

BOARD OF MAYOR AND ALDERMEN

August 6, 1996

7:30 PM

Due to the absence of Mayor Wieczorek, Chairman Wihby called the meeting to order.

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

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

Chairman Wihby stated the Board would address negotiations once Mr. Hodgen arrived.

Chairman Wihby stated he had requested the City Clerk to distribute a copy of a letter he had requested of the City Solicitor in reference to a letter the Board had received from Kathleen Sullivan of the Charter Commission whereby she indicated nothing would change with the School portion specifically in reference to his comments where he said "why would they do something crazy like that" and he asked the Solicitor if that was indeed true. Chairman Wihby noted the response he received back from the Solicitor was that it did change and would not enable the Board to touch that 70 percent of the budget and thought that the Board should take some sort of a motion stating that and send a communication to the Commission at their public hearing scheduled for Tuesday, August 7th indicating to the Commission that the Board did not think that was a good part of the Charter.

Alderman Robert moved that a letter be forwarded to the Charter Commission advising them of the Board's opposition to the whole Charter. Alderman Pariseau duly seconded the motion.

Alderman Domaingue stated she wished to be clear about the motion made noting that Chairman Wihby was asking the Board to go on record as being opposed to all of the elements of the Charter revision which had been proposed to date by the Commission.

Alderman Cashin stated his motion was in opposition to the proposed Charter revision as it now stood noting it was only a draft and they could make changes.

Chairman Wihby stated one of the items specifically was with the Board losing 70 percent of the budget, the authorization to send a directive to the School Department noting the Board had done so in either 1991 or 1992, with the advice of the City Solicitor's Office telling the Board they could do so and the School Department did it, so they had been able to do it then, but with the new Charter they would not be able to do it and with the timing of the budget, a new Mayor coming in in office would have only two months to decide on a budget indicating he had Finance check out budgets unknown as of April 30th was \$3.1 million, it was \$900,000 for Retirement, Trust Funds was \$250,000, the fund balance they

were able to look into it more since the Mayor had given the Board his numbers, an extra \$300,000 in School Tuition, Kindergarten was \$525,000 noting some of those were as a result of legislation which had passed since the Mayor had given the Board his numbers, so a total of three million dollars the Board would have had to cut departments and School further if they had received that number by the time they did the budget and what the Charter Commission was asking them to do was to bring that number closer to February 28th, but would then have until April 30th, so they would have had to cut everybody further \$3 million and would have had a bigger uproar, a lot of layoffs, but because the Board was able to wait that extra couple of months and get the budget finalized in June they were able to come up with the \$3 million and it was a little less layoffs and maybe even none and thought the Charter Commission had pushed the budget date on behalf of the School Department because of pink slips and thought that was totally wrong, thought the pink slips were contract items and they could push the date back on the contract and leave the dates alone for the Board to work with and thought that was part of the motion because the way it was written now and why the Board was in opposition.

Alderman Domaingue stated she was in agreement with Chairman Wihby with respect to the items regarding School, but thought it counterproductive to send an entirely negative message as this point to the Charter Commission as she thought the Board had an obligation to let them know as will most at the public hearing scheduled Wednesday evening, what it was they liked about it and what they didn't, so they could go back and fix it noting she could not support sending them a totally negative message as this time.

Alderman Soucy stated she did support the motion and it was not because she opposed every single change in the Charter as there were many she thought were excellent and should be passed through, but thought the Board had to send some type of message as a Board noting she had two other commitments she needed to attend tomorrow evening and would perhaps not get to the public hearing in time, but wanted to be on record as saying she did have some problems with the current draft and hoped more work would be done to it after the hearing.

Alderman Shea concurred that there were certain things/elements he agreed with, but certain other items which he certainly disagreed with and thought it was important, at this time, that the Board let the members of the Charter Commission know that there were certain elements that the Board simply did not buy into or agreed with.

Chairman Wihby stated he knew the Finance Officer would attend the public hearing as he had a lot of concerns with the City's Bond Counsel and everyone else who dealt with the financing of the City and knew he would be there speaking against it also.

Alderman Robert stated he did not mind sending a blanket reaction noting it would be an all or nothing type thing for the voters anyway noting his feelings were negative anyway.

Alderman Hirschmann stated where it was just a preliminary report he thought the Board ought to specify what it was opposed to and not just a blanket statement as that could give the Commission recourse to come back at a later time and fix the problem, so he would agree to blanket and say the Board was opposed to the whole thing, but rather tell the Commission specifically what the Board did not like and they could, at a later time, change things.

Chairman Wihby stated there was a motion to send the message that at this time the Board was opposed to the Charter as it was written basically noting some of the points were discussed and was sure there were other points included, but thought the big two were that the Aldermen and the Mayor would lose...he thought the Charter was there to help the City and give the Board more controls and yet he thought a lot were taken away with the changes.

Chairman Wihby called for a vote on the motion. The motion carried with Alderman Elise, Domaingue, and Hirschmann duly recorded in opposition.

Alderman Elise stated one of the reasons she was opposed to the blanket statement was because there were some very good things in there that she would like to support and did not want the Commission to look at it negatively.

Chairman Wihby next addressed item 32 of the agenda:

32. Communication from Chief Negotiator requesting a negotiations strategy session with the Board following regular business.

Note: Communication from Captain Robert Duffey, President, Manchester Association of Police Supervisors, forwarded under separate cover.

On motion of Alderman Elise, duly seconded by Alderman Reiniger, it was voted to recess the regular meeting for a negotiation strategy session with the Chief Negotiator.

Chairman Wihby called the meeting back to order.

Alderman Domaingue moved that the Board instruct the City Negotiator to send a communication to the Police Patrolmen's Association, the International Brotherhood of Police Officers that the Board would like to have them back at the negotiations table. Alderman Soucy duly seconded the motion. The motion carried with Alderman Robert duly recorded in opposition.

Chairman Wihby addressed item 27 of the agenda next:

27. Communication from Police Commission nominating Mark L. Driscoll to fill the unexpired term of Peter Favreau as Chief of Police, term expiring December 31, 1998.

Note: Communication from Ralph Garst asking for the Board's approval of the nomination.

On motion of Alderman Domaingue, duly seconded by Alderman Cashin, it was voted to accept the nomination of Mark L. Driscoll to fill the unexpired term of Peter Favreau as Chief of Police, term to expire December 31, 1998.

Alderman Domaingue moved to suspend the rules and confirm the nomination of Mark L. Driscoll this evening. Alderman Soucy duly seconded the motion. There being none opposed, the motion carried.

Chairman Wihby asked Chief Driscoll if he wished to address the Board.

Chief Driscoll stated he wished to thank the Police Commission, the Chairman, Commissioner Garst, and the other Commissioners who supported me and, secondly, he wished to thank the Board of Aldermen and the Mayor, although he was not present this evening, for their support. With the Board's support went an enormous responsibility on his part and committed that responsibility to the Board and would have the responsibility of the Police, section of public safety for all of the citizens of Manchester noting he took that very seriously, would have the responsibility for the men and women of the Manchester Police Department, 251 of them, of their care and safety, would have the responsibility to the taxpayers to use every dollar allocated to the Police Department in a prudent manner, would have the responsibility to work with the social agencies, the departments of the City, and all of the business folks in an effort to make sure that Manchester continued to be a safe place to live and would have leadership based on principle, they would work very hard in that direction. Chief Driscoll stated he had a wonderful staff at the Manchester Police Department and a great bunch of supervisors and employees noting they would come together and show that within a very short time, he was sure, and once again wished to thank the Board for their support.

Chairman Wihby stated when the Mayor had called him today to let him know he would not be present this evening told him that they had to make sure the confirmation went through this evening and suspend the rules noting that was unlike the Mayor unless he had a lot of faith in someone and he knew if the Mayor were present he would wish him well and would be behind Chief Driscoll and if there was anything the Chief needed to just call him.

Chairman Wihby read into the record wording on a plaque as follows:

Presented to the Honorable Board of Mayor and Aldermen:

Thank you for the non-partisan support over the last twelve years.

Ralph Garst

CONSENT ITEMS

Chairman Wihby 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.

Ratify and Confirm Polls

- A. Conducted July 3, 1996 requesting acceptance of vital records microfilming offer.
- B. Conducted July 3, 1996 requesting the closure of Elm Street between Manchester and Amherst Streets on July 18 & 25, and August 1, 1996 from 3:00 PM until 10:00 PM in conjunction with "Thursday Night Live! Downtown Manchester."

- C. Conducted July 23 & 24, 1996 relative to a majority of the Board being in opposition to Optima Health's planned closure of the Acute Care facilities located at Catholic Medical Center on McGregor Street and transferred to the Elliot.

Approve under Supervision of Department of Highways

- D. New England Telephone Company Pole Petitions #929523 & #221759-B
- E. Public Service of NH Pole Petitions: #11-782, #11-783, #11-784, #11-785, #11-786, #11-787, #11-788, and #11-789.

