

BOARD OF MAYOR AND ALDERMEN

September 3, 1996

7:30 PM

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

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

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

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.

Informational to be Received and Filed

- A.** Communication from the Manchester Transit Authority submitting minutes of their June 25, 1996 meeting along with the Financial and Ridership reports for the months of June and July 1996.
- B.** Communication from the Planning Board submitting minutes of their June 27 and July 11, 1996 meetings.
- C.** Communication from Henry Bibeault inquiring as to what the delay is relative to sidewalk construction on Mammoth Road from Bridge Street to Kennard Road.
- D.** Communication from Mrs. Elvin issuing a complaint relative to the increase in parking meter rates to 50 cents per hour.
- E.** Communication from the McIntyre Court Residents, urging the Board appropriate monies necessary to begin construction of the sidewalks on Mammoth Road between Bridge Street and Kennard Road.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- F.** Communication from Deputy City Clerk Bergeron, requesting that consideration be given relative to changing the taxicab ordinance in order to clarify the intent to comply with NIDA standards in the City's drug testing programs.
- G.** Copy of a communication from the Federal Communications Commission advising of the adoption of an Amendment to Continental's Social Contract.

COMMITTEE ON BILLS ON SECOND READING

H. Ordinance Amendment:

"Amending Sections 18-24 & 18-25 (Youth Community Outreach Worker, Wastewater Treatment Plant Assistant Maintenance Supervisor, Senior Watershed Patrol Maintenance Officer) of the Code of Ordinances of the City of Manchester."

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- I.** Communication from Chief Driscoll, suggesting to alter the existing language to Chapter 20, Article II Sec. 20-30. Disposition when unclaimed. to reduce the time required to hold onto the property for a period of thirty (30) days.
- J.** Communication from the Director of Parks, Recreation & Cemetery Department, relative to a long-term lease of the ski rental/school operations with Don Sarette from McIntyre Ski School, Inc., which could include a possible addition to the base lodge to be funded at the lessee's expense.
- K.** Communication from Dave Poulin, President-elect, CAI NH, requesting assistance in exploring other options that will ensure that equitable services are provided to all residential taxpayers as it relates to tipping charges as well as fees for private pick-up of trash.
- L.** Communication from Attorney Robert Raiche, relative to the continuance of Acker Avenue (Alger) (First Avenue).

COMMITTEE ON FINANCE

M. Bond Resolutions:

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$7,000,000 for the 1997 CIP 7.60323 Cohas Brook Interceptor."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$5,930,000 for the 1997 CIP 7.60322 Wastewater Treatment Plant."

- O.** Communication from the Director of Parks, Recreation and Cemetery Department, requesting the Board consider allocating \$9,194.52 out of the City's Contingency account in order to fund an unanticipated severance obligation to a former Cemetery employee.
- P.** Communication from Personnel Director, requesting that \$2,000.00 be appropriated from the Contingency account to the Personnel Department for the Total Quality Management Training session scheduled for September 11, 1996.
- Q.** Communication from Chief Driscoll requesting a transfer in the amount of \$20,843.00 from the Contingency account as a local match for a U. S. Dept. of Justice, Local Law Enforcement Block Grant, to allow for acceptance of \$187,593.00 in federal funds for police personnel, equipment and training activities.

COMMITTEE ON PERSONNEL/INSURANCE

- R.** Communication from Frank Thomas, Chairman Pro-Tem, submitting a status report from the Quality Management Committee.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- S.** Communication from Diane Stiefel, requesting the closure of Pearl Street from Elm Street to the Pearl Street Parking Lot on Saturday, October 5, 1996 from 12:00 to 8:00 PM in conjunction with a planned Antique Car Show.
- T.** Communication from Darrell Wozniak, requesting the placement of "Drive Slow Children" signs at both ends of Gove Street and requesting that the speed limit be reduced to "20 MPH".

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- U.** Recommending that Ordinance Amendment:

"Amending the Zoning Ordinance of the City of Manchester by rezoning six parcels of land currently zoned R-1B (Residential One-family) located at the intersection of Bremer Street and Coolidge Avenue and having a combined area of approximately 1.27 acres, to R2-PO (Residential Professional Offices)."

ought to pass.

- W.** Recommending that Ordinance Amendment:

"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."

ought to pass as amended.

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- Y.** Recommending that a request for approval of an amending resolution allowing for the increase to existing grants from \$68,300.00 to \$74,890.00 for the Apprenticeship Training Program and from \$807,000.00 to \$905,060.00 for the Deaf & Hard of Hearing Program be granted and approved.
- Z.** Recommending that a request for approval of a resolution "Rescinding a Resolution 'Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$5,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project'." be granted and approved.

- AA.** Recommending that a request for approval of an amending resolution by decreasing \$5,000 in cash funds from the 1994 CIP 8.10401 Code of Ordinance Update and increasing 1996 CIP 8.20401 Archival Record Retrieval Project in the amount of \$5,000 in cash funds be granted and approved.
- AB.** Recommending that a request for sewer abatement for property located at 91-93 Blodget Street be approved in the amount of \$987.35. The Committee notes that such amount was recommended by the Environmental Protection Division.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- AC.** Recommending that a request from Really Fun Entertainment for the closure of Hanover Street between Chestnut and Elm Streets to hold a block party on Friday, September 13, 1996 be approved under the supervision of the Police Department.
- AD.** Recommending that a request from Teresa Vincent, American Red Cross, for the closure of Elm Street between North and Webster Streets from 6:00 to 11:00 PM on Friday, October 18, 1996 and from 5:00 to 10:00 PM on Saturday, October 19, 1996, in conjunction with their Halloween event "Frightmare on Elm Street", to ensure the safety of the children participating be approved under the supervision of the Police Department.
- AE.** 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 ALD. ELISE, DULY SECONDED BY ALD. SHEA, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- N.** Communication from the Deputy Finance Officer, advising that in action taken by the Board on August 6th it was voted to donate \$500.00 out of Civic Contributions to the South Little League; that since that time the City's 150th Birthday Committee has requested \$10,000.00 out of Civic Contributions, and notes there are two options at this time: (1) provide the 150th Birthday Committee with only \$9,500 or (2) supplement the \$9,500 with \$500 from Contingency.

Ald. Domaingue recalled the Board appropriating the \$10,000. in the budget process and could not recall it having been totally appropriated for the 150th Birthday Committee and asked if there was someone present who could enlighten her as a Board member.

Chairman Wihby stated it would be addressed at the Committee on Finance level under item 3.

Mr. Girard stated when the Mayor had made his budget recommendations he had noted that the \$10,000 in Civic Contributions was specifically for the 150th Birthday celebration noting that several organizations including the 150th and the FrancoFest which just occurred this past weekend had made request from that fund as well as Federated Arts stating the only recommendation the Mayor had for that money was \$10,000 to the 150th Birthday Committee as they had originally asked for \$25,000.

