

BOARD OF MAYOR AND ALDERMEN

November 19, 1996

7:30 PM

Mayor Wieczorek called the meeting to order.

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

A moment of silent prayer was observed.

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

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

Mayor Wieczorek stated I would like to welcome Mrs. Hood's Government class from the Manchester School of Technology, the evening high school, I understand we have quite a group, Elise, it's good to have you here and all of your students.

CONSENT ITEMS

Mayor Wieczorek advised if you desire to remove any of the following items from the Consent Agenda, please do indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve under Supervision of Department of Highways

- A. NYNEX Petition #222229

Informational to be Received and Filed

- B. Communication from the Director of Planning submitting minutes of the Manchester Planning Board meetings of August 8, September 12, September 26 and October 10, 1996.
- C. Copy of a communication from the Director of Public Buildings Services relative to performance contracting.
- D. Communication from Janell Larocque, Chairman of the Christmas on Elm Street Parade inviting the Board to participate in the parade to be held on December 1, 1996 at 4:00 PM.
- E. Copy of a communication from Nancy Muller advising that the NH Division of Historical Resources has nominated the property located at 418-420 Notre Dame Avenue to the National Register of Historic Places.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- F.** Communication from Thomas O'Rourke, Continental Cablevision, advising that effective January 1, 1997, they will be adding **The Pay-Per-View Guide** to their standard service package on cable channel 56.

COMMITTEE ON BILLS ON SECOND READING

- G.** Ordinance Amendments:

“Amending Sections 18-24 (Cemetery Supervisor, Parks Maintenance Ski/Aquatic Supervisor, Recreation Utility Supervisor, Parks, Recreation and Cemetery Irrigation Worker, Parks Utility Supervisor and Victim/Witness Advocate) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 18-25 (Cemetery Supervisor, Parks Maintenance Ski/Aquatic Supervisor, Recreation Utility Supervisor, Parks, Recreation and Cemetery Irrigation Worker, Parks Utility Supervisor and Victim/Witness Advocate) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 18-26 (Cemetery Supervisor, Parks Maintenance Ski/Aquatic Supervisor, Recreation Utility Supervisor, Parks, Recreation and Cemetery Irrigation Worker, Parks Utility Supervisor and Victim/Witness Advocate) of the Code of Ordinances of the City of Manchester.”

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- H.** Communication from Bruce Thomas, Design Engineer at the Highway Department submitting a request for a release of a drainage easement on Wellington Road; and further requests that the Public Works Director be authorized to sign and release easement.

COMMITTEE ON FINANCE

- I.** Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of \$3,155,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations.”

- J.** Resolutions:

“Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$10,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 2.20719 NCADD Weatherization Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 2.50609 Child Care Recruitment & Training Services.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 4.10117 Domestic Violence Program and 1997 4.20309 Local Law Enforcement Block Grant.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$38,532 for the 1997 CIP 4.10127 Drug Task Force Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$3,155,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations.”

“Authorizing the Finance Officer to effect a transfer of Five Thousand Two Hundred Sixteen Dollars (\$5,216.00) from Contingency to the Elderly Services Department.”

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- K.** Communication from Commissioner Brodeur, State of NH, Dept. of Corrections, inquiring if three (3) places in front of 126 Lowell Street could be designated “For State Use” as a result of recently installed parking meters.
- L.** Communication from Patrick Gosselin, CHIPs Race Co-Director, requesting “No Parking” signs be placed on Notre Dame Avenue, behind Catholic Medical Center on Saturday, May 3, 1997 in conjunction with the 14th Annual CHIPs Challenge 5K and 1 Mile Family Fun Run.
- M.** Communication from Marie Martin inquiring if employees of Central High School who have been issued faculty tags for use in one of the smaller parking lots at Central could use these tags instead of having to feed the parking meters.

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- P.** Recommending that Ordinance amendment:

“Amending an Ordinance Regulating Traffic Upon the Public Streets of the City of Manchester by replacing Sections 54, 57, 59 and 63 of Article VIII. Parking Meters and Regulations Governing the Use Thereof.”

ought to pass.

- Q.** Recommending that Ordinance amendment:

“Amending Section 20-30 of the Code of Ordinances of the City of Manchester by reducing time requirements for Police Chief to Dispose of Unclaimed Property.”

be found inexpedient to legislate.