Informational to be Received and Filed

- F. Communication from Leo Bernier, City Clerk, advising on behalf of the Committee on Joint School Buildings, that the Central High School Locker Room Projects has been delayed until 1997 and that the Committee voted to award the Architectural Consulting Services contract to Tennant/Wallace for \$31,800.
- G. Communication from Jay Taylor, Industrial Agent, advising that the Manchester Development Corporation, Board of Directors have voted to purchase a \$1,000,000 directors and officials liability insurance at an annual cost of \$2,500, and authorized the expenditure of up to \$2,500 for further environmental testing and analysis of ground water monitoring wells at the corner of Bridge and Elm Streets.
- H. Communication from Ralph Chase, relative to recent salary increases given to department heads, employee benefits, property taxes, EPD and Water user fees.
- I. Communication from Robert A. "Howie" Howe, relative to an incident which occurred on July 5, 1996 at approximately 10-11 PM at the Empire Theatre at 87 Massabesic Street, and requesting that formal charges be brought against those officers involved.

REFERRAL TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- J. Communication from Attorney Robert Ciandella, submitting an article summarizing the impacts of the Telecommunications Act of 1996 on New Hampshire municipalities.
- K. Communication from Alderman Robert submitting a proposed amendments to Chapter 14 the Code of Ordinances relating to Amusement Games of Chance.

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- L. Communication from Alderman Reiniger suggesting that a Universal Accessibility Advisory Board be created under the name of "Access Manchester" to be comprised of interested citizens, representatives from Planning, Building, Public Building Services, Elderly Services, and Personnel, a designated Aldermanic liaison and the City's ADA Coordinator as Chairperson.
- M. Communication from Barbara Vigneault, Elderly Services Department, advising that the Elderly Services Commission has recommended that the lease agreement between the City and Carnoustie, LLC be negotiated for another option term.
- N. Communication from James Kociuba, expressing his concern relative to the decision to halt construction of the sidewalks on Mammoth Road.
- O. Communication from Attorney F. Anne Ross requesting a letter from the Board confirming that a portion of McCauley Street contained within Lot 42 has no public status.

- P.** Communication from Wireless Acquisitions, Inc. regarding potential leasing of an area on the Wastewater Treatment Plant site for construction of a PCS wireless communication network for Sprint, and requesting permission to conduct a "Drive Test" of the site.

COMMITTEE ON FINANCE

- Q(1)** Communication from Alderman Shea, Domaingue and Pariseau requesting the Board consider a civic contribution to assist South Little League's attendance at the regional finals.

- Q.** Bond Resolution:

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$250,000 for the 1996 CIP 5.10117 Gill Stadium Rehabilitation - Phase II."

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- S.** Communication from Armand Gaudreault, Building Commissioner, QM Committee Member, submitting a proposal whereby a policy could be established to allow City employees to utilize at no cost, up to 20 percent of the uncommitted capacity in the City's parking garages and lots such spaces being allocated by the Traffic Department on a "first come, first serve" basis.
- T.** Communication from Really Fun Entertainment requesting closure of Hanover Street between Chestnut Street and Elm Street to hold a block party on Friday, September 13, 1996.
- U.** Communication from Teresa Vincent, American Red Cross, requesting the closure of Elm Street between North and Webster Streets from 6:00 to 11:00 PM on Friday, October 18 and from 5:00 to 10:00 PM on Saturday, October 19, 1996, in conjunction with their Halloween event "Frightmare on Elm Street", to insure the safety of the children participating.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT, AND REVENUE ADMINISTRATION

- V.** Recommending that the listings submitted by the Revenue Administrator as uncollectible account receivables from the City's Police and Aviation Departments be approved for write-off.

COMMITTEE ON ACCOUNTS, ENROLLMENT, AND REVENUE ADMINISTRATION AND COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- W.** Advising that it has reviewed the request for clarification submitted by the Tax Collector as a result of addition fees for auto registration and recommends that the Veterans and Military exemptions be continued, and the auto registration permits assessed at a flat fee on special vehicles pay a \$1.00 additional fee; and further recommending that such changes be implemented by the Tax Collector as soon as possible.

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- X.** Recommending that a resolution approving the merger between the Continental Cablevision, Inc.

and US West, Inc. be adopted subject to the execution of a maintenance agreement for the 16.4 fiber optic Municipal Institutional Network.

- Y.** Recommending that the area generally bounded by the Merrimack River to the west, Elm Street to the east, West Brook Street to the north, and Queen City Avenue to the south be designated the "Riverfest Area" from 4:00 PM on Friday, September 6 to 7:00 PM on Sunday, September 8; and further recommending that the Office of the City Clerk be directed not to issue any vendor or peddler permits to any applicant desiring to obtain a permit within this area during that period.

(Note referral to Bills on Second Reading Committee)

- Z.** Advising that it has approved Ordinance:

"Amending Chapter 17 3/4, Penalties and Enforcement Procedures. Section 17 3/4-7. Departments Authorized to Issue Citations. of the Code of Ordinances of the City of Manchester."

and recommends it be referred to the Committee on Bills on Second Reading for technical review.

(Note referral to Bills on Second Reading Committee)

- AA.** Advising that it has approved Ordinance:

"Amending the Code of Ordinances of the City of Manchester by deleting Chapter 27. Weights and Measures. in its entirety."

and recommends it be referred to the Committee on Bills on Second Reading for technical review. The Committee notes that such ordinance presently contains references to state law which have been repealed, and the city no longer has a weights and measures department.

(Note referral to Bills on Second Reading Committee)

- AB.** Advising that it has approved Ordinance:

"Amending Chapter 4, Section 4-25 of the Code of Ordinances of the City of Manchester providing for increased fees for impoundment of dogs and purchase of dogs and cats."

and recommends it be referred to the Committee on Bills on Second Reading for technical review.

(Note referral to Bills on Second Reading Committee)

- AC.** Advising that it has approved that an amendment be made to the business license ordinance providing for waived fees for local nonprofit organizations who do not hold any property within the city, and recommends that it be referred to the Committee on Bills on Second Reading for ordinance preparation.

- AD.** Recommending that a request of Francofest '96 to place several banners in public places of the City to include at least one banner across a downtown street be granted and approved subject to the review and approval of the Building Commissioner and Risk Manager and with the condition that only one banner be placed across a downtown street, same to be Hanover Street.

COMMITTEE ON BILLS ON SECOND READING

- AE.** Recommending that 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."

ought to pass.

- AG.** Recommending that Ordinance:

"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."

ought to pass.

AH. Recommending that Ordinance:

"Amending the Code of Ordinances of the City of Manchester by adding a new Article XV under Chapter 2 - Administration providing for a Heritage Commission and Amending the Zoning Ordinance by deleting Article XI - Historic District Commission."

be referred to public hearing on Monday, August 26, 1996 at 7:00 PM in the Aldermanic Chambers of City Hall.

AI. Recommending that proposed changes to the Zoning Ordinance relative to limiting parking lots for business uses within residential zones be referred to public hearing on Monday, August 26, 1996 at 7:00 PM in the Aldermanic Chambers of City Hall.

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

AK. Recommending that the City of Manchester forward a letter of support to Mr. Joseph Lamont, President, 1138 Elm Street, Inc., relative to his interest in acquiring property located at the southwest corner of Bridge and Elm Streets.

(Note referral to Bills on Second Reading Committee)

AL. Advising that it has approved Ordinance amendments:

"Amending Chapter 21B Sewer Use Ordinance, Article X, Section 2.0(m) of the Code of Ordinances of the City of Manchester relative to the screening level for Sulfite, and deletion of some screening levels."

"Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 10, Paragraph 1 of the Code of Ordinances of the City of Manchester relative to increasing the maximum penalty for industrial users in violation of the Code."

"Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 11 of the Code of Ordinances of the City of Manchester by changing references to state statutes."

and recommends they be referred to the Committee on Bills on Second Reading for ordinance preparation.

AM. Recommending that a request for the granting of an easement from the City to the American Red Cross to expand their parking surface three feet over the property line to provide more effective utilization of the existing rear lot at the Reservoir Avenue facility be granted and approved; subject to the review and approval of the City Solicitor's Office.

AN. Recommending that a request from the Deputy Public Works Director seeking authorization to execute an "Agreement for Three-phase Line Extension on Private Property" with PSNH as part of the construction for the Drop-Off Facility on Dunbarton Road be granted and approved; subject to the review and approval of the City Solicitor.

AO. Advising that the Committee concurs with the Superintendent of Schools in having an architect review the Hevey School Building for use as a special needs educational facility.

