so it could take advantage of the opportunities.

On motion of Alderman Pariseau, duly seconded by Alderman Elise, it was voted to authorize the City representatives to move forward with the program. There being none opposed, the motion carried.

On motion of Alderman Reiniger, duly seconded by Alderman Soucy, 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 Bond Resolutions:

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$4,500,000 for the 1997 CIP 3.30519 Middle School Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$2,250,000 for the 1997 CIP 3.30520 School Capital Improvement Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$250,000 for the 1997 CIP 4.20102 SCBA Gear."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$280,000 for the 1997 CIP 4.30208 800 MHz Trunking (Radios)."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$50,000 for the 1997 CIP 5.10153.4 Urban Parks - Wolfe Park."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$100,000 for the 1997 CIP 5.10155 School Recreational Facilities Parking Lot Resurfacing."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$150,000 for the 1997 CIP 5.10176 West Memorial Field Improvements."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$100,000 for the 1997 CIP 5.10258 Livingston Park Capital Improvements."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$600,000 for the 1997 CIP 8.20128 City Computer System Upgrade/Network."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$100,000 for the 1997 CIP 8.20410 Motorized Equipment Replacement."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$500,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$325,000 for the 1997 CIP 8.30338 First Floor Renovations."

ought to pass and lay over.

Alderman Clancy moved that the first report of the Committee on Finance be accepted, received, and adopted. Alderman Sysyn duly seconded the motion. The motion carried with Alderman Elise and Reiniger duly recorded in opposition to the Bond Resolution containing the 3.30519 Middle School Program.

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

"Establishing a Health Insurance Trust Fund."

"Establishing a Liability Insurance Trust Fund."

"Establishing an "Old" System Pension Trust Fund."

"Establishing a Worker's Compensation Trust Fund."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$33,000 for the 1996 CIP 4.10308 MHRA Summer Police Patrols."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$1,390.32 for the 1996 CIP 4.10309 Vehicular Homicide/DWI School."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for Children with Chronic Medical Conditions in Schools."

"Amending the 1989, 1994 and 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$1,515,120.45 for certain 1996 CIP Projects."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Thousand Dollars (\$400,000) from the 1989 7.10226 Dunbarton Road Bridge, 1989 7.10303 Notre Dame Bridge Project and 1994 7.40371 Recycling Project Construction Recovery to the 1996 CIP 7.10109 Kelley Street Bridge Rehabilitation Project."

"Authorizing the Finance Officer to effect a transfer of One Million One Hundred Fifteen Thousand One Hundred Twenty Dollars and Forty-five Cents (\$1,115,120.45) from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.10103 Annual Right of Way Construction."

ought to pass.

On motion of Alderman Hirschmann, duly seconded by Alderman Clancy, it was voted that the second report of the Committee on Finance be accepted, received and adopted. There were none recorded in opposition.

Report of Committee on Traffic recommending that the provisions of RSA 261:54 Additional Fees for Registration Permits be adopted with a maximum millage amount not to exceed 2 mills; and that changes be implemented to short-term and long-term parking meter rates at selected locations as outlined in the parking proposal for the Downtown/Millyard area proposed by the Mayor on April 2, 1996.

On motion of Alderman Pariseau, duly seconded by Alderman Sysyn, it was voted to amend the report by replacing the wording "2 mills" with the wording "1.5 mills", and adding the words "with a required annual review of all said fees" to the final sentence of paragraph one of the report; changing the CIP allocation on the third to last paragraph of the report from \$1,731,500. to \$1632,810.; changing the Annual Parking Facility Rehabilitation amount from \$640,000 to \$541,310 in the last paragraph of the report; and changing the amount of \$1,731,500. to \$1632,810. in the last paragraph of the report. The motion carried with Aldermen Elise, Domaingue, Cashin and Hirschmann duly recorded in opposition.

Alderman Sysyn asked if there were Veteran's exemptions.

Mr. Clougherty replied if there was an exemption allowable under the normal auto registration that would apply noting that was something the Tax Collector would be better suited to answer as part of the auto registration regulations.