Ald. Domaingue asked if that had been approved by the Aldermen's vote as well as the Mayor's intent that the \$10,000 be used solely for the 150th Birthday Committee.

Mr. Girard reiterated that had been the Mayor's recommendation.

Chairman Wihby stated when it was addressed at the Committee on Finance level they would take the \$500 from the Contingency account to make it \$10,000.

On motion of Ald. Domaingue, duly seconded by Ald. Pariseau, it was voted to refer item N to the Committee on Finance.

V. Report of Committee on Bills on Second Reading, recommending that Ordinance Amendment:

"Amending the Zoning Ordinance of the City of Manchester by modifying Section 4.03 Item 71 and Article VII limiting parking lots for business uses within residential zones."

ought to pass as amended.

Chairman Wihby stated due to an error suggested that the ordinance amendment be referred to public hearing and asked the Clerk to explain.

Clerk Johnson stated after conferring with the City Solicitor's Office and the Planning Director the City Clerk's Office was recommending that the amended version of the ordinance amendment be referred to public hearing on September 30th at 7:00 PM.

On motion of Ald. Soucy, duly seconded by Ald. Shea, it was voted to amend the report by deleting reference "ought to pass as amended" and replacing it with the wording "be referred to public hearing on September 30, 1996 at 7:00 PM in the Aldermanic Chambers of City Hall.

On motion of Ald. Soucy, duly seconded by Ald. Shea, it was voted to accept the report as amended.

X. Report of Committee on Bills on Second Reading recommending that Ordinance Amendments:

"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."

"Amending the Code of Ordinances of the City of Manchester by deleting Section 14-156, 'Exemptions', in its entirety and inserting a new Subsection "c" in Section 14-3.2, 'Exemptions'."

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

"An Ordinance Amending Chapter 17 3/4, Penalties and Enforcement Procedures, by deleting Section 17 3/4-11. Citation penalties. and replacing with a new Section 17 3/4-11, Citation penalties, and replacing it with a new Section 17 3/4-11 Citation Penalties."

"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."

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

ought to pass.

The City Solicitor having requested that the Ordinance relating to discontinuing service for nonpayment be referred back to the Committee on Bills on Second Reading, on motion of Ald. Shea, duly seconded by Ald. Domaingue, it was voted to remove that ordinance from the report and accept, receive, and adopt the balance of the report of the Committee on Bills on Second Reading.

"Amending the Code of Ordinances of the City of Manchester by deleting Section 26-19, 'Discontinuing service for nonpayment,' in its entirety and inserting a new Section 26-19, 'Disconnection for late payment'."

On motion of Ald. Domaingue, duly seconded by Ald. Shea, it was voted to refer this ordinance amendment back to the Committee on Bills on Second Reading as requested by the City Solicitor's Office.

Communication from the Committee on Traffic submitting their nomination of Thomas P. Lolicata to succeed himself as the Director of Traffic, term to expire January 1, 2001.

On motion of Ald. Sysyn, duly seconded by Ald. Soucy, it was accept and confirm the nomination of Thomas P. Lolicata to succeed himself as the Director of Traffic, term to expire January 1, 2001.

Confirmation of nomination of Phil Stone to succeed himself as a member of the Board of Trustees of Trust Funds, term to expire January, 2002.

On motion of Ald. Pariseau, duly seconded by Ald. Cashin, it was voted to confirm the nomination of Phil Stone to succeed himself as a member of the Board of Trustees of Trust Funds, term to expire January, 2002.

Confirmation of nomination of Dorothy Wageman to succeed herself as a member of the Police Commission, term to expire September 15, 1999.

On motion of Ald. Elise, duly seconded by Ald. Sysyn, it was voted to confirm the nomination of Dorothy Wageman to succeed herself as a member of the Police Commission, term to expire September 15, 1999.

Confirmation of the nomination of Gilbert A. Vaal to succeed Raymond T. Seidel as a member of the Police Commission, term to expire September 15, 1999.

On motion of Ald. Hirschmann, duly seconded by Ald. Domaingue, it was voted to confirm the nomination of Gilbert A. Vaal to succeed Raymond T. Seidel as a member of the Police Commission, term to expire September 15, 1999.

Brief presentation to be made by Mr. Felix Torres, Executive Director, Manchester Neighborhood Housing Services, Inc., wishing to introduce himself to the Board and update the Board on NHS' recent successes and activities.

Chairman Wihby stated Mr. Torres indicated he had not been notified to speak at this evening's meeting, therefore, he would be in attendance at the next meeting.

Brief presentation to be made by Jennifer Ziemba relative to preparations for First Night New Hampshire festivities.

Ms. Ziemba stated Claudia Lee and Marion McLaughlin were present noting that Ms. Lee would make a presentation to the Board.

Ms. Lee stated she was Executive Director of First Night New Hampshire and Jennifer Ziemba was her Administrative Assistant, Marion McLaughlin the Chair and one of their Board members Mark Burns was also present. For those people not familiar with First Night New Hampshire was a family-oriented alcohol free arts festival and community celebration which began in Boston 20 years ago and had now grown to 170 cities worldwide. The First Night New Hampshire organization began 13 years ago by a gentleman, Dan MacLeod who is now the Cultural Commissioner of our State. It is the one that is hosted in Concord and since that time there were five others taking place throughout the State of New Hampshire - in Portsmouth, Keene, Claremont, Wolfeboro and Mount Washington Valley. This year First Night New Hampshire has taken on an expansion project which is to bring First Night New Hampshire to

Manchester. So far, they've had good support as could be seen in the brochures they've left on the sights participating up to this point with First Night and thought that people should realize that this would be one event in the two cities, but each City would be programmed according to its cultural diversity, it would not be a clone event in each City noting that Manchester was very different than Concord but they would be presenting it as one event, so that the residents of New Hampshire could get into any activities in either City with one button, so it was basically one event in the two cities. The buttons would be \$6.00 noting that buttons bought before Christmas were \$6.00 and \$8.00 after Christmas and participants could go to as many activities as they could get into on New Year's Eve noting that this coming year New Year's would fall on a Tuesday, so they would be beginning at 3:30 PM with select and limited children's performances with opening ceremonies being held at 4:30 PM probably in the Hampshire Plaza area with the evening beginning at 5:45 PM noting it would run in a grid at 45 minute increments where there would be a half-an-hour in between to get the people to the next site they would like to attend. The sites that had expressed definite interest to date in the City of Manchester included the Expo Center, the Institute of Arts and Sciences, the Historic Association, the YMCA/YWCA, the Science Enrichment Center, St. Joseph's Junior High, Grace Church, City Hall Plaza and the lobby, the UNHM auditorium and classrooms, the Manchester Public Library, the Franco-American Center, the Palace Theatre, the Unitarian Church, Holy Trinity the Polish Cathedral, Brookside Congregational Church, the Currier Gallery, and they would also be working with Intown Management on the empty storefronts Downtown to brighten them, paint them, put cafes in them, whatever. It was a great event noting she happened to be a Manchester resident so she was very excited noting she had been doing First Night for three years and as a board, staff, and group they were thrilled to be bringing it to Manchester.