(Note referral to Bills on Second Reading Committee)

- AP.** Advising that it has approved that Sec. 7 1/2(b) of the Code of Ordinances relating to Assessment and Collection of Taxes in Central Business Service Districts be amended by replacing the current language with that of the state statute and recommending that same be referred to the Committee on Bills on Second Reading for ordinance preparation.
- (Note referral to Bills on Second Reading Committee)**
- AQ.** Advising that it has approved that Sec. 26-19. Discontinuing Service for Nonpayment of the Code of Ordinances be amended to include the model utility disconnection ordinance enclosed herewith to bring this section into conformance with the due process requirements established through a recent U.S. Supreme Court case ruling and recommending that same be referred to the Committee on Bills on Second Reading for ordinance preparation.
- AR.** Recommending that a request for approval of an amending resolution and budget authorization providing for increased funding for the 1996 5.10117 Gill Stadium Rehabilitation Project - Phase II in the amount of \$75,000 be granted and approved.
- AS.** Recommending that a request for approval of an amending resolution allowing for acceptance and expenditure of additional grant funds for the School Department - Summer Youth NHJTC CAST Program FY97 (\$76,316), Adult Diploma Program FY97 (\$12,183), ABE/ESL Program (\$61,975), and Vocational Education FY97 (\$532,200) be granted and approved.
- AT.** Recommending that a request for approval of an amending resolution and budget authorizations by decreasing \$5,000 in cash funds from the 1994 CIP 8.10401 Code of Ordinance Update and increasing the 1996 CIP 8.20401 Archival Record Retrieval project in the amount of \$5,000 in cash funds be granted and approved.
- AU.** Recommending that a request for approval of an amending resolution allowing for an increase to an existing grant from \$127,000 to \$135,000 for the FY97 Driver Education Program be granted and approved.
- AV.** Recommending that a request for approval of an amending resolution and budget authorization allowing for acceptance and expenditure of \$34,700 in State of NH, Dept. of Health and Human Services grant funds and adding a new program, Youth Community Outreach Worker be granted and approved.
- AW.** Recommending that a request for approval of an amending resolution and budget authorization allowing for acceptance and expenditure of \$9,633 in grant funds from the State of NH Attorney General's Office (Dept. of Justice) and adding a new program, Drug Task Force be granted and approved.
- AX.** Recommending that a request for approval of an amending resolution and budget authorization allowing for acceptance and expenditure of \$12,776.70 in additional state funds and adding a new program, Juvenile Jail Removal be granted and approved.
- AY.** Recommending that a request for approval amending the 1994 and 1997 Community Improvement Program providing \$439,938.16 to effect needed repairs to rehabilitate certain City buildings and recreational facilities through transfer of prior budget balances be granted and approved; and for such purpose amending resolutions and budget authorizations have been submitted.
- AZ.** Recommending that the Commissioner of Buildings be authorized to demolish the Pine Island 4-H Center and that funds for such demolition be expended from the CIP building demolition account.
- BA.** Advising that it is the policy of the CIP Committee that the use of available CDBG and HOME funds allocated for housing be primarily directed toward homeownership programs; that the Planning/CIP Department would administer the program through the use of consultants and/or agencies such as Manchester Neighborhood Housing Services; that other selected housing rehabilitation projects may be appropriate to eliminate abandoned buildings or otherwise improve neighborhood conditions; and, that major selected projects would come back for review by the Committee prior to expenditure of funds.
- BB.** Advising that it has authorized the Planning Director to utilize \$150,000. in Central Business District Improvement Project funds for a public and private partnership program to purchase a skating rink to be utilized in front of the Hampshire Plaza to enhance the downtown area.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

(Note referral to Bills on Second Reading Committee)

BC. Advising that it has approved Ordinance:

"Amending the Code of Ordinances of the City of Manchester by deleting Chapter 17, Section 17-12, Curfew for Children, and replacing it with a new Section 17-12, Curfew for Children.

and recommends it be referred to the Committee on Bills on Second Reading for technical review.

(Note referral to Bills on Second Reading Committee)

BD. Advising that it has approved Ordinance:

"Amending Chapter 17 of the Code of Ordinances of the City of Manchester by inserting a new section, Section 17-26. Nudity in Places Selling Alcoholic Beverages."

"Amending Chapter 17 of the Code of Ordinances of the City of Manchester by inserting a new section, Section 17-27. Exotic/Unusual Entertainment in Places Selling Alcoholic Beverages."

and recommends they be referred to the Committee on Bills on Second Reading for technical review.

BE. Recommending that a request for 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 be denied. The Committee recommends that a letter be sent to the Highway Department, Police Department, and Traffic Committee requesting that they work together to develop suggestions or recommendations for methods of slowing down traffic on certain neighborhood streets.

BF. Recommending that a request from Debbie Courtemanche, on behalf of Healthsource New Hampshire, for the closure of Merrimack Street, from Elm to Chestnut Streets, beginning at 12:00 noon on Thursday, August 8, 1996, in conjunction with the 4th Annual Healthsource Corporate Road Race be granted and approved under the supervision of the Police Department.

BG. Recommending that a request from the Trustees of the Manchester Historic Association for 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 be approved under the supervision of the Police Department.

BH. Recommending that the following traffic and parking plan be put into effect from 4:00 PM on Friday, September 6 to 7:00 PM on Sunday, September 8 in conjunction with "Riverfest" activities:

- (1) close the western span of South Commercial Street to all vehicular traffic;
- (2) designate Depot Street as a one-way headed west (towards the river) to South Commercial Street; and
- (3) designate the Granite Street Parking Lot handicapped only parking.

BI. 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 SHEA, DULY SECONDED BY ALDERMAN CLANCY, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

R. Resolutions:

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for various School Department Grants."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$75,000 for the 1996 CIP 5.10117 Gill Stadium Rehabilitation Project - Phase II."

"Amending the 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$5,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 2.10105 Youth Community Outreach Worker."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$9,633 for the 1997 CIP 4.10127 DRUG TASK FORCE Program."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 4.20104 Juvenile Jail Removal."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the FY97 Driver Education Program."

"Amending the 1994 & 1997 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$439,938.16 for certain 1997 CIP Projects."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Thirty Nine Thousand Nine Hundred Thirty Eight Dollars and Sixteen Cents (\$439,938.16) from the 1994 CIP Projects. 3.30513A Wilson School Community Center 3.30513B Hallsville School Community Center, 6.50218 Science & Technology Center Acquisition & Development Project and 7.10405 Hampshire Plaza Municipal Parking Garage projects to the 1997 CIP 5.10155 School Recreational Facilities Parking Lot Resurfacing, 5.10258 Livingston Park Capital Improvements, 8.30202 City Hall Roof Replacement and 8.30349 West Branch Library Renovations."

Alderman Hirschmann stated he had a question regarding the \$285,565 being moved to the Livingston Park Project referred to in the last Resolution listed noting it was coming from Science & Technology and Municipal Parking.

Chairman Wihby stated he knew that the CIP Committee had decided they would fund something at Livingston and asked if this was the way in which they had decided to.

Mr. MacKenzie stated during the budget process there were a number of changes noting that was where it was decided to save some cash which was why Parking Reserve Bond money which was being paid for through other sources was then able to be used for things such as the City Hall Roof, the West Library, and at the same time there had been discussion about adjusting money for Livingston Park, so this was the package of changes that were agreed to to fund Livingston Park, West High Memorial Field, West Library, and a couple of other projects.

Chairman Wihby stated this was the original request they had and this was how it was being funded noting additional monies were not being added other than what they had decided they would fund the projects with.

Mr. MacKenzie replied that was the amount for Livingston was a correct amount; that the dollars left over from U.S. FIRST because of some legal expenses was less than originally anticipated, so some of the monies came out of the Parking Reserve Fund for that.

Alderman Domaingue stated that in May when Mr. MacKenzie appeared before the CIP Committee the amount that he had for the U.S. FIRST balance was \$279,969 and noticed it had been dropped by some twenty thousand dollars.

Mr. MacKenzie replied that was correct; that there was perhaps and maybe Kevin might have more information on it, but there was a balance for legal expenses that was not known at the time of the discussion, but they were preparing the various Bond Resolutions and were made aware that there were those legal expenses that dropped that total amount.

Alderman Domaingue stated the appropriation they were asking for this evening for Livingston Park appeared to add an additional \$25,000 to the appropriation the Committee had already agreed upon and asked if that had been discussed in particular at the CIP Committee meeting.

Mr. MacKenzie replied the amount that was actually proposed was \$279,000 and dropped by somewhat over twenty thousand dollars, so to offset that drop from U.S. FIRST there was additional money plugged in from the Parking Facility Reserve Fund to offset that loss.

Alderman Domaingue stated one then washed out the other.

Mr. MacKenzie replied it didn't come to the penny but it was fairly close.

On motion of Alderman Shea, duly seconded by Alderman Clancy, it was voted to refer the Resolutions to the Committee on Finance.

AF. Recommending that Ordinance:

"Amending Section 18-31 Vacant Positions of the Code of Ordinances of the City of Manchester."

ought to pass as amended.

Alderman Domaingue stated the only problem she had was that there did not seem to be a provision for a reporting system from the Personnel Director back to the Board of Aldermen as to which positions he had approved and understood having spoken with the Personnel Director that he intended to do that, but

written into the Ordinance there was no provision and it seemed to be at the will of the Personnel Director on-hand.

Chairman Wihby asked to do what.

Alderman Domaingue replied to give a monthly report, a monthly status report to the Board of Mayor and Aldermen on which positions the Personnel Director had actually approved to be filled.

Chairman Wihby stated it probably should go to the Personnel Committee noting if it was budgeted, the Board was allowing the Personnel Director to fill it and imagined he could send a report to the Personnel Committee every month or every meeting for those positions filled.

Alderman Domaingue stated all she was saying was that the Ordinance did not instruct him to do that and asked if they could amend it.

Alderman Domaingue moved that the Ordinance be amended to add at the end of paragraph (c) "The Personnel Director will notify the Personnel Committee of all approved positions on a monthly basis." Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

On motion of Alderman Domaingue, duly seconded by Alderman Shea, it was voted to accept, receive, and adopt the report of the Committee on Bills on Second Reading as amended.