Ms. Gardner in reference to the handout stated with Waste Reclamation it had been determined that a lot of those type questions had not been answered and went to other towns asking them what they were basically doing; that for Veteran's currently they did not pay to register their vehicles, if they were 100 percent disabled there was no fee, however, they did pay the Municipal Agent Fee of \$2.50 because it was optional and it was a service which was provided in the office with decals being provided there; that they were charged the Waste Reclamation Fee at the moment which if the board preferred they did not wish to they could eliminate; that the reasoning behind the Waste Reclamation charge for Veteran's was because if they were to go to the dump to bring tires they would not be exempt; that in this case she was not sure how the Board would prefer to do it - would the Veteran's be exempt or pay the fee; that at the present time there was no mill rate for Veteran's because of their exemption; that the same applied to military noting it was slightly a different category in that military exempt were not residents of the state, but rather stationed here and resident of another state noting it was customary with all states where they did not pay to register their vehicles in the state in which they were stationed, so they would need to know if the Board wished to charge that fee to those people; that there were very few vehicles which were special flat rate fees and not based on mill rates such as "street rods" who paid a flat fee of \$50.00 noting they were paying Waste Reclamation and Municipal Agency and the same with the trailers which were flat fees and were paying both for the Waste Reclamation and the Municipal Agency fees.

Mayor Wiczorek asked why those questions had not come up when the whole discussion was taking place.

Ms. Gardner replied she was not involved in the process at the time and during the process of doing the Waste Reclamation those questions arose at which time they realized it would apply to this as well.

Alderman Reiniger stated he would not support it without a resident permit parking system because the residents Downtown would not be able to bear it noting he would vote in favor this evening on the public representation if there was a consensus of the Board that the Board would support a resident parking permit plan and if it were not adopted he would come back in the future to move to repeal it.

Mayor Wiczorek stated it was a part of the entire budget process noting this was what everybody had voted on and if he were to vote against it this evening he would obviously create some major problems with the budget.

On motion of Alderman Robert, duly seconded by Alderman Sysyn, it was voted to accept, receive, and adopt the report of the Committee on Traffic as amended. Aldermen Elise, Domaingue, Cashin and Hirschmann were duly recorded in opposition.

Alderman Cashin stated he was opposed noting he had voted for the budget but there were several questions which arose this evening which he thought needed to be answered and was not satisfied.

Alderman Soucy asked if the Board would address the policy decisions relative to Veteran's exemptions, Military exemptions, and special vehicles and asked if it should be forwarded to a Committee in order to give Ms. Gardner some direction to implement the program.

On motion of Alderman Soucy, duly seconded by Alderman Shea, it was voted that the communication from the Tax Collector be referred to the Committees on Accounts, Enrollment, and Revenue Administration and Traffic/Public Safety.

Communication from Leo Bernier, City Clerk, requesting the Board's approval regarding preparations of the September 8, 1996 reenactment of the City Charter.

On motion of Alderman Clancy, duly seconded by Alderman Pariseau, it was voted to approve the request of the City Clerk relative to preparations of the September 8, 1996 reenactment of the City Charter.

Communication from David Bush, Assistant Airport Director, requesting approval Re: Landlord's Consent to Leasehold Mortgage and Assignment of Leases as Collateral - Ammon Center; subject to the review and approval of the City Solicitor.

On motion of Alderman Pariseau, duly seconded by Alderman Cashin, it was voted to approve the request from the Assistant Airport Director; and approve execution of related documents subject to the review and approval of the City Solicitor.

Communication from David Bush, Assistant Airport Director, requesting approval Re: Landlord's Consent to Leasehold Mortgage and Assignment of Leases as Collateral - Cargo Ramp; subject to the review and approval of the City Solicitor.

On motion of Alderman Shea, duly seconded by Alderman Sysyn, it was voted to approve the request from the Assistant Airport Director; approving execution of related documents subject to the review and approval of the City Solicitor.

Communication from Randy Sherman, Deputy Finance Director, advising of the receipt of donations in the amount of \$650.00, requesting the Board accept same and remand for the purpose intended.

On motion of Alderman Elise, duly seconded by Alderman Soucy, it was voted to accept funds and remand for the purpose intended.

Communication from Randy Sherman, Deputy Finance Director, advising of the receipt of Drug Forfeiture funds in the amount of \$4,803.75, requesting the Board accept same and remand for the purpose intended.

On motion of Alderman Clancy, duly seconded by Alderman Pariseau, it was voted to accept said funds and remand for the purpose intended.