Ald. Elise complimented Ms. Lee for all she had done to bring this event to Manchester as she knew it was very complicated in terms of funding and management and was very pleased that it was coming to Manchester and to bringing the City to life on New Year's Eve and wished to thank them in advance.

Ms. Lee stated if anyone had any questions to not hesitate calling her noting her business card was in the brochure.

Presentation by Commissioner Robert Baines, Vice-Chairman of the Manchester Charter Commission, regarding their final report and proposed Charter revisions.

Commissioner Baines stated other Commissioners present were Cook, Dykstra, Stephen, Lopez and Sullivan. Commissioner Baines stated that Commissioner Pappas extended her regrets in not being present this evening as he thought she was debating Mayor Wiczorek someplace noting he did not think it would be about the Charter, however. Commissioner Baines stated it

had been a fascinating process for all involved and wished to thank the City Clerk's Office with special kudos for Carol especially during the past few weeks as she guided them through the critical phase of the process noting they could not thank her enough for the wonderful work she had done for the Commission. Commissioner Baines stated it had been a fascinating process noting he had worked with three lawyers and for the first time in his life he actually liked some lawyers. Commissioners Dolman and Dykstra did not fight, at all. The Commission attempted to tackle some of the problems in South Manchester, Alderman Domaingue, but they ran out of time, but they would have solved that issue as well. Seriously, they were presenting this evening a document which was passed by an eight-to-one vote of the Commissioners noting the nine Commissioners had worked very hard to come to a consensus on a direction for the City and would quote a little from their conclusion - the Final Report of the 1996 City of Manchester Charter Commission. The Charter Commission respectfully submits the revised Charter to the Board of Mayor and Aldermen and the voters of the City of Manchester. We expect that the proposal will generate debate and discussion. Some of which we've already heard this evening, we feel that that is healthy for our City. Will non-partisan elections eliminate political division with the Board of Mayor and Aldermen, that's a question. Will standards of conduct and additional financial disclosure increase citizen's faith in elected officials. Will an increase in the next Mayor's salary attract more candidates. Will term limits for City commissions encourage more citizen involvement. Will the addition of at-large Aldermen and School Committeemen provide more services to constituents. But, the most important question facing the voters whether this revised Charter is a better document than the current Charter. Does this document, overall, make our government more responsive and accountable to its citizens. The Commission strongly believes the answer is yes. Whether revised Charter is accepted or rejected, this process has served an important purpose. It has generated thought and discussion out government in Manchester. We hope that that process continues in the future. We have devoted countless hours, evenings, afternoons, Saturdays to this process. Contrary to at least one person commenting on our role as Commissioners there were no inflated egos. It was simply the work of nine dedicated citizens of the City who worked tirelessly to serve the community we love and the community that we hope will prosper in the 1990's and beyond. I submit to you that our Charter has been submitted to the Attorney General's Office who has issued his approval, the Department of Revenue Administration, the Secretary of State, and has also been certified by an independent attorney as required by statute. We are respectfully requesting this evening that you vote tonight as established by State law to accept our report and require it to be placed on the November ballot for consideration by the voters of the City of Manchester. We are also strongly urging you, despite the temptation not to take a stand on the Charter this evening out of respect to the hard work that we have put into this document. At a later date, at a time convenient and it could be mutually arranged between the Chairman of the Board and the Mayor and our Chairman, Commissioner Pappas we would like to sit down with you across the table and talk about all of the rationale that went into this document which we feel will serve our community very well. So, please do not do that tonight, do not take a stand. We will also

provide to you as soon as we can generate it, a side-by-side copy of the existing Charter and the revised Charter so that you can look at it section-by-section to analyze the differences between the old and the new. Whether the Charter, again, either passes or fails, I hope that we have done the very best to serve our community. We believe that the proposed Charter will provide a structure of government which will enable our great community to meet the increasing challenges and the immense challenges of the 1990's and beyond. I know that I speak for all the Commissioners when I state that it has been a privilege to serve our citizens in a process which will now cause the great debate we all look forward to. Members of the Board of Mayor and Aldermen, we present this document with great pride and satisfaction that we have done our very best, again, to meet the challenges which were presented to us when we were elected to this awesome office in January and we look forward to continuing discussions and perhaps engaging in debate as we put this matter before the voters of the City of Manchester. Thank you very much.

Chairman Wihby asked if anyone had any questions or comments.

Clerk Johnson stated for the record that there was also a minority report which had been presented to the Board.

Commissioner Baines stated Commissioner Shaw had submitted a minority report.

Ald. Soucy asked what discussion had the Commission had about providing some type of a summary or something to be published in **The Union Leader** so that the voters had time before the election to digest the document noting a great deal of work had gone into it and wanted to know what attempts had been made and what did the Commission intend to do to try and simplify it.

Commissioner Baines replied the Commission had worked up to today's deadline which was prescribed by State laws noting they were meeting as late as this afternoon and by State law the Commission continued to exist for sixty (60) more days. He stated that they planned to meet within a very short period of time to discuss those very issues on how they could best communicate the information to the citizens of Manchester and also to spend some time as to how they would present it to the Board, so as to be able to have a good, healthy dialogue regarding this topic as the Commission thought it was of critical importance.

Chairman Wihby noting that today was the deadline commented that nothing could be changed from this point on.

Commissioner Baines replied that was correct noting today was the day that it had to be presented to the Board according to State law.

Ald. Elise stated whether they all agreed or disagreed with the total package or individual items in the package wished to recognize all of the hard work that the Commission had put into it noting they had put a lot of hours in a short amount of time.

Commissioner Baines stated in looking at the scope of their work noting that anyone who served the community knew of the countless hours taken away from family noting their families deserved a lot of gratitude, as well, because there were some weeks they were out every single night of the week and their meetings when non-stop from 5:30 to 9:30 and when they were at the NYNEX building they actually had to throw us out of the building. So, those comments were appreciated certainly. It was a pleasure being able to speak to you and not have to chastise you about the budget, too, this was an awesome experience for me this evening.

Ald. Pariseau stated that in their version of the Charter, it listed the description of the ward boundaries and asked why it wasn't in the current Charter and asked how it would affect redistricting.