AJ. Recommending that up to \$25,000 be allocated out of the Finance Department audit line item in order to implement a procurement management audit which may include a review of purchasing responsibility, authority, policies and procedures, organizational and departmental relationships, vendor relationships, internal controls and management reports.

Alderman Pariseau stated he felt Item AJ should be referred to the Committee on Administration and moved for discussion. Alderman Hirschmann duly seconded the motion.

Alderman Hirschmann stated as Chairman of the Advisory Committee he wished to note the Finance Department had informed the Committee that they did have the money set aside for this action; that the money had been specifically set aside for the audit.

Alderman Pariseau stated that he felt an Advisory Committee should not have the authorization to expend or make that recommendation to expend any money noting it should go back to a Committee of the Board.

Alderman Hirschmann stated it was brought back to the Board for its approval.

Alderman Pariseau stated he was making the motion that it be referred to the Committee on Administration.

Alderman Soucy stated she had a question about the line item it would be coming out of; that it was coming out of the line item which they would typically use to do an audit for an individual department such as when Finance and Health Departments were audited last year, so they would be doing this at the expense of doing an audit for another department.

Mr. Clougherty replied, exactly; that if the Board wished to perform the audit that was the account where the funds would come from and if there was something else they would not be able to do it; that at the request of the Finance Department they asked the auditors if they could do it and make sure they had the capability to do so noting the auditors had indicated they did have the capabilities to proceed with the audit.

Alderman Soucy asked what the approximate amount was for the audit done at the Health Department.

Mr. Clougherty stated there was \$80,000 appropriated for auditing and by the time they got through the completion noting it had to include the entire auditing of the City, they usually were left with \$30,000 or so and asked Mr. Sherman if he spoke to Ernst & Young.

Mr. Sherman stated the Health Department audit was \$18,600 plus expenses, so it would probably come in at around \$20,000.

Chairman Wihby asked Mr. Clougherty if there was a problem in forwarding it to the Committee on Administration.

Mr. Clougherty stated the department and Alderman Hirschmann had asked if the money could be available and could the company do the audit and the answer was yes, they could noting they would be presenting to their firm this evening.

Alderman Elise asked if this was the first step in setting up a central purchasing division.

Alderman Hirschmann stated their initial meeting was held noting this had been their first action taken that all City departments should have an audit in order to move to central purchasing.

Alderman Elise stated the Committee was set up to review, in depth, procedures to implement central purchasing and thought it would be an increased workload on another Committee to just review their work and check it as she thought this procedure of the special committee going to the Board was adequate for her.

Alderman Pariseau stated his motion was not to check on anything noting that the proposal was to institute central purchasing which should be part of the Administration Committee and had no problem with the recommendation of the Advisory Committee going to the Administration Committee, but

wanted to make sure than Melanson & Greenwood who was selected apparently wanted to know if there were any other bidders for this project and to expend \$25,000 for two weeks work thought had to be questioned noting the place to question it was in Committee.

Alderman Cashin stated Alderman Pariseau was correct noting it was a procedural question and moved to second Alderman Pariseau's motion.

Chairman Wihby stated the motion had already been seconded by Alderman Hirschmann.

Chairman Wihby asked if there was any further discussion to send it back to the Committee on Administration.

Alderman Pariseau stated it was never sent to the Committee on Administration.

Chairman Wihby stated then send it to the Committee on Administration.

Alderman Hirschmann stated as Chairman of the Central Purchasing Advisory Committee was the Board then asking him that all actions that Committee sent forward be sent back to the Committee on Administration because they would be having about two to three items on each upcoming agenda and if they wished to bog down Administration it would be done noting this was a simple thing which had already been budgeted for.

Alderman Pariseau stated it was a Committee established by the Mayor's Office.

Alderman Hirschmann stated the entire Board had already voted to implement central purchasing and they were doing it noting this was the first step.

Alderman Pariseau reiterated it still should be part of the Committee on Administration.

Alderman Robert stated they were special committees set up and could not recall of a special committee set up by the Board which reported to a Committee; that he knew of sub-committees and asked who would this Committee report to.

Chairman Wihby stated it probably depended upon the Board noting if the Board wished to send a communication or everything which came out of the Advisory Committee to the Committee on Administration the Board could do so, if the Board wished to send a recommendation from the Advisory Committee to the full Board they could do that also.

Alderman Robert asked if he could have the Solicitor rule on that matter; that he wanted to know if the proposal which was being made, the motion being made was legal and asked who did the special committee report to, did it report to the full Board, or were they suppose to report to the Committee on Administration.

Assistant Solicitor Arnold stated ordinarily unless there were some special provisions in the way a committee was formed and he was not aware of, it would report to the Board.

Alderman Robert stated there was another committee on the central garage noting that nobody had said to him that he had to report to any other committee noting he was supposed to report out to the full Board.

Alderman Hirschmann stated the initiative that the full Board passed to move to central purchasing included this Committee in the makeup of the approval, so as part of approving central purchasing the Board put together a Committee which the Mayor named with private citizens, some people involved in City departments, some Aldermen, Alderman Shea and himself to comprise the Board noting it was part of the initiative that the Board already voted on which was to bring back recommendations to the full Board which they were doing.

Alderman Elise stated she could understand Alderman Pariseau's concern in terms of the Committee on Administration overseeing that particular issue and thought the Board knew that she had disagreed with the Mayor in setting up some committees, but did agree with the Mayor in terms of setting up this type of Committee as it was very technical, very labor intensive, and central purchasing was very, very important to move forward on as they had been talking about it for a long time and thought in terms of having another Committee continue to review work the Advisory Committee had already done would merely bog down the process, so she would be content to have the Advisory Committee report to the full Board.

Alderman Soucy stated that it was very clear that the Committee report to the full Board noting the issue was not what type of work the Committee was doing, but rather the issue was the audit and thought that Alderman Pariseau's question was how were City audit funds being expended and what was the best use of them noting that the appropriate place to asks those questions was in the Committee on Administration and it had nothing to do and did not think it was in any way a critique of the work that Alderman Hirschmann's Committee was doing nor did it mean that every other item they bring forward would be referred but thought that this particular item, if there were questions should appropriately go to the Committee on Administration.

Chairman Wihby moved to the question that Item AG be forwarded to the Committee on Administration.

A roll call vote was taken on the motion at the request of Alderman Hirschmann. Aldermen Hirschmann, Elise, Reiniger, Shea, Domaingue and Alderman Robert voted nay. Aldermen Sysyn, Clancy, Soucy, Pariseau and Cashin voted yea. Alderman Wihby as Chair did not vote. The motion failed.

Alderman Hirschmann moved to accept, receive and adopt the report of the Central Purchasing Advisory Committee. Alderman Reiniger duly seconded the motion. A roll call vote was taken. Aldermen Pariseau, Cashin, Sysyn, Clancy, Soucy, voted nay. Aldermen Robert, Hirschmann, Elise, Reiniger, Shea and Domaingue voted yea. The motion carried.

Chairman Wihby stated there was a report of the Committee on Community Improvement Program which would be explained by the Clerk.

The Clerk presented a report of the Committee on Community Improvement Program indicating it contained resolutions and budget authorizations which needed to be referred to the Committee on Finance. The report was presented as follows:

The Committee on Community Improvement Program respectfully recommends that \$50,000 be transferred from the 1996 School Sidewalk Construction Program to the 1997 50/50 Sidewalk Program, and for such purpose a Bond transfer Resolution amending resolution and budget authorizations have been submitted.

On motion of Alderman Clancy, duly seconded by Alderman Robert, it was voted to accept, receive, and adopt the report of the Committee on Community Improvement Program.

Resolutions:

"Amending the 1996 and 1997 Community Improvement Programs, transferring, authorizing, and appropriating funds in the amount of \$100,000 for the 1996 CIP 7.50102 Sidewalk 50/50 Program."

"Authorizing the Finance Officer to effect a Transfer of \$50,000 from the 1996 CIP 7.50101 School Sidewalk Construction Program to the 1997 CIP 7.50102 Sidewalk 50/50 Program."

On motion of Alderman Clancy, duly seconded by Alderman Robert, it was voted that the Resolutions be read by titles only, and it was so done.

On motion of Alderman Robert, duly seconded by Alderman Clancy, it was voted that the Resolutions be referred to the Committee on Finance.

A brief presentation was made by Richard Davis and his associates relative to the feasibility of making the property at the corner of Bridge and Elm Streets more attractive.

Jay Taylor addressed the Board stating this discussion had been precipitated at a recent meeting of the Manchester Development Corporation Board noting there was some interest among some of the members to make some temporary improvements to the Bridge and Elm Streets property which was owned by the Manchester Development Corporation and while they were trying to market the property, it was felt that the appearance of it could be made a little more appealing in terms of use by the City and for people from the outside. Mr. Taylor stated in discussing this with Mr. Davis it was thought that it might be at least appropriate to look into the matter to see if they could come up with some ideas as to how to make the property a little more presentable noting that was the basis upon which they were appearing before the Board this evening. Mr. Taylor stated prior to proceeding further with the idea the Manchester Development Corporation Board felt it would be appropriate to run it before the Board of Mayor and Aldermen to see what kind of support it might generate and asked Mr. Davis to address the Board.