Communication from Randy Sherman, Deputy Finance Director, advising of the receipt of a donation in the amount of \$4,600.00 from the Fraternal Order of Eagles, requesting the Board accept same and remand for the purpose intended.

On motion of Alderman Sysyn, duly seconded by Alderman Hirschmann, it was voted to accept said funds and remand for the purpose intended.

Communication from Finance Officer requesting authorization to process payments from the EPD Replacement account totaling approximately \$26,500.

On motion of Alderman Elise, duly seconded by Alderman Sysyn, it was voted to authorize the payments from the EPD Replacement Account.

Communication from Robert Stanton, Contributory Retirement System, inquiring if the City is now disavowing a total outstanding funding obligation through March 31, 1996 in the amount of \$273,115.53 to the Employees' Contributory Retirement System and wishing to be advised so that the Board of Trustees may take such action necessary to protect the interests of its members and beneficiaries of the Trust.

Mayor Wiczorek stated there was enough money in the appropriations to pay it, so it would take it off the books and asked for a motion to such effect.

On motion of Alderman Sysyn, duly seconded by Alderman Shea, it was voted to authorize the Finance Officer to pay the outstanding balance through March 31, 1996 of \$372,115.53 to the Employees' Contributory Retirement System.

Ordinance:

"Amending an Ordinance Regulating Traffic Upon the Public Streets of the City of Manchester providing for definitions, regulations, and penalties relative to Commercial Motor Vehicular Traffic and Trucks."

On motion of Alderman Soucy, duly seconded by Alderman Reiniger, it was voted that the Ordinance be read by title only, and it was so done.

This Ordinance having had its third and final reading by title only, Alderman Clancymoved on passing same to be Ordained. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

Resolutions:

"Establishing a Health Insurance Trust Fund."

"Establishing a Liability Insurance Trust Fund."

"Establishing an "Old" System Pension Trust Fund."

"Establishing a Worker's Compensation Trust Fund."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$33,000 for the 1996 CIP 4.10308 MHRA Summer Police Patrols."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$1,390.32 for the 1996 CIP 4.10309 Vehicular Homicide/DWI School."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for Children with Chronic Medical Conditions in Schools."

"Amending the 1989, 1994 and 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$1,515,120.45 for certain 1996 CIP Projects."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Thousand Dollars (\$400,000) from the 1989 7.10226 Dunbarton Road Bridge, 1989 7.10303 Notre Dame Bridge Project and 1994 7.40371 Recycling Project Construction Recovery to the 1996 CIP 7.10109 Kelley Street Bridge Rehabilitation Project."

"Authorizing the Finance Officer to effect a transfer of One Million One Hundred Fifteen Thousand One Hundred Twenty Dollars and Forty-five Cents (\$1,115,120.45) from the 1994 CIP 7.40371 Recycling Project to the 1996 CIP 7.10103 Annual Right of Way Construction."

On motion of Alderman Soucy, duly seconded by Alderman Reiniger, it was voted that the Resolution be read by title only, and it was so done.

On motion of Alderman Shea, duly seconded by Alderman Clancy, it was voted that the Resolutions pass and be enrolled. There were none recorded in opposition.

Notification from Mayor Wieczorek advising of a discussion on Pine Island Park.  
(Note: Communication from the County to be forwarded under separate cover.)

Mayor Wieczorek stated there were a couple of things which had come up noting that notification from the County had been received because the City had been trying to get them to request some funds for demolition so that the building could be taken down which had become very dangerous; that the County wanted to be sure that the City would not come back and ask them to go back for more money when they had originally turned it down and thought the Board had approved that also; that the City went back to the County and they in turn did not pursue replacement costs, so there was \$107,000 that was given to the City at that time noting those funds had been deposited into the General Fund and thought it was in a separate account until such time as it was decided what would happen. Mayor Wieczorek stated the County did not seem to be too interested in trying to get a building up there as well as Parks and Recreation not being too interested either because it needed to be determined as to who would take care of it and what would be put up for \$107,000 was the other matter noting that since the replacement cost on the building at the size that it was would probably be in the neighborhood of three to four hundred thousand dollars and wished to get some sort of direction from the Board as to what the County should be told in trying to proceed.