Commissioner Baines stated in terms of the substance that was a legitimate issue, but in terms of the substances of the report noted they would like until all of the Commissioners were present, but thought that one question they could answer straight out.

Commissioner Cook stated most charters in the State contained the word "boundaries" noting it was very important that the context in which it was put, it was put in there as a guide. That in the present red book he believed the ward boundaries were contained in the book, although not in the Charter. It was important that they were careful in putting the word "boundary" descriptions in and not do it in such a way that they couldn't be changed and, in fact, the way in which it had been put in no way cemented them in so they couldn't be changed in accordance with State laws by the way boundaries were changed. It was done to be consistent with the way most charters existed in the State and also as a service for people to have a handy reference on what the wards were at the outset, but in no way did it prohibit redistricting if that was necessary because of one-person, one vote rules and the regular procedures.

Commissioner Baines stated that Charter revisions were able to be placed on the ballot by the Board of Mayor and Aldermen if ward lines were to be redistricted they would go through the process of involving citizens in the debate about where the lines should be noting that could be a very important issue to a lot of people, so that was the rationale for that.

Chairman Wihby stated there was a letter from Kevin Clougherty which outlined three concerns he still had.

Commissioner Baines stated the Commission had addressed all of those concerns this evening at their earlier meeting.

Ald. Domaingue stated because there had been some confusion in the public's eye as to some of the final actions taken on the document one of which was relative to the department heads appointments and going into the initial document the understanding had been that the Mayor would have the power to appoint with Board of Aldermen approval and as of one of the final meetings thought that the Aldermen had jurisdiction over appointments and asked for clarification.

Commissioner Baines stated they had come down the Charter with giving the Mayor the authority to appoint department heads with the Board of Aldermen appointing the Officers of the City which was the debate noting that they came down with, under the Charter, the Aldermen appointing the Clerk, the Finance Officer, and the Assessors.

Ald. Hirschmann asked why was it thought to take away from the Board of Mayor and Aldermen the nominating of Police Commissioners and such.

Commissioner Baines replied that was the type of discussion he thought they needed the whole Commission present to discuss and in due respect, Ald. Hirschmann. To enter into those types of issues thought the whole Commission needed to be present as all of the items were very important, but thought they needed to benefit from the dialogue with the full Board and the full Commission present so they could get into the rationale behind those decisions.

Ald. Cashin asked if the Board was being asked to vote on it this evening.

Commissioner Baines asked Ms. Johnson to state exactly what the law required.

Clerk Bernier stated as soon as the Charter Commission submitted the proposed revised Charter to the Board of Aldermen the State statutes stated it "shall be sent to the voters" at the next general election.

Commissioner Baines stated other than sending it to the voters; that the Commission was asking for the dialogue to take place.

Ald. Cashin stated Bob Shaw raised some pretty interesting questions.

Chairman Wihby asked for clarification from the City Solicitor.

City Solicitor Clark stated the State statute said if it was going to be referred to the election, it had to be done at least forty-five (45) days prior to the election noting there were another couple of meetings before that time frame ran out and that the vote did not need to be taken this evening.

Clerk Bernier stated as he understood it, there had to be a meeting 45 days prior to the election which was November 5th this year, which meant they would have to meeting sometime in September around the 26th at a Special Board meeting.

Chairman Wihby stated they could not change it so asked what was the big deal if the Board voted on it today or come back on the 26th to send it because even if there was further discussion noted it could not be changed anyway.

City Solicitor Clark stated by law it either had to be sent to the ballot or they would have to challenge the Attorney General's report.

Chairman Wihby stated it would be his suggestion that the Board pass it this evening noting the Board was not taking any opinion on it, and by law they had to send it to the ballot.

Ald. Cashin asked what did Bob Shaw mean when he said that "it will require ten votes to override the Mayor's veto".

Chairman Wihby asked if Mr. Shaw was talking about something specific and asked what page he was on.

Ald. Cashin stated he was referring to Mr. Shaw's minority report.

Commissioner Baines stated those present could not answer on Mr. Shaw's behalf commenting that they were unsure what he meant by that statement.

Ald. Cashin stated he did not object to it noting he knew they had all done a lot of hard work.

Commissioner Baines stated he understood, but they needed to get into an environment where they could go through it step-by-step and in terms of responding to Bob Shaw's assertion did not feel very comfortable doing that noting that Bob spoke very well for himself.

Ald. Domaingue stated she was really, really grateful to the people who served on the Commission noting that her hesitation in no way reflected on the energy they put into the document, but she would have preferred as an Aldermen that a dialogue for rationale came before the Board sending it forward which was the part that bothered her the most.

Commissioner Baines stated he felt that they had been as open a body of City government that they could possibly have noting they had invited the Board on numerous occasions to appear before the Commission even up to about a week or two ago.

Ald. Domaingue stated she was not quarreling with that but rather the Commission was now speaking to a dialogue for the rationale of how the Commission got to the conclusions that they'd reached noting that was not part of the public forum and all she was saying was that the Board of Aldermen now, by law, must forward the document and thought there were some Aldermen on the Board who would have felt more comfortable in supporting the document had that dialogue for rationale had taken place prior to now.

Commissioner Baines stated he would stand by his comment on that issue.

Ald. Sysyn stated if all of the Aldermen were polled, they would perhaps all have a little difference of opinion somewhere along the line, but as a total package it had to be sent to the voters.

Communication from the City Clerk recommending that the Board of Mayor and Aldermen order that the question "**Shall the municipality approve the new charter recommended by the Charter Commission?**" be placed on the November 5, 1996 ballot if the Charter Commission's final report has been filed, and, further, that the Charter Commission be asked to prepare a summary as required under State statutes for inclusion on the ballot in a manner which would permit the timely preparation of ballots for this election.

Ald. Cashin moved that the question be placed on the November 5, 1996 ballot, and, further, that the Charter Commission be asked to prepare a summary as required under State statutes for inclusion on the ballot. Ald. Soucy duly seconded the motion.

Ald. Elise stated the Board was voting on this item for the procedure to send it to the voters.

Chairman Wihby called for a vote on the motion. The motion carried with Ald. Robert and Hirschmann duly recorded in opposition.

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

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$7,000,000 for the 1997 CIP 7.60323 Cohas Brook Interceptor."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$5,930,000 for the 1997 CIP 7.60322 Wastewater Treatment Plant."

ought to pass and layover, and further that Resolutions:

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various School Department Grants."

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

"Amending the 1994 and 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."

ought to pass and be Enrolled.

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

Ordinances:

"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."

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

"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."

On motion of Ald. Soucy, duly seconded by Ald. Shea, 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 Sysyn moved on passing same to be Enrolled. Alderman Clancy duly seconded the motion. There being none opposed the motion carried.