Mr. Davis began by introducing Marcia Hart and Associates noting they had been asked by the Manchester Economic Development Office, as Jay said, to take a look at the potential for the Bridge and Elm Streets site and were very pleased to do so noting they had looked at the site and thought it had a lot of great features, was a very active and visible site in Downtown Manchester and thought they could add something to it rather than having it remain the eyesore that it was as it achieved its potential for development. They had received pro bono assistance in doing so from both Marcia and Joe Hockrein at Landforms which was a Company out of Concord. They had looked at the site and put some ideas on paper and presented it to the Economic Development Commission who asked that it be brought before the full Board prior to their proceeding any further and emphasized that it was a work-in-progress rather than any kind of finished plan. Mr. Davis in reference to preliminary sketches noted they were preliminary sketches and were not by any means a final design. Mr. Davis stated it was an excellent use for an interim development of the site noting that most people would agree that Downtown Manchester was in an overbuilt market at the moment and it could be some years and did not know how many, five or ten years before the site could achieve its real potential and in the meantime it was thought that a lot of good could be gotten out of the site. Their plans were intended to minimize the public expenditure and to maximize private contributions to do what was outlined in the sketches. They had already been made aware of companies and individuals who had come forward and offered materials, labor, plantings, and so forth for the site and they thought that the plan could be designed to maximize those private contributions and minimize the public's. Mr. Davis stated one of the ways that they could add to the Downtown would be by increasing and adding to the amenities there were Downtown noting the idea behind the ice rink which had been presented a week ago at the Hampshire Plaza was something of the same idea. In a market which was overbuilt they would not want to dilute the value of the properties that were there by adding to the space that was already there, but would rather want to increase the value of the existing space by adding amenities and adding something to the quality of the neighborhood which was the idea behind what was being presented this evening. Mr. Davis stated he would leave the sketches for the Board to review at their leisure. The first concept was mostly green space, there was a terrace, a slope which went down from Elm Street at the top, along Bridge Street, and some plantings

which could be used and enjoyed by the residents in the Amoskeag community to the north and certainly by the people who were working in the commercial district to the south and to the east. Certainly, in the winter it was thought that it could be used for sledding, was a nice space for volleyball and sports of that nature and certainly could be used for an amphitheater up at the top and intended that the drawings spark the imagination and to suggest other uses which might occur. Mr. Davis stated the second concept developed by Joe and Marcia was a little different noting it was more of a hard surface with a terrace and a hard concrete surface at the eastern side which lent itself to perhaps seasonal uses such as in-line skating in the summer, perhaps a fountain along the edge which came out of the ground to create some sort of a water feature there and could be used for a farmer's market on the site noting it lent itself to all sorts of activities such as those. In summary, those were the kinds of things they would like to be able to explore with the Board to increase the value of the property and to increase the value of the neighborhood and thought it was a good link and a good transition between the commercial core and Elm Street and the residential area immediately to the north and although it was a vacant site and didn't look like much at the moment noted it was a prominent location and they thought that perhaps for a minimal investment they could achieve a lot in terms of value and image for the people of the City of Manchester and wished to thank the Board for allowing them to present it this evening and would answer any questions if there were any.

Chairman Wihby inquired as to funding.

Mr. Davis replied with funding, it was really too early in the process to say what funding would be noting their charge to the designers was to keep it simple and keep it inexpensive and until they programmed the uses or decided which uses they wanted to put there, they couldn't put a dollar figure on it, but thought it could be done very inexpensively.

Chairman Wihby asked if the abutter on Canal Street had been notified of it because he had received a call from him the other day whereby he had seen people down there taking tests and stuff and wanted to know what was going on.

Mr. Taylor stated they had not talked to any of the abutters at this point noting they were looking, this evening, for guidance from the Board as to whether they thought it was a reasonable idea and whether they should proceed further or was it something they should forget and did not want to go too far without getting some direction from the Board.

Chairman Wihby asked if there had been any "takers" on the property at all.

Mr. Taylor replied, not.

Chairman Wihby stated it was an "eyesore" for sure.

Alderman Domaingue asked if in preliminary discussions had there been any discussion as to who would be responsible for the maintenance of the property.

Mr. Davis stated that was a good question noting they would be willing to assist since they did have maintenance responsibilities along Elm Street and would be willing to work with the City of Manchester and the Parks Department in the maintenance and the creation of the space there.

Alderman Robert stated he would be interested in getting an idea as to how the neighbors to the north would feel about this idea as they lived there noting that sometimes parks could "collect" things that maybe the people who lived close by would not care for indicating their comments would be valuable to him.

Mr. Davis was in agreement noting that Alderman Reiniger had suggested that they meet with those residents and they would like to do so as they moved ahead in the process.

Alderman Hirschmann stated he liked what he saw and it would be nice and asked if the City moved in that direction would it be giving up on economic development of that property in that, in the future if there were trees there and a project came forth wouldn't people be saying they didn't want to lose their trees because a corporation would be buying that parcel, and would the City be giving up on the economic development of that parcel.

Mr. Davis stated that was an excellent question. The site was actually a bit larger than it looked noting it was actually more than an acre and if they considered building a building the size of Hampshire Plaza which was a little in excess of 200,000 square feet, it could sit on a footprint of about 100 x 200 and there was ample space for a major development that wouldn't even cover the entire site. Even if a major building were to develop there, there was ample space for open space and probably in the City of Manchester they would want to look at a developer who would promise some open space, so it was a major site and they thought that the attractiveness of the site actually helped its marketability rather than hurts it.

Alderman Hirschmann stated the City would still, then, try to entertain a marketing effort.

Mr. Taylor stated he wished to make it very clear that they definitely had not given up trying to do something with that site noting they should go into it knowing that it was being proposed as "temporary", and how long the "temporary" period would be was a good question, but thought they should make it very clear when they started with such a project it was "temporary" and would continue to market the site and get a major development on that piece of property.

Alderman Soucy asked what the asking price for the parcel was.

Mr. Taylor replied they probably had something in the range of \$600,000 tied up in it noting they would like to, at least, get their money back, if not more, but yet on the other hand if the right project came along he could probably justify giving it to somebody which would be his approach noting he was not suggesting that be done, but if the right deal were to come along he certainly would not hesitate to look at it.

Alderman Soucy stated the longer the City owned it, the longer it was not part of the tax base.

Chairman Wihby stated the point was that any offer which came and which seemed would help the City and Downtown thought the City would want that to come forward even if it wasn't \$600,000.

Alderman Domaingue asked if Intown Manchester was looking for a motion this evening of a direction from the Board to proceed with communications with the neighbors or what.

Chairman Wihby stated it probably should be forwarded to CIP for further discussion.

Alderman Reiniger stated he had spoken to a number of neighbors who had indicated they were very excited about the proposal and in previous discussions he's had with out-of-town visits had indicated the Downtown looked pretty good in comparison to a lot of cities, but this was the property that most everybody commented on and how bad it looked, and thought it was great that the Manchester Development Corporation was coming forward with a plan.

Chairman Wihby stated a lot of good things were happening Downtown with a lot of it being due to Mr. Davis being here noting the City was pleased to have him.

On motion of Alderman Domaingue, duly seconded by Alderman Reiniger, it was voted that the proposals relative to the corner of Bridge and Elm Streets be referred to the Committee on Community Improvement Program.

On motion of Alderman Soucy, duly seconded by Alderman Shea, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Chairman Wihby called the meeting back to order.

OTHER BUSINESS

A report of the Committee on Finance was presented recommending that a proposed revision to Chapter 8. Finances, of the Code of Ordinances of the City of Manchester be referred to the Committee on Bills on Second Reading with proposed amendments to be reviewed by the Committee on Accounts and report to be submitted to the Committee on Bills on Second Reading.

On motion of Alderman Shea, duly seconded by Alderman Clancy, it was voted to accept, receive, and adopted the first report of the Committee on Finance.

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

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$250,000 for the 1996 CIP 5.10117 Gill Stadium Rehabilitation - Phase II."

ought to pass and layover, and further that Resolutions:

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for various School Department Grants."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$75,000 for the 1996 CIP 5.10117 Gill Stadium Rehabilitation Project - Phase II."

"Amending the 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$5,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 2.10105 Youth Community Outreach Worker."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$9,633 for the 1997 CIP 4.10127 DRUG TASK FORCE Program."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 4.20104 Juvenile Jail Removal."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the FY97 Driver Education Program."

"Amending the 1994 & 1997 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$439,938.16 for certain 1997 CIP Projects."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Thirty Nine Thousand Nine Hundred Thirty Eight Dollars and Sixteen Cents (\$439,938.16) from the 1994 CIP Projects. 3.30513A Wilson School Community Center 3.30513B Hallsville School Community Center, 6.50218 Science & Technology Center Acquisition & Development Project and 7.10405 Hampshire Plaza Municipal Parking Garage projects to the 1997 CIP 5.10155 School Recreational Facilities Parking Lot Resurfacing, 5.10258 Livingston Park Capital Improvements, 8.30202 City Hall Roof Replacement and 8.30349 West Branch Library Renovations."