Alderman Domaingue stated since it was in her Ward recommended that they go ahead and tell the County that they should go ahead and pursue demolition costs for that building; that she could not see where the Board could force the County to recover insurance monies and thought it was not the will of the Board to want to force the issue, so she had no problem with the demolition. Alderman Domaingue relative to the issue of the building itself stated the people in the south end of Manchester were very interested in having discussions regarding what type of building would be put back up on that site noting they had never found a need for the size of the building that was in use at the time because the building was over a hundred years old, it was there, it was convenient, and it was used; that at this point in time, however, they were looking to reestablish a meeting type of site on that acreage for groups who were currently in need; that they were groups which serviced youth and they were interested in maintaining their position there and they were certainly willing to go to the table and talk as a group with the City and thought that should be encouraged before a determination would be made as to whether there shouldn't be any building there and encouraged the Board to support that kind of an effort before they discouraged any building and thought they needed to find out what kind of effort was out there and what the public was willing to do.

Alderman Domaingue moved to indicate to the County that the City would not pursue replacement costs on the building and were satisfied with the \$107,000, but to proceed and to get the demolition costs so the building could be torn down. Alderman Elise duly seconded the motion.

Alderman Cashin asked why not to try and get the replacement costs.

Mayor Wieczorek believed they had already tried to do so.

Alderman Cashin asked Mayor Wieczorek if he was recommending that it not be done as he had been in the insurance business and knew a lot more about such matters than he did.

Mayor Wieczorek stated the County did have coverage, it was a blanket coverage, but the fact was that the County would probably have to sue them to recover replacement costs, it was a technical issue and when there was blanket coverage technically you were suppose to have all of the amounts of coverage which were there to replace the building; that in the City's particular case the City was satisfied with the \$107,000 as indicated by the City's Risk Department, so it didn't help the City's case in as much as that was the amount that was placed on the building and in his view it would be more like actual cash value rather than replacement costs because those were the two areas there were and thought there was not a strong case.

Alderman Shea stated he wished to reinforce what Alderman Domaingue had stated in that he had attended a meeting which was conducted at the Derryfield Country Club which involved the 4-H representatives who had talked about the possible rebuilding noting that three had attended at meeting at Beech Street School wherein several of the children in that particular area were attendees at the facility down on Brown Avenue prior to the fire and thought it did serve a multi-use in terms of different parts of the City population profiting by it.

Mayor Wieczorek stated he thought what they were looking for was to have them proceed to get the money and thought that would be the subject for discussion at another time when it would finally be decided as to what would happen.

Alderman Elise stated she would certainly support Alderman Domaingue if she wanted to look into other types of buildings which might be suitable for that property.

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

Confirmation of nomination as follows:

**Board of Adjustment**

Andre A. Verville to succeed himself, term to expire March 1, 1999.

On motion of Alderman Domaingue, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Andre A. Verville to succeed himself as a member of the Board of Adjustment, term to expire March 1, 1999. Alderman Cashin was duly recorded in opposition.

**TABLED ITEMS**

Ordinance: (Note: Tabled 3/19/96 pending submission of agreements.)

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include portions of the lots currently zoned I-3 (General Industrial) and I-2 (Industrial Park) on the southerly side of Huse Road and the easterly side of South Willow Street."

This item remained on the table.

Communication from Attorney Robert Stephen relative to the denial by the Police Department of issuance of licenses to conduct a number of planned Monte Carlo nights. (Tabled 6/4/96)

Mayor Wieczorek stated the item had been referred back to the Police Department and asked if there was something to be presented to the Board.

Assistant Chief Driscoll stated his position remained the same and did not think the Board had directed the Police Department to do anything further on it; that they were opposed to it as asked that the Board receive and file such communication noting that there had been some discussion about checking with other communities who held those types of activities although he believed it was the City Solicitor's Office who would look into it.

Mayor Wieczorek inquired of Assistant Solicitor Arnold if they had looked into the matter.

Assistant Solicitor Arnold replied on June 7th he had received a letter from Robert Stephen who was involved in the matter and based on that letter he did not do further research as the letter indicated that at the last meeting that if those people running the games were members of a particular charitable organization it was his feeling that it would be allowed noting that Atty. Stephen felt it was a reasonable settlement and spoke with Assistant Solicitor Arnold this afternoon asking as to whether or not there had been any other further communication and was told there had not been.

Mayor Wieczorek stated he thought he was here because he was interested noting something must be wrong.