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

Chairman Wihby called the meeting back to order.

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

"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."

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

"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."

were properly enrolled.

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

Communication from Alderman Reiniger requesting that the Board adopt the Downtown Residential Permit Parking Ordinance in view of the new meter heads which are being installed in Downtown residential areas.

Ald. Reiniger stated it had been an issue which had been in front of the City for a while as he had introduced an ordinance about a year ago noting it had been considered and approved by the Committee on Traffic and had now been tabled at the Committee on Bills on Second Reading level; that during the last budget process the Board had adopted a new parking program for the Downtown and meters were now being installed on streets that had never before had them and those residents were now going to him and the Board indicating they wanted very much to have a parking permit system put into effect to coincide with the meters going up which was to occur this month and felt it was only fair as everyone else in the City could park for free in front of their homes, but not the Downtown residents. Ald. Reiniger stated the City did wish to encourage more people to live Downtown and wanted to treat them in the same way noting the Police Department had looked at the program whereby they would not have to hire additional personnel for the Downtown area to make it work, so what was before the Board this evening was an area of roughly 15 to 20 blocks in the Downtown to help relieve the problems that the Downtown residents were facing. Ald. Reiniger indicated that the Intown Management organization had looked at it very carefully having endorsed the concept of this specific ordinance for the Downtown area and moved in view of the parking plan which was now going into effect in the Downtown area and the needs of the residents moved that the Board adopt the ordinance this evening. Ald. Elise duly seconded the motion.

Chairman Wihby stated he had met with the Police Department recalling that Chief Favreau was present at the time and they had discussed whether or not it would work City-wide noting that

the Downtown area was unique to the City as it wasn't a residential area, they had enforcement in the area, so they did not see a problem with enforcement as the parking control officers were already in the area, but it would tend to be a bigger problem if it was in effect throughout the rest of the City and thought that was the reason the Police Department had backed off from it as they were only looking at the Downtown area, but not addressing it on a City-wide basis either.

Ald. Cashin stated everyone knew that for four years he had been coming before the Board to try and get residential parking on a certain area of the west side next to the Coliseum and asked that the ordinance be amended to include Arnold Street on the north, Everett Turnpike on the east, Bedford town line on the south, and Second Street on the west and asked so in all due respect. Ald. Cashin stated those people have been paying fees for parking out in front of their house for four years, every time they park out there they ticketed and asked if it was any fairer and asked if that was how they would operate and was asking that those people be taken into consideration. To have someone say it would be more difficult to this here than it would be elsewhere, was not fair and not even reasonable noting those people had put up with it for over four years and all he was asking was to pay them the same respect that they expected to pay the people Downtown and did not think it was asking too much. Ald. Elise duly seconded the motion to amend the ordinance.

Ald. Robert as a follow-up to Ald. Cashin's comments stated there were equity issues and issues which were City-wide and thought that some of these so-called same parking issues be addressed on a City-wide basis as they knew people were hired to issue parking tickets noting they always seemed to pay for themselves and it seemed to him that it would be a cost-effective area to push the limits beyond the area of Downtown particularly as he had been pushing around West High School/Catholic Medical Center and those areas needed the attention and it was just one element of making the inner-city a better place to live but if they did not make the inner-city a better place to live then nobody would want to live there noting that was just one piece of the puzzle and was one of the things the City could do to accomplish that goal.

Chairman Wihby asked of the City Solicitor if he saw a problem with the Ordinance.

City Solicitor Clark stated the normal course was not to adopt an ordinance this broad in one night noting it had only been received in his office this morning noting he could not find any enforcement provision in the ordinance and asked what happened if someone parked in violation there was no citation authority in it noting it did not specify what the fines would be if it were violated noting he had not yet had an opportunity to do a thorough review of the ordinance, so he would not be able to say he agreed with it or not.

Ald. Elise stated the traffic, speeding and parking problems throughout the City and Ald. Domaingue's recent issue was not the Board's job to take positions against Aldermen and

thought that Ald. Cashin had a justifiable problem over there and knew his constituents had problems with parking in certain areas and thought all of the problems needed to be solved noting they all had to work together to solve them.

Chairman Wihby stated if they kept doing what they were doing they would end up with stop signs and lights at every corner, would have people parking wherever they wanted, so people who wanted to conduct business wouldn't be able to park Downtown and if they continued to be more stringent felt they were heading in the wrong way.

Ald. Domaingue stated the businesses had parking Downtown noting she would take issue with Chairman Wihby's statement only to the extent that the City begins with its people and if neighborhoods can't be protected whether it be traffic on the street or being able to park in front of where they live, they would not want to live here noting they would be looking to other places to live and if that was the message that the Board of Mayor and Aldermen wanted to send in that they did not want to protect their rights to live comfortably in those neighborhoods then that would be the position taken. Ald. Domaingue stated she was very concerned noting her patience was wearing extremely thin with the City Solicitor's Office that tells them and having been in this discussion noting she could not remember from when she got on the Board, regarding parking permits and that they only just got this document today, was not aware of it, was not sure of which direction it would go when she knew that it had been sent to Committee and there had been discussions at Board level about it and the City Solicitor's Office was certainly present among the Board discussions held asked why was she continuing to hear of this delay and asked if the Solicitor had those concerns why weren't they raised from day one and why weren't corrective measures taken.

City Solicitor Clark interjected his office had been working on the ordinance with Ald. Reiniger noting this was not the ordinance which was in Committee.

Chairman Wihby stated it was still being reviewed in Committee.

City Solicitor Clark reiterated it was a different ordinance resubmitted by Ald. Reiniger.

Ald. Domaingue stated the Solicitor should then be very familiar with both the issue and the parameters the ordinance could take.

Chairman Wihby stated for the record that in the Committee on Bills on Second Reading it was tabled awaiting a response from Rich Davis noting such response had been received today, but not at Committee level yet.

Ald. Reiniger stated the only difference with the ordinance was that because of the situation Downtown and because of the emergency needs he had the only difference was that it did not include a paragraph which was Ald. Cashin's amendment this evening.

Chairman Wihby asked the City Solicitor of his concerns as it related to enforcement and asked if that issue had been discussed previously.

Ald. Reiniger stated it would exempt residential people from having to pay the meters and it was so that they would not get ticketed noting it was not an enforcement issue which needed to be included in the ordinance and if it were a residential permit parking system such as what they had in San Francisco such as no one parking on certain streets unless there was a permit then there needed to be an enforcement provision. Ald. Reiniger stated what this ordinance was saying was that everyone could park on the street, had to abide by the signs except for residents with a permit, so if a resident didn't have a permit they either had to pay at the meter or pay the ticket and, therefore, did not need that provision and felt the ordinance was all set to go now.