"Amending the 1996 & 1997 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$100,000 for the 1997 CIP 7.50102 Sidewalk Fifty-Fifty Program."

"Authorizing the Finance Officer to effect a transfer of Fifty Thousand Dollars from the 1996 CIP 7.50101 School Sidewalk Construction Program to the 1997 CIP 7.50102 Sidewalk Fifty-Fifty Program."

ought to pass and be Enrolled.

On motion of Alderman Clancy, duly seconded by Alderman Sysyn, it was voted to accept, receive, and adopt the second report of the Committee on Finance.

A third report of the Committee on Finance was presented recommending that Personnel Committee Actions on Agenda PC 5-96 be approved.

Alderman Domaingue moved to accept, receive, and adopt the third report of the Committee on Finance. Alderman Pariseau duly seconded the motion. The motion carried with Alderman Cashin duly recorded in opposition.

Ordinances:

"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."

"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."

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

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

These Ordinances having had their second readings by titles only, Alderman Cashin moved on passing same to be Enrolled. Alderman Pariseau duly seconded the motion. There being none opposed the motion carried.

On motion of Alderman Clancy, duly seconded by Alderman Soucy, it was voted to recess the regular meeting to allow the Committee on Accounts, Enrollment, and Revenue Administration to meet.

Chairman Wihby called the meeting back to order.

A report of Committee on Accounts, Enrollment, and Revenue Administration: was presented advising that Ordinances:

"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."

"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."

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

were properly enrolled.

On motion of Alderman Soucy, duly seconded by Alderman Clancy, it was voted to accept, receive, and adopt the report of the Committee on Accounts, Enrollment, and Revenue Administration.

Communication from Alderman Elise requesting the full Board review the issue of the CIP Committee approving School Sidewalk Program projects contrary to the priority list and recommendations from the Planning and Highway Directors.

Alderman Elise stated she wished that the Board review the decision made by the CIP Committee relative to the School Sidewalk Program noting the Committee had decided to allocate money to projects throughout the City and she was surprised that the Committee had not adhered to the priority list and skipped over a project, such project being in her Ward and indicated it did have implications for all of them whether it be street lights, road reconstruction, sewers, etc. Alderman Elise stated she was very concerned as it was a priority in her ward noting she could go into detail as to why it should have been filled and she understood it was an expensive project and would not debate sidewalks being needed in other wards and being funded and constructed in other wards, but a compromise had been presented by the Planning Director that the project could be done in stages, half this year and half next year noting it was overlooked. Alderman Elise stated the Public Works Director, Frank Thomas, in a letter had written that it was possible to complete the project in stages and she agreed that was a very good compromise to get sidewalks done in other people's wards as well as that very important one in her ward and pointed out that that particular project had been on the priority list since 1989. Alderman Elise stated realizing it was August, even if it were granted funding she did not know if it could be done and wished to offer to the Board and hoped for their support was that in a letter sent to Administrative Assistant Richard Girard from the Public Works Director, Frank Thomas, it stated that the Mayor had requested the Highway Department to perform the survey and design work for that particular project so that it would be ready by next year to be done and she asked for the Board's support in supporting the Mayor's request that that work be done and noted that the CIP Committee was reviewing the decision they had made as they had found out that the projects they had allocated money to some of which already had existing sidewalks and if the CIP Committee found that they would not be funding those projects if they so chose to fund part of the Mammoth Road sidewalks this year she would be very happy with it.

Chairman Wihby stated it was his understanding that it had been sent over to the Mayor's Office, and asked the Chairman of the CIP Committee, Alderman Robert, to advise the Board.

Alderman Robert stated prior to the meeting held last Wednesday where the Committee had reviewed what had occurred previously, he called a couple of Committee members and asked them to do a little bit of homework to make sure that the Committee did was okay and they were comfortable with noting a few members found out about some things they wished to look into further noting the program had been set up, the projects were submitted by Aldermen and for one reason or another were important to them and touched briefly upon how the Committee had come to the decisions they had noting he was speaking on behalf of the Committee.

Chairman Wihby stated prior to doing so asked where did it now stand, was it still in CIP.

Alderman Robert replied what the CIP Committee decided to do was to rescind its previous action noting that it did not get rid of the proposal but rather it was reviewing the whole School Sidewalk Program in its entirety and they expected to be hearing shortly from those people who were reviewing it and that there was a desire by the Committee to get sidewalks constructed this year and not hold up a lot of work. Alderman Robert stated he did not think the Committee came out with, any one person came out with their ideal scenario but rather the decision they had made was something that the Committee could almost all agree on noting there were essentially three different options. One being to fund the number one priority and partially fund number two; that another option was to fund completely all of the Mammoth Road project which still wasn't enough to complete the entire projects and the third being was to clean up all of the smaller projects so they could focus on the larger ones which was the decision the Committee came to and was willing to go that route, if that was the wish of the Committee, but to try to address some of Alderman Elise's concerns stated the Mammoth Road project at the time the Committee was reviewing it had problems from a construction point of view noting that as the Committee had been told some of the members came away with the feeling that they might not be able to cut up the project into parts and if they were, in fact, able to do so they would have to do more homework on it and thought that was the essential for people to lean away from the project.

Alderman Robert stated to have that project done as opposed to anybody else's projects and to help the Committee massage it thru he would have been more than willing to have Alderman Elise speak to the Committee with her concerns noting he did not feel that the Committee felt that the actions taken, after the decision was made were appropriate and personally felt Alderman Elise did the Board a tremendous disservice.

Chairman Wihby stated the Board would not address this matter further and asked Alderman Elise if she could show up at the next CIP meeting.

Alderman Elise interjected she wished to have the opportunity to speak right now, Mr. Chairman.

Chairman Wihby stated they could keep this matter going for days indicating to Alderman Elise she had two minutes to speak.

Alderman Elise stated she had talked to Bob MacKenzie before the CIP meeting and asked him what his recommendation would be regarding the sidewalk programs noting that he had said he would recommend all of the list and for Mammoth Road noted it was very expensive and indicated he would recommend that it be half funded this year and half funded next year at which point she indicated that was fine with her. Alderman Elise stated she had the understanding at the beginning of the term that all of the projects were to be done according to the priority listing noting that if the Planning Director was going to recommend it asked why would she have to show up at a CIP Committee meeting to massage a decision which should be made according to priority listing and asked Mr. MacKenzie if in terms of the priority listing was their a reason, was the priority list valid or not.

Chairman Wihby stated he'd answer that question, a priority list was always valid noting they were not going to put Bob in the middle noting that Bob had made his recommendation and the CIP Committee decided they would do something different.

Alderman Elise interjected she understood that indicating she did not want to hold up any more sidewalk projects this year and knew Mammoth Road was a big project noting that the Mayor had recommended that the Highway Department do the studies on it this year, get an actual figure for construction which would remove all of the obstacles next year in terms of making a decision and that is what she was asking the Board to support her in.

Chairman Wihby stated it was his understanding that the Highway Department could do that.

Alderman Elise stated she was asking that the studies be done by the Highway Department as recommended by the Mayor so that all of the issues which Alderman Robert had currently could be cleared up and an actual decision could be made next year and they wouldn't be holding up any more sidewalk projects this year.

Chairman Wihby stated it was his understanding that Highway would go forward and do that.

Alderman Robert stated it was also his understanding that the Highway Department was actually putting the sidewalks together noting that it had to be cut up into sections and it had to be done in such a matter that it was done properly from a construction point of view as well as funding.

Chairman Wihby asked didn't the Highway Department indicate they could do the Mammoth Road project by doing the engineering portion for free.

Alderman Elise stated there were questions which the CIP Committee had regarding the project and reiterated she was asking for the Board's support and the Mayor in directing the Highway Department to do all of the studies now so that they would have all of the information by next year to make decisions on it and next year, if the CIP Committee so chose to fund it in full, wonderful, but if they couldn't fund half of it and all of the studies would be done so none of the questions would be around next year and was not asking that it be done this year.

Chairman Wihby asked what was the big deal about letting the Highway Department doing the study and fund what the CIP request was anyway noting he could not see where the dilemma was.

Alderman Pariseau stated next year they were supposed to be doing Calef Road.

Chairman Wihby stated Alderman Elise was only saying that all of the decisions would be done, so it wouldn't hold it up and if the Board wanted to fund it next year, they could.

Alderman Clancy asked in the meantime what was going to happen this year.

Chairman Wihby stated Alderman Elise was saying she was willing to go along with the CIP report as long as the Highway Department was willing to do the engineering.

Alderman Elise stated the other streets she had looked at had sidewalks on them and was not approving that those other streets be done, but reiterated Mammoth Road was a top priority sidewalk and it did require engineering work be done in order to answer some questions such as should it be done in full or half noting that the Mayor's Office had requested that the Highway Department do all of the studies now, so that next year all of the information will be available, so next year it would be at the top of the list and if the CIP Committee wished to fund it in half so that other sidewalks could be done she would be very happy with that and if they wanted to fund it completely, fine and reiterated she was not asking that anything be done this year except for the studies.