A brief discussion ensued whereby it was requested that the City Solicitor's Office review with surrounding cities their policies relative to planned Monte Carlo nights and to report back to the Board at its next meeting.

#### **NEW BUSINESS**

Copy of a communication from Walter Bachta, seeking reimbursement in the amount of \$168.75 as a result of a flooding problem in his basement on June 14, 1996.

On motion of Alderman Hirschmann, duly seconded by Alderman Pariseau, it was voted to refer the communication from Mr. Bachta to the Committee on Community Improvement Program.

Copy of a communication from Kim Valdez, advising that she wishes to apply for a Child Care Recruitment and Training Grant through the City of Manchester.

On motion of Alderman Clancy, duly seconded by Alderman Soucy, it was voted to refer the communication from Ms. Valdez to the Committee on Community Improvement Program.

A report of the Committee on Accounts, Enrollment and Revenue Administration was presented recommending that the Board of Mayor and Aldermen adopt the list of receivables for write off as submitted to the Committee by the Revenue Administrator in a letter dated June 18, 1996.

On motion of Alderman Pariseau, duly seconded by Alderman Soucy, it was voted to accept, receive, and adopt the report of the Committee.

A second report of the Committee on Accounts, Enrollment and Revenue Administration was presented recommending that that the Board of Mayor and Aldermen adopt the IRS valuation method termed "Commuting Valuation" to establish the value of personal use of City vehicles for the purpose of including such value in the employee's wages reported on Form W-2.

On motion of Alderman Shea, duly seconded by Alderman Pariseau, it was voted to accept, receive, and adopt the second report of the Committee.

A third report of the Committee on Accounts, Enrollment and Revenue Administration was presented respectfully submitting for informational purposes, a summation of the Board of Assessors' monthly report to the Committee on Accounts, Enrollment, and Revenue Administration, and further recommending that the Board of Assessors and Finance Department work to include reconciliation data in future reports and develop a reporting format which will address prior concerns of the City's auditors.

On motion of Alderman Shea, duly seconded by Alderman Pariseau, it was voted to accept, receive, and adopt the third report of the Committee.

Alderman Cashin inquired as to where they were able to find the \$273,115.53, what line item did it come out of in order to pay the Contributory Retirement System.

Mr. Clougherty replied it was in the Contributory Retirement number; that when the Board had discussed the non-departmental numbers which was prior to the public hearing at that point in time they did not have an actuarial report from the Trustees noting they had been carrying the amount from a prior year and at that point he believed it was Alderman Cashin who had requested they go back to the Trustees to see if they would be willing to work something out and did so; that subsequent to that they received the valuation report which was lower and made sure when they calculated the number for the Contributory Retirement's contribution this year it would include the amount which needed to be repaid plus the interest they were projecting and would not know the exact interest for another few days because of the close of the year and needed to find out what the earnings were at which time it would then be entered through the LGFS system and pay it in normal fashion on the 15th, so there was sufficient funds in the Contributory Retirement line to pay not only the current year's contribution but the \$273,000 plus interest as well.

Alderman Elise stated she wished to comment on the proposed closing of Pepperidge Drive noting that she was in opposition as she had thought the next motion would be that it be referred back to the Committee on Traffic and recognized the fact that Alderman Domaingue did have a problem and was hoping that it could be worked out with Alderman Pariseau noting that Alderman Wihby could want to close streets which were adjacent to her Ward and was hoping that people would not arbitrarily make decisions regarding herself or Alderman Wihby and that it should be a joint effort and a joint solution.

Alderman Elise stated that the 150th Birthday banners on Elm Street were very nice and thought it was time that banners were once again placed on Elm Street and wished to compliment the Committee on doing so. Alderman Elise stated that at the last Concert in the Park, Matt Normand had assisted her greatly with putting on the concert noting that he had done an excellent job.

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to recess the regular meeting of the Board to discuss union negotiations with the Chief Negotiator.

Mayor Wieczorek called the meeting back to order.

On motion of Alderman Robert, duly seconded by Alderman Pariseau, it was voted to reject the Fact-Finder's report relative to the AFSCME union contract. Alderman Soucy duly recorded in opposition.

There being no further business to come before the regular meeting of the Board of Mayor and Aldermen, on motion of Alderman Robert, duly seconded by Alderman Elise, it was voted to adjourn.

A True Record. Attest.

City Clerk