Ald. Soucy asked what was the timetable for installing the meters and the traffic ordinance changes required to get it going and asked how it would correlate with what the Board would be voting on tonight, would there be time to perhaps make changes which were recommended by the City Solicitor before it actually went into effect.

Mr. Girard stated it was the Mayor's Office understanding that Mr. Lolicata was currently installing the bases for the meters with the delivery of the meters expected within the next two to three weeks and once delivered Mr. Lolicata would start putting the meter heads on the bases because of revenue projections included in the Board's budget noting he had been asked to "fast track" it by the Board.

Ald. Soucy stated she understood that, however, if there was a two to three week delay and the next meeting would be held the first week of October asked if there was any harm in delaying it the one additional week to perhaps rectify any problems that the City Solicitor might see in the current ordinance as it was being presented.

Mr. Girard stated he did not know as the meters could come in earlier which was why he was currently installing the bases.

Ald. Hirschmann stated with respect to the penalty provision, if there was to be an amendment and if it were passed a penalty provision would be needed because on the west side there were no meters, so if a car pulled up there had to be a penalty.

Ald. Cashin interjected, no; that currently it was posted "No Parking" noting it would not cost any more to do it on the west side than it would to do it Downtown.

Ald. Hirschmann asked if the City Solicitor agreed with it.

City Solicitor Clark replied he did not disagree with it noting all he had said was that he had not had a chance to look at that provision and if that was all it would do then he could not see there being a problem.

Ald. Clancy stated he also had concerns in that the proposed ordinance submitted by Ald. Reiniger only went as far as Union Street noting he had constituents calling him up as far as the Hollow which was in east Manchester and included Spruce and Massabesic Streets who could not part in front of their houses and also on Central, Laurel and Merrimack Streets people couldn't park in front of their houses because since the meters had gone up to half-a-dollar an hour people were not using the meters and parking in front of houses indicating it would spread throughout the City.

Chairman Wihby called for a vote on the amendment which would include that area on the west side. There being none opposed, the motion carried.

Ald. Pariseau asked what the fee would be to allow people to have the permits.

Chairman Wihby replied there would be no fee.

Ald. Reiniger stated he had samples of various cities; that in Boston had no fee; Vancouver, British Columbia had no fee; Alexandria, Virginia was \$2.00; Baltimore was \$10.00.

Ald. Pariseau asked who would pay for the stickers, the taxpayers.

Ald. Reiniger stated the last figure he saw on stickers was less than 10 cents per sticker.

Ald. Pariseau stated they were talking "peanuts" when it came to the stickers, but then there was the Police Department involved as well as the City Clerk's Office noting those employees did not work for nothing.

Ald. Reiniger stated the Police Department had indicated they did not need to hire additional personnel.

Chairman Wihby stated they would have to now if they'd be going to the west side.

Ald. Cashin interjected, no, why.

Chairman Wihby replied they didn't have patrols over there, so that person would be taking time out of his route in order to do so.

Ald. Cashin stated that was not a fair statement to make noting it would not increase any officers on the west side because all they would be doing would be what they were currently doing; that if a car were parked there and a cruiser drove by they would be ticketed and all he wanted was if a resident was living there and had a sticker he then would not be ticketed noting there was no additional enforcement and would not require anything more from the Police Department.

Chairman Wihby asked of Ald. Cashin if he really believed that once the ordinance was passed that no other Aldermen would also want it noting it would spread throughout the City where the Police Department would go before the Board saying they would not be able to keep up with it and would need additional personnel noting once it started to spread throughout the City.

Ald. Cashin stated it applied to Downtown just as it did to any other part of the City.

Chairman Wihby stated he had been told they could utilize the Parking Control Officers for Downtown.

Chief Driscoll stated it had been one of the hottest debated issues over the last year noting that Ald. Reiniger had worked very hard on it having met with him as well as Ald. Cashin many times and personally believed that the desire by the certain neighborhoods involved really outweighed the need, but sometime ago they had agreed with Ald. Reiniger that they should do a pilot program and would wait for the Intown Manager to work out a program noting that had been done and if the Intown Manager recommended it be done he would strongly support it as that was the arrangement that had been made a long time ago. Chief Driscoll stated that Ald. Cashin wanted it badly over there and thought that perhaps he should have it on a trial basis also and indicated he was very concerned about it spreading City-wide because there would be all of those pockets all over the place that would have folks parking in front of their houses noting that for every business in a neighborhood there would be people in those businesses who would be very concerned about all of the residents taking up all of their parking noting there were two sides to the story and if they were getting complaints now about parking wait until people were given the right to park right in front of their house and stay there all the time, 24 hours a day.

Chairman Wihby asked Chief Driscoll if he would need any more men if it went City-wide.

Chief Driscoll replied in response to Ald. Cashin's issue they would not need additional people on the west side as they could swing through there; that City-wide if there were to be all of those

pockets there was no question that there would be an enforcement problem and felt the Police Department was responsive to the neighborhoods now noting they responded and took care of those problems.

Ald. Robert stated if they wished to intensify the parking enforcement program noted that during the budget process it was mentioned that if additional parking control officers were hired they paid for themselves.

Chief Driscoll agreed that those individuals were cost-effective.

Ald. Robert asked if they could expand upon that program and wouldn't they continue to pay for themselves and couldn't they perhaps build upon and organize it along those lines.

Chief Driscoll replied, yes, they could; that right now where they focused on parking enforcement they believed they had the appropriate number, the balance to take care of those areas noting they could send out two more parking control officers in the Downtown area, but at the end of the day they would come in with perhaps the same number of tickets, which was why they felt they had the right number of people out there doing the job, but if more areas throughout the City were created certainly there would be more tickets given out in those areas noting they now had someone roving around in a vehicle concentrating on the school areas and the shopping centers for handicapped parking, etc.

Ald. Robert stated as a member of the Committee on Personnel and if the need arose which needed his support for something of that nature which would be cost-effective...

Chairman Wihby interjected they would not be getting any money from it as there would be no fines or penalties and would not gather more revenue and as Ald. Cashin stated earlier those people would be allowed to park there, so there would never be more money.

Ald. Clancy asked if there would be pockets, certain areas in the City where people could not park in such as the west side and the inner-city area.

Chairman Wihby replied that was what was happening with the action being take this evening.

Ald. Clancy stated he was sure that other areas in the City had these problems at one time or another.

Ald. Soucy in reference to page 8, Section 15-62 (a) of the ordinance "the residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in such places or during such times as stopping, standing, or parking of motor vehicles is prohibited." and asked if

it meant that if they were currently parking signs in that designated area on the west side that those would have to be removed because they would still be in violation noting it was saying that it was a designated area where it was already a no parking area.