Alderman Domaingue stated as a member of the CIP Committee she felt the Board needed to know a couple of things such as the CIP Committee in pulling back that list pulled it back for a very specific reason which was that the Committee was uncomfortable with the fact that what had been presented to the Committee as an updated list was, in fact, not an updated list and they felt out of fairness not only to Alderman Elise, but also to every other Aldermen on the Board they needed to readdress those issues which was why it was pulled back and did not think they should separate out any one sidewalk project right now and say go ahead with that one, but let's revisit these and thought the direction as a Committee was to send the appropriate departments back with a report on where the neediest sidewalks were and how they could get them done this year with the amount of money that was left. Alderman Domaingue stated that Alderman Elise had been contacted by her at the initial meeting of the CIP Committee in the afternoon and asked specifically if she had any concerns regarding the list itself or the priorities that were on it because she had concerns when they began the process. Alderman Domaingue stated that Alderman Elise had informed her that she had talked with Mr. MacKenzie and that everything seemed to be okay. Alderman Domaingue stated when she walked into the meeting it was her understanding that the money was there for Mammoth Road and learned that evening that it was not there to do Mammoth Road in its entirety because there was not enough money to finish that project, let alone what was on the list. Alderman Domaingue stated her concern was not so much that it be resolved as she was sure the Committee would do it, but her concern was the response to that Committee went to the people of Ward 2 in the form of a memo from the Alderman from Ward 2 telling them that the Committee members who were Board members "ripped them off" which was the wording that was used in the memo indicating she had a real problem with that because in an effort to get things straightened out the Committee in no way intended to rip anyone off.

Chairman Wihby stated my name was on the memo and he wasn't even at that particular meeting.

Alderman Pariseau asked that the Board move along.

On motion of Alderman Robert, duly seconded by Alderman Domaingue, it was voted that the communication from Alderman Elise be referred to the Committee on Community Improvement Program.

Communication from Alderman Elise requesting that the Chairman of the Board create a special committee to review the June 1995 negotiation and report findings to the full Board.

Alderman Pariseau moved that the communication from Alderman Elise be received and filed.

Alderman Shea duly seconded the motion. The motion carried with Alderman Elise and Hirschmann duly recorded in opposition.

Communication from Alderman Elise advising that she would find meeting with the MEDO board in joint session to discuss upcoming plans helpful in planning future projects, programs and the 1997-98 budget.

Alderman Elise stated it would be helpful for the Board to meet with the MEDO Board to talk about their plans and economic development noting how important it was to the tax base.

Alderman Hirschmann state two Boards meeting could perhaps be counterproductive and asked if they couldn't forward a report to the Board of Mayor and Aldermen.

Alderman Soucy stated there had been a problem in the past with the GMDC Board being out there and merely sending reports to the full Board noting that things happened after the fact or the Board was only informed after something happened and thought it would perhaps be helpful to get together and talk about some strategic planning and thought a lot of the City's economic development was not coordinated.

Alderman Elise moved to schedule a joint meeting of the MEDO Board and full Board. Alderman Soucy duly seconded the motion. A roll call vote was taken. Aldermen Shea, Domaingue, Pariseau, Cashin, Robert, Hirschmann, Sysyn and Clancy voted nay. Aldermen Elise, Reiniger and Soucy voted yea. The motion failed.

Communication from the City Clerk requesting that the Board set polling hours for the State Primary Election to be held on September 10, 1996 from 6:00 AM to 7:00 PM.

On motion of Alderman Shea, duly seconded by Alderman Clancy, it was vote to set polling hours for the State Primary Election from 6:00 AM to 7:00 PM.

Communication from Deputy Finance Director advising of the receipt of \$77.00 in DARE funds from National Tire Warehouse, requesting the Board accept same and remand for the purpose intended.

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

Communication from Finance Officer requesting authorization to process to process payments from the EPD Replacement Account for purchase of an aerator platform.

Chairman Wihby asked what an aerator platform was and how much. Mr. Clougherty replied it was \$65,000 for the Wastewater Treatment Plant.

On motion of Alderman Soucy, duly seconded by Alderman Clancy, it was voted to authorize payments from the EPD Replacement Account for purchase of an aerator platform.

Communication from Health Officer advising that the department has received an Optima Health Dental Grant in the amount of \$2,100. requesting the Board accept same and remand to the Health Department budget for the purpose intended.

On motion of Alderman Sysyn, duly seconded by Alderman Soucy, it was voted to accept the grant funds and remand them to the Health Department budget for the purpose intended.

Communication from Health Officer advising of the receipt of a Bean Foundation Grant for school staff CPR and first aid training, requesting the Board accept same and remand to the Health Department budget for the purpose intended.

On motion of Alderman Soucy, duly seconded by Alderman Domaingue, it was voted to accept the grant funds and remand them to the Health Department budget for the purpose intended.

Communication from Planning Director requesting that in accordance with Section 20 1/2-8 of the Code of Ordinances, the Board of Mayor and Aldermen authorize the use of Competitive Sealed Proposals for development of the Neighborhood Resource Center funded under the Enterprise Community Program.

On motion of Alderman Clancy, duly seconded by Alderman Soucy, it was voted to authorize the use of Competitive Sealed Proposals as requested by the Planning Director.

Communication from Chief of Police requesting approval of an Indemnification Indemnification Agreement between Hillsborough County Sheriff and the City of Manchester Police Department, same having been reviewed by the City Solicitor.

On motion of Alderman Pariseau, duly seconded by Alderman Shea, it was voted to approve the Indemnification Agreement with the Hillsborough County Sheriff.

Communication from Water Works Director requesting approval of a lease for for a 1.8 acre parcel of land to the Town of Auburn on behalf of the Parents Leading Auburn's Youth, same having the approval of the Water Commission and having been reviewed by Assistant City Solicitor and Risk Manager.

On motion of Alderman Soucy, duly seconded by Alderman Clancy, it was voted to approve a lease for a 1.8 acre parcel of land to the Town of Auburn as requested.

Ordinances:

"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."

"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."

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

On motion of Alderman Soucy, duly seconded by Alderman Pariseau, it was voted that the Ordinances be read by titles only, and it was so done.

These ordinances having had their third and final readings by titles only, Alderman Clancy moved on passing same to be Ordained. Alderman Sysyn duly seconded the motion. The motion carried with none recorded in opposition.

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."

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

Alderman Shea moved that the Bond Resolutions pass and be Enrolled. Alderman Sysyn duly seconded the motion. The motion carried with Alderman Reiniger duly recorded in opposition to Bond Resolution pertaining to the Middle School Program.

Resolution:

"A Resolution of the City of Manchester, New Hampshire approving the merger between Continental Cablevision, Inc. and US WEST, Inc."

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

Alderman Shea asked Assistant City Solicitor Arnold if the agreement had been signed.

Assistant City Solicitor Arnold replied he had not yet been signed which was why the resolution was subject to noting it was in the Solicitor's Office and Solicitor Clark had been working on it, however, he had been on vacation and hoped to be able to take care of it this week.

On motion of Alderman Shea, duly seconded by Alderman Sysyn it was voted that the Resolution be adopted subject to the execution of a maintenance agreement for the 16.4 fiber optic Municipal Institutional Network.

Resolutions:

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds for various School Department Grants."

"Amending the 1996 Community Improvement Program, authorizing and appropriating funds in the amount of \$75,000 for the 1996 CIP 5.10117 Gill Stadium Rehabilitation Project - Phase II."

"Amending the 1996 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$5,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 2.10105 Youth Community Outreach Worker."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$9,633 for the 1997 CIP 4.10127 DRUG TASK FORCE Program."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 4.20104 Juvenile Jail Removal."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the FY97 Driver Education Program."

"Amending the 1994 & 1997 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$439,938.16 for certain 1997 CIP Projects."

"Authorizing the Finance Officer to effect a transfer of Four Hundred Thirty Nine Thousand Nine Hundred Thirty Eight Dollars and Sixteen Cents (\$439,938.16) from the 1994 CIP Projects. 3.30513A Wilson School Community Center 3.30513B Hallsville School Community Center, 6.50218 Science & Technology Center Acquisition & Development Project and 7.10405 Hampshire Plaza Municipal Parking Garage projects to the 1997 CIP 5.10155 School Recreational Facilities Parking Lot Resurfacing, 5.10258 Livingston Park Capital Improvements, 8.30202 City Hall Roof Replacement and 8.30349 West Branch Library Renovations."

"Authorizing the Finance Officer to effect a transfer of Fifty Thousand Dollars from the 1996 CIP 7.50101 School Sidewalk Construction Program to the 1997 CIP 7.50102 Sidewalk Fifty-Fifty Program."

"Amending the 1996 & 1997 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of \$100,000 for the 1997 CIP 7.50102 Sidewalk Fifty-Fifty Program."

On motion of Alderman Soucy, duly seconded by Alderman Domaingue it was voted to suspend the rules with respect to the reading of the Resolutions, and accepted as presented for consideration. There were none recorded in opposition.

Alderman Pariseau moved that the Resolutions pass and be Enrolled. Alderman Shea duly seconded the motion. There being none opposed the motion carried.

Chairman Wihby, on behalf of Mayor Wieczorek, presented nominations as follows:

Philip Stone to succeed himself to the Board of Trustees of Trust Funds, term to expire January 2002.