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- S.** Recommending that a request for acceptance and expenditure of grant funds by adding the 1997 2.20719 NCADD Weatherization Program - \$3,000 - 1997 CDBG Entitlement Grant be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- T.** Recommending that a request for acceptance and expenditure of grant funds by increasing the 1996 CIP 8.20401 Archival Record Retrieval Project - \$10,000 Other - increasing the budget from \$24,985 (\$5,000 cash, \$19,985 other) to \$34,985 (\$5,000 cash, \$29,985 other) be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- U.** Recommending that a request for acceptance and expenditure of State grant funds by adding the 1997 CIP 2.50609 Child Care Recruitment & Training Services - \$8,900.00 State (Dept. of Health & Human Services) be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- V.** Recommending that a request for acceptance and expenditure of State and Federal grant funds by adding the 1997 CIP 4.10117 Domestic Violence Program - \$109,081 State of NH - Attorney General's Office and the 1997 4.20309 Local Law Enforcement Block Grant - \$187,593 US Dept. of Justice be granted and approved; and for such purpose an amending resolution and budget authorizations have been submitted.
- W.** Recommending that a request for acceptance and expenditure of State grant funds by increasing the 1997 CIP 4.10127 Drug Task Force - \$38,532 (State of NH - Dept. of Justice) be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- X.** Recommending that additional bond funds in an amount up to \$3,159,800. be authorized for the City Hall/City Hall Annex renovations project and for such purpose a bond resolution has been submitted.
- Y.** Recommending that the Health Department be authorized to accept grant funds in the amount of \$1,019 from the Cogswell Benevolent Trust for lead poisoning prevention and that same be remanded to the department for the purpose intended.
- Z.** Recommending that \$109,081.00 in grant funds from the Attorney General's Office under the Violence Against Women Act be accepted and that the Mayor be authorized to execute such documents as may be required.
- AA.** Recommending that a renewal lease between the City of Manchester, Manchester Water Works and Camp Carpenter Trustees for 20.8 acres of land located on the east side of Bodwell Road be approved and authorized for execution subject to the review and approval of the City Solicitor.
- AB.** Recommending that a request of New England Telephone/NYNEX for an easement to construct a utility building in Livingston Park along the D.W. Highway be granted and approved subject to the review and approval of the City Solicitor.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- AC.** Recommending that a request by Janell Larocque for no parking on Elm Street between the hours of 12:00 noon to 6:00 PM from Webster to Granite Streets on December 1, 1996 in conjunction with the Christmas on Elm Street Parade be granted and approved under the supervision of the Police and Traffic Departments.

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

Report of Committee on Bills on Second Reading

N. Recommending that Ordinance amendments:

“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.”

“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 17-27 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.”

“Amending the Code of Ordinances of the City of Manchester by deleting Section 7 1/2-7 ‘Assessment and collection’ in Central Business Service Districts, in its entirety and inserting a new Section 7 1/2-7 ‘Assessment and collection.’”

ought to pass.

Alderman Reiniger moved, at the request of the City Solicitor and the Planning Director, that the fourth ordinance relative to “assessment and collection” in Central Business Service Districts be referred back to the Committee on Bills on Second Reading for further technical work and wording. Alderman Domaingue duly seconded the motion. There being none opposed the motion carried.

Alderman Cashin stated in reference to the third ordinance relative to “Section 17-27 Exotic/Unusual Entertaining in Places Selling Alcoholic Beverages” in the second paragraph under “Prohibition” it says “it shall be unlawful for any business entity that serves alcohol”, I would like to amend that to “sells”, just to be consistent with the rest of the ordinance, and moved to so amend the report and the ordinance. Alderman Pariseau duly seconded the motion. There being none opposed the motion carried.

Alderman Cashin moved to accept, receive, and adopt the remainder of the report with amendment. Alderman Pariseau duly seconded the motion. The motion carried with Aldermen Clancy and Soucy duly recorded in opposition.

Report of Committee on Bills on Second Reading

O. Recommending that Ordinance:

“Establishing the maximum fees which may be charged to towing a motor vehicle without the consent or authorization of the owner or operator.”

ought to pass.

Alderman Wihby moved to accept, receive, and adopt the report of the Committee and moved to suspend the rules and place the ordinance on its third and final reading by title only this evening, without referral to the Committee on Enrollment.. Alderman Domaingue duly seconded the motion. There being none opposed, the motion carried.

Report of Committee on Bills on Second Reading

- R.** Recommending that a proposed amendment to compensation for boards and commissions of the City of Manchester as follows: Elderly Services, Fire, Health, Highway, Parks & Recreation, Police, Board of Registrars, Zoning Board of Adjustment, Planning Board and Water Works be found inexpedient to legislate.

Alderman Domaingue stated I just want to make sure I understand the intent here that the recommendation is that the proposed amendment to compensation be found inexpedient to legislate and that the resolution of this is that there will be no compensation for the boards or that there will be compensation for those boards.

Alderman Wihby stated there will be compensation for those boards.

Alderman Domaingue stated, I have a further discussion. When we had the budget discussions did we not remove the compensation from these boards. When we held our budget discussions, my memory is not quite clear, so I need to ask the question did we or did we not remove compensation for all of the board and commissions members.

Mr. Girard interjected, you did.

Alderman Domaingue stated and what this will do if I understand it correctly is that it will restore that compensation.

Mr. Girard interjected, it will.