Ald. Reiniger stated on page 3 was the definition of residential permit parking zones and it applied where there was either a time limit or a parking meter requirement, so if there was a street without any time limits the program would not apply and would only be exempt if there was a sign which stated 2 Hour Parking or a meter.

Chief Driscoll reiterated that the Police Department met the needs and was responsive to the community, its residents, and to the Board when they called if there was a specific parking problem and thought the Police Department worked real hard with the Aldermen and the residents to take care of the situation and thought that generally those problems were resolved noting that the only problem he did not think was resolved was the Downtown area in Ald. Reiniger's ward.

Ald. Reiniger stated with no criticism of the Police, but Kirsten Singleton who had spoke this evening had one parking spot for two cars which was typical for a lot of buildings in the Downtown area, so if she were home every day she would either have to feed the meter every day or get parking tickets or pay \$30.00 per month to put her vehicle in the garage where other residents in the City did not have to do that which was what the ordinance was trying to address.

Ald. Domaingue asked Ald. Reiniger if he would oppose an annual fee for the residential permit parking.

Ald. Reiniger replied, yes, as it was now because of all of the discussions he's had had led him to believe it would not cost extra money.

Ald. Domaingue asked if it was removing revenue the City was currently getting and would that be justification for off-setting it with an annual fee for residential parking stickers.

Chairman Wihby stated it would eliminate some revenue.

Ald. Reiniger reiterated that the Downtown residents were saying they should have the same free parking in front of their houses as other areas.

Alderman Elise moved to suspend the rules and place the ordinance on its third and final reading by title only at this time as amended. Alderman Cashin seconded the motion.

Ald. Shea stated the only discussion he would have would be at a future date look at how much revenue may be lost and then look at a possible minimum fee for the residential parking in the inner-city as he did not think there had been any impact on the west side.

Ald. Pariseau asked why not eliminate the identification of streets and have it City-wide and those Aldermen who felt it would be necessary for their immediate locations could have it done and asked why they were restricting it to just downtown and the west side noting that Ald. Clancy had a concern with Union Street.

Chairman Wihby replied they had just heard from Chief Driscoll that if they went City-wide they would then need additional personnel noting the Chief had indicated he would like to see a pilot program first.

Ald. Pariseau stated Chief Driscoll was now saying that the Police Department could handle Wards 3 and 10's concern with no expense to the Police Department.

Chief Driscoll stated the parking control officers would cover the Downtown area, Ald. Reiniger's ward and there was a cruiser which routinely patrolled Ald. Cashin's ward and thought that could be done without no additional expense, however, he did think that a parking permit was a good idea and thought there should be a fee attached to that as he remembered much discussion in Committee over that.

Ald. Hirschmann moved to amend the ordinance by adding a \$10.00 annual fee for the permit. He stated it would cost the City \$10.00 per year for one little decal and was not asking a lot of everyone and then they could park in front of their houses whenever they wished noting it would cost the City money for the decals. Ald. Pariseau duly seconded the motion.

Ald. Reiniger stated most of the cities around the country had \$2.00 fees or no fee or maybe \$5.00 with only Baltimore being at \$10.00.

Ald. Hirschmann moved to amend his motion reducing his amendment to \$5.00. Ald. Pariseau duly seconded the motion. A roll call vote was taken. Ald. Pariseau, Hirschmann and Domaingue voted yea. Ald. Cashin, Robert, Elise, Reiniger, Sysyn, Clancy, Soucy and Shea voted nay. The motion failed.

Alderman Pariseau stated he wanted to amend the ordinance by adding a \$2.00 annual fee. Alderman Hirschmann indicated his interest in seconding the motion.

Chairman Wihby recognized Alderman Cashin.

Ald. Cashin stated ten dollars, five dollars, two dollars and asked couldn't they just try it and see and asked why should people who have been inconvenienced for four or five years have to pay \$2.00 to park in front of their houses noting it wasn't any fairer than anything else.

Ald. Pariseau asked why should people outside of those areas subsidize those people that want to park.

Ald. Cashin asked what was the cost, nobody told him the cost.

Ald. Hirschmann interjected nobody knew the cost.

Ald. Cashing stated let's pass it, if it's agreeable to the Board, take a look at it noting he would be the first one to come back if there was a cost to it saying you're right, ladies and gentlemen, there's a cost and we ought to charge so much.

Ald. Shea stated about three to five to ten minutes ago he had made that particular appeal to the Board that they look at it over a six-month period to see what revenues would be lost and then come back and if there are revenues which would be lost they could then make up that particular loss by suggesting a fee and thought it was only fair that the residents aren't aware of it and let it go as it is.

Ald. Robert stated in reference to cost he wanted to respond to Ald. Pariseau's statement of why should the rest of the City subsidize people in other parts of the City noting as his being a resident of a so-called inner-city ward indicated there was tremendous costs associated with living in those areas and anyone could go and knock and doors and talk to quite a few people about the everyday goings on that some people in more affluent sections of the City did not have to put up with noting that many of the people living in the center city chose to do so for whatever reason they did, but whether they realized it or not a lot of those people were holding the neighborhood together and keeping it from turning into a ghost town or some haven for criminals and many people in his Crime Watch endeavors had mentioned it to him, he had realized it himself, and there were a lot of things associated with living in town which a lot of people did not appreciate or comprehend and a two dollar, ten dollar, whatever...people living in the more affluent neighborhoods were getting away cheap by giving it to them for nothing.

Chairman Wihby stated the motion before the Board was the ordinance which was submitted by Ald. Reiniger along with an amended section in Ward 10 noting they had a motion and were suspending the rules and placing it on its third and final reading and called for a vote on the motion.

The motion carried with Ald. Clancy being recorded in opposition.

"An ordinance imposing restrictions on parking in designated residential districts and authorizing the conditional issuance of parking permits to residents of such districts."

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

This Ordinance having had its third and final reading by title only, Ald. Cashin moved on passing same to be ordained. Ald. Reiniger duly seconded the motion. The motion carried with none recorded in opposition.

Communication from Alderman Shea asking the Board's support in requesting that Alderman Wihby as Chairman of the Board, and according to Rule 13, Special Committees, establish a committee whose primary task would be to address the issue relative to criminal acts of graffiti.

On motion of Ald. Shea, duly seconded by Ald. Elise, it was voted to establish a committee whose primary task would be to address the issue relative to criminal acts of graffiti.

Chairman Wihby stated the Committee would be comprised of Aldermen Shea as Chairman, Clancy and Robert.

Communication from the Airport Director, requesting acceptance of a grant from the Federal Aviation Administration in the amount of \$2 million for sound mitigation continuation in the neighborhoods in Manchester, same having been reviewed by the City Solicitor.