Under the rules of the Board, the nomination was to lay over to the next meeting.

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.

On motion of Alderman Pariseau duly seconded by Alderman Reiniger, it was voted to remove the following item from the table for discussion.

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)

Note: communication from Acting Chief of Police dated July 16 enclosed.

Alderman Pariseau moved that the communication from Attorney Stephen be received and file.

Alderman Cashin duly seconded the motion.

Alderman Domaingue stated she was a little concerned that the Board had Attorney Stephen appear before the Board this evening noting he had communicated to the Board in public session that he reached an agreement with the City Solicitor's Office and that the Board had not received anything in writing to that effect so as a member of the Board felt it was necessary to ask the City Solicitor's Office if they felt that they had reached some sort of an agreement with Attorney Stephen and his client.

Assistant City Solicitor Arnold replied reaching an agreement could be considered a loose term noting that what Attorney Stephen was referring to was his statement at the last meeting that if those individuals were members of the organization that, most likely, Chief Driscoll would issue the license indicating he had made clear to Attorney Stephen that his position was that if the employees of L & M Vending were made members for the sole purpose of running Monte Carlo nights and hence became members of numerous organizations for short periods of time that they would review the situation.

Alderman Domaingue stated she remained opposed to that particular issue the reason being she had a real problem with temporarily deputizing members of an establishment to be members of a charitable organization so that they could conduct the kind of business that they could conduct noting they were not members in long-standing of those charitable organizations, but rather people who were there to make a profit and reiterated she would not support it in any way.

Chairman Wihby called for a vote on the motion. The motion carried with Alderman Shea and Domaingue duly recorded in opposition.

NEW BUSINESS

Communication from Frank Thomas, Public Works Director, requesting the Board authorize a listing of sidewalk and curb petitions received to date under the 50/50 Sidewalk Program subject to the availability of funds.

Chairman Wihby inquired if Mr. Thomas was requesting the listing be referred to the CIP Committee or did he merely want to let the Board know what the list included.

The Clerk replied the normal procedure on the 50/50 Program was that the Board authorize those petitions under supervision of the Department of Highways.

On motion of Alderman Shea, duly seconded by Alderman Pariseau, it was voted to authorize the listing of sidewalk and curb petitions received to date under the 50/50 Sidewalk Program subject to the availability of funds under the supervision of the Department of Highways.

Communication from Linda Persons, Program Coordinator for the Muscular Dystrophy Association Labor Day Telethon requesting use of Stark Landing for a remote camera location.

On motion of Alderman Hirschmann, duly seconded by Alderman Clancy, it was voted to refer the communication to the Committee on Traffic/Public Safety.

Communication from T. C. Love regarding the noise ordinance, feeling it should specify what types of noise by decibel level are to be considered irritating.

On motion of Alderman Pariseau, duly seconded by Alderman Domaingue, it was voted to refer the communication to the Committee on Traffic/Public Safety.

Communication from Roland Cloutier requesting the Board adopt another ordinance to convey property known as Map 222, Lots 78 and 52 to him.

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

Report of the Committee on Traffic/Public Safety recommending that certain regulations be adopted and put into effect when duly advertised.

On motion of Alderman Sysyn, duly seconded by Alderman Domaingue, it was voted to accept, receive, and adopt the report of the Committee on Traffic/Public Safety.

Communication from Alderman Reiniger requesting review of the noise ordinance to determine if it adequately meets the needs of the citizens and businesses and suggesting the recent ordinance passed by the City of Nashua be reviewed as well.

Alderman Reiniger stated he had received many complaints recently regarding noise being carried across the river in the vicinity of Amoskeag Falls noting there had been many residents of North River Road calling him to complain and asked that it be referred concurrently to the Committees on Administration and Traffic/Public Safety to see if there was anything that could be done to the business license aspect.

On motion of Alderman Reiniger, duly seconded by Alderman Soucy, it was voted refer the communication concurrently to the Committees on Administration and Traffic/Public Safety.

Alderman Hirschmann stated he had probably received as many complaints as Alderman Reiniger and asked the City Clerk if their outdoor entertainment permit could be rescinded.

Chairman Wihby stated as it was being referred to the Committee on Administration, it could be discussed at that time.

Alderman Elise moved to nominate Dorothy Wageman to succeed herself as a member of the Police Commission, term to expire in 1999.

Alderman Domaingue stated when she was reviewing the FY97 budget book that was sent to the Board by the Finance Department noted that on page 17 under the Mayor's Economic Development Office there was a position title of City Coordinator that seemed to have been funded to the tune of \$59,788 and asked if she was misunderstanding what had taken place during the budget process and asked did the Board fund a City Coordinator.

Mr. Sherman replied, no; that those were all of the so-called allotted positions/complements of each department and the salaries associated with those and it was not necessarily what had been appropriated and in trying to compare to those salary numbers with the actual salary in each of the departments they would never be able to get them to tie noting none would go from one department to the next, so even though that position was part of the complement of that department and there was a salary attached noting that was not what was appropriated.

Alderman Domaingue stated it then did not accurately reflect the final decisions made.

Mr. Clougherty replied, yes noting the reason they were providing that so that people could see what the complements were noting they reconciled it with the Personnel Department at the conclusion of the budget to make sure they had a basis for the ensuing years and it was particularly important this year as they were putting in the new Human Resources system as part of the Bond issue the Board had approved for the update of the financial and human resources package and that was the reason the exercise was gone through.

Alderman Shea asked when the report was prepared before or after the budget.

Mr. Clougherty replied it was prepared after the budget.

Alderman Shea stated if it was prepared after the budget then why was it included if that was not really funded.

Mr. Clougherty replied it was a reconciliation of the complement and not necessarily tying it into the budgeted positions because that was information that people routinely asked as part of their requests for data.

Alderman Shea asked if there were other instances in the report as well.

Mr. Sherman stated in every department the complement would not tie to the budget dollars appropriated.

Alderman Shea asked if they could define the word "complement".

Mr. Sherman replied they were specific positions which had been approved within departments; that the City Coordinator's position was an approved position noting the Board had not approved to fill it, but that position still existed within that department and was not a new position, it had not been eliminated. In looking at the Highway Department where there was both the '96 and '97 complements the Board would be able to see where those were actually different noting that in some cases they had come back and eliminated a certain position especially with the landfill closing and would be able to see that the complements had actually changed from one year to the next and to try to tie the complements into the appropriated amounts it really could not be done with the systems in place noting that the systems did not calculate the systems off of the payroll system, so they calculated the salaries on the side and as the Board made cuts or added to those budgets those numbers were just added reiterating that there was never a reconciliation process which could go on.

Alderman Domaingue stated she was sure that for their purposes the Finance Department understood it very well noting her problem as an Alderman was when she looked at those sheets it told her that somewhere in the budget they had funded a City Coordinator for that amount of money and if, in fact, it was not funded as Mr. Sherman pointed out, it bothered her that she was seeing that figure there.

Mr. Clougherty stated it was a point well-made noting they would review it.

Chairman Wihby stated perhaps next time talk about not only the complement but what was not being funded and perhaps they could put an asterisk next to the complement not funded.

Mr. Sherman stated the City was going through the process of getting a new financial system noting that the first part of that financial system they hoped to bring up next year would be the budget feature, so next year hopefully they would be working with the system which would be based off the payroll system and each position would actually be budgeted for rather than a lump sum dollar to salaries and having the departments try to tie it back and make it work.

Mr. Clougherty stated it was easier for Finance to work from that base going into the new system having had the data collected at this time.

Chairman Wihby stated that was not necessarily true if the Charter changed, they wouldn't get any information, the bonding capacity would drop noting while Channel 40 was covering this evening's meeting the Board ought to take the opportunity to say how messed up the Charter was.

Mr. Clougherty stated he assumed they would be testifying tomorrow as a lot of people would at the public hearing regarding the Charter noting they had taken the draft and had it reviewed by Bond Counsel, the auditors, financial advisors and others and there were internal control problems in terms of the way in which the Charter was structured and the allowance for certain things to happen without public hearings were not considered prudent by the financial community and they would provide such a list to the Charter Commission and would offer to work with them as they would like to see something positive come forward as a lot had been done over the last few years and wanted to go forward and not backwards, so they would itemize and offer to the Commission that they would make people available to them to sit down and try to correct some of the problems which existed with the current draft. Mr. Clougherty stated the time tables with the budget and the structure were items which needed to be addressed.

Alderman Hirschmann moved to nominate Gil Vaal of 312 Dunbarton Road as a member of the Police Commission to replace Mr. Seidel.

Alderman Elise moved that the nomination of Dorothy Wageman to the Police Commission be closed. Alderman Cashin duly seconded the motion. The motion carried with Alderman Domaingue duly recorded in opposition.

Alderman Cashin asked if anyone had contacted Mr. Seidel.

Alderman Pariseau stated the Board had received a letter from him indicating he would not be seeking reappointment.

Alderman Hirschmann moved that the nomination of Gil Vaal to the Police Commission be closed. Alderman Clancy duly seconded the motion. The motion carried with Alderman Domaingue duly recorded in opposition.

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

A True Record. Attest.

City Clerk