On motion of Ald. Domaingue, duly seconded by Ald. Shea, it was voted to accept the grant in the amount of \$2 million subject to the review and approval of the City Solicitor.

Ald. Pariseau in addressing Mr. Testa the Airport Director asked if it was limited to Manchester homes.

Mr. Testa replied, no, because the City of Manchester was responsible noting that the only homes which would be done under the grant were all in the City of Manchester.

Ald. Pariseau asked if it would take care of some of those people in that 65.

Mr. Testa replied, yes, it would take care of the 40 homes which had already been designed but did not have enough money to complete, it would take care of the 12 homes which were located in Special District A which were supposed to have been purchased but were unable to because

the standards changes and would also take care of another 44 homes which would be designed and built and hopefully during the next fiscal year (1997) they would continue to receive money to continue the program.

Ald. Pariseau inquired as to the status of the homes on Thomas Street.

Mr. Testa replied he had no idea which streets were included noting they were currently trying to in-fill the neighborhoods now.

Ald. Pariseau stated it made reference to the 65 noting there was also the people in the 70-75 who still had not had their homes soundproofed.

Mr. Testa stated it meant anything above 65 DNL noting they must be within the 65 DNL, 65 to 75 DNL which meant it was all inclusive from 65 on up which was the minimum number of decibels on that scale which was required, so anything above it was included noting anything below it could not be used.

Ald. Pariseau in reference to the easement thought they had done away with the easement.

Mr. Testa replied, no; that the easements by federal law had to be gotten for aviation easements and everyone was signing them, there were no problems.

Ald. Domaingue stated for the public's benefit the update on the Airport's Master Plan was having its final public hearing for those who may be looking to the future for soundproofing/mitigation and asked if that date had been set.

Mr. Testa replied the date was September 25th at Memorial High School and believed it would be between 5:00 to 9:00 PM noting that the public hearing for both the Part 150 Updated Noise Plan and the Master Plan.

Communication from Assistant Airport Director Bush, requesting the Board's approval for a lease term of five (5) years with an option to extend for one additional term of five (5) years for the facility known as T-624 Hangar Facility Lease - The Keller Companies, Inc., same having been reviewed by the City Solicitor.

On motion of Ald. Sysyn, duly seconded by Ald. Clancy, it was voted to approve the lease, subject to the review and approval of the City Solicitor.

Communications from the Finance Officer advising of the receipt of donations in the amount of \$4,135 for the K-9 Unit, requesting the Board accept same and remand for the purpose intended.

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

Communication from the Public Works Director requesting the Board authorize acceptance of State hazardous waste clean up funds and to enter into a contract with the NH Department of Environmental Services, Waste Management Division for the Fall 1996 Household Hazardous Waste Collection Project, and further requesting authorization for the Public Works Director, to execute such documents as may be required.

On motion of Ald. Clancy, duly seconded by Ald. Shea, it was voted to authorize acceptance of funds and to authorize the Public Works Director to execute such documents as may be required.

Communication from Kathleen Cook, 150th Birthday Celebration Committee, requesting permission to insert copies of the "I See A City" tours brochure with City employee's payroll checks.

On motion of Ald. Clancy, duly seconded by Ald. Elise, it was voted to approve the request to insert copies of the tours brochure with City employee's payroll checks.

Ordinances:

"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."

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

"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."

On motion of Ald. Clancy, duly seconded by Ald. Soucy, 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, Ald. Hirschmann moved on passing same to be Ordained. Alderman Domaingue duly seconded the motion. There being none opposed the motion carried.

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."

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

Ald. Clancy moved that the Bond Resolution pass and be Enrolled. Ald. Reiniger duly seconded the motion. There being none opposed, the motion carried.

Resolutions:

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various School Department Grants."

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

"Amending the 1994 and 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."

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

On motion of Ald. Shea, duly seconded by Ald. Clancy, it was voted that the Resolutions pass and be Enrolled.

Chairman Wihby stated that Mayor Wieczorek wished to present the following nomination of Paul Bolieau to fill the vacant position of the late Roland Rivard as a member of the Board of Fire Commissioners, term to expire May 1, 1997.

Chairman Wihby stated Mayor Wieczorek had submitted a letter notifying the Board that Alderman Reiniger and Jay Taylor had been named as members of the Enterprise Community Program's Advisory Board for the Manchester Small Business Incubator Program.

TABLED ITEM

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.

NEW BUSINESS

Clerk Johnson stated in reference to Item X of the Consent Agenda pertaining to an ordinance dealing with penalties Section 22-16 says "address numbers required on residence" noted that after conferring with the City Solicitor it was suggested that the wording be changed to read

"address numbers required on building or structure" and noted that the grammatical change would be made to the ordinance and submitted for enrollment at the next meeting.

Ald. Reiniger stated he was in receipt of a communication from the Grace Episcopal Church relative to an issue which had gone before the Board previously with respect to their interest in purchasing property from the City at 98 Lowell Street next to the Church and to exchange with the City of that building noting it had come up prior to Christmas and the building the Church had been looking at fell through, however, they had since found another property which City department heads as well as Welfare Commissioner Lafond had looked at and moved that it be referred to the Committee on Community Improvement Program for further study. Ald. Reiniger stated the Church had entered into a Purchase and Sale Agreement to expire on September 30, 1996 and, therefore, would be looking to the City and the City Solicitor's Office to review the terms of the deal and come to a decision prior to September 30, 1996. Ald. Elise duly seconded the motion. There being none opposed, the motion carried.

Ald. Pariseau moved to nominate C. Arthur Soucy to succeed himself as a member of the Board of Water Commissioners, term to expire 2003.

Ald. Cashin moved that nominations be closed. Ald. Pariseau duly seconded the motion. There being none opposed, the motion carried.

Ald. Pariseau asked if the Board could suspend the rules for this nomination.

Chairman Wihby stated Mayor Wieczorek did not like to suspend the rules, however, due to his absence.

Ald. Pariseau moved to suspend the rules and confirm the nomination of C. Arthur Soucy to succeed himself as a member of the Board of Water Commissioners, term to expire in 2003. Ald. Cashin duly seconded the motion. There being none opposed, the motion carried.

Ald. Hirschmann asked that the Board forward a letter of congratulations to Savino Auciello who was recently promoted to Deputy Chief of the Police Department in the Detectives Division.

Ald. Hirschmann stated the Revolving Loan Fund was a pool of people who were put together in order to assist with loans noting that he had named one individual to the Board and asked the Board to name other individuals to the Revolving Loan Fund within the near future noting that Robert Greenwood was currently the only person sitting on the Board and asked that names be given to Mr. Jay Taylor.

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

A True Record. Attest.

City Clerk