Alderman Domaingue asked could someone give us the financial amount that is associated with this action.

Mr. Girard replied, I believe the overall package was about \$15,000 in total salaries.

Alderman Domaingue asked where will this money come from, this \$15,000 that we took out of the budget and now we want to add back into the budget.

Mr. Girard replied, my understanding is that it will have to come from the department's budgets. So far, the Planning Director has indicated his budget will not be able to absorb the salaries for the Zoning Board of Adjustment, that is the only department that has raised a concern at this point.

Alderman Domaingue stated, I'm sorry, your Honor, I just don't have that in writing before me, as a Board member. There is nothing here that tells me that the departments have agreed to absorb the costs of compensation for these commissioners in their budgets, nothing.

Mr. Girard stated just for the record the Planning Department has already indicated that it will not be able to, no other department has.

Alderman Domaingue stated you have already stated that and I understood that. What I am saying is there is nothing before any Board member here in this package that tells us that the other departments have agreed to absorb the cost of salaries for boards and commissions in their departments. Do we have consensus from those departments or are they here tonight.

Mayor Wieczorek stated let's get a few more comments here tonight before we decide what we're going to do.

Alderman Wihby stated why is it, if the money's not in the budget, then who says we're going to pay them, who made that decision, there's an ordinance that says we're going to pay these people. So, if it's not in the budget then they're going to have to take it out of their budget to do it if, in fact, they are going to pay the people. Do they have to pay the people because it's in the ordinance.

Mayor Wieczorek stated it will be a violation of the ordinance, but, Tom.

Solicitor Clark replied presently the ordinances call for payment unless the Board changes it. The Board did not amend the ordinances, the Board just didn't budget the money.

Alderman Domaingue in addressing the City Solicitor asked at the time we held this budget wasn't there a representative from the City Solicitor's Office aware that we needed to change ordinances if that were necessary and why wasn't this brought up at that time.

Solicitor Clark replied, I believe that was why it was referred to Committee.

Alderman Domaingue stated so what you're saying is that the Committee has determined that this is the ordinance that needs to be passed in order for us to support our position in the budget of not funding commissioner's salaries and what the recommendation here is that we not do that.

Solicitor Clark replied the Committee determined that they did not want to do it, I wasn't at the Committee meeting so I couldn't explain what happened.

Alderman Domaingue stated I can't support this Committee action.

Alderman Clancy stated you mean to tell me that the Planning Board is the only one in the whole City that can't afford to pay these people.

Mr. Girard stated the Planning Board not only has the stipends for the Planning Board members, it also has the stipends for the Zoning Board of Adjustment members and those stipends for the ZBA are \$1,200 each and that is a significant portion of the \$15,000 that would be saved; that most of the other commission pays are \$100, \$150, maybe \$200 per commissioner. So, the bulk of the impact is falling on the Planning Department.

Alderman Clancy stated I know a lot of these commissioners put a lot of time and effort into this and for the sake of a hundred or two hundred dollars a year that is nothing because a lot of these commissioners put a lot of time and effort into certain departments here in the City.

Mr. Girard stated, I don't argue that, Alderman, I just am giving you the facts of what exists and why it happened.

Alderman Soucy stated I'm just trying to reconcile these numbers, your Honor. Mr. Girard indicated that it was \$15,000. I'm looking at the handout for the yearly salaries which was attached to the Committee report and I see that the Aldermen are listed and are they included in the \$15,000.

Mr. Girard replied the issue of the Aldermanic stipend was never addressed by this proposal from the Board.

Alderman Soucy asked is the Water Works included in that amount.

Mr. Girard stated Water Works should be. My understanding is that the intent was that they...Alderman Wihby would be better able to answer the question.

Alderman Soucy stated my question is since they passed a budget, their budget is on a calendar year, they would have already budgeted the amount. So, whether or not the dollar amount is there isn't a question in this particular department.

Mr. Girard stated it is a question, but the Water Works money is not in that \$15,000; that \$15,000 is just the General Fund impact. So, the Water Works, if this ordinance were to...

Alderman Soucy interjected it would not include Airport or Water Works.

Mr. Girard replied that is correct. Those commissioners, if this ordinance were to pass would be denied their pay, but there is no General Fund impact.

Alderman Domaingue asked could we, at least, hear from someone on the Committee as to why they drew the conclusion that that should be inexpedient to legislate since the Planning Department which the Administrative Assistant claims carries the bulk of the cost, has already stated they can't absorb in their budget.

Mayor Wieczorek stated let's ask the Chairman.

Alderman Wihby stated I guess the Committee just felt like Alderman Clancy said that Board members do a number of different things and to be compensated as little as the \$100 or \$200 or whatever it was, I don't think anybody figured on what it meant as far as the impact of the Planning Department, that was never addressed.

Alderman Domaingue stated I don't disagree that these people put in an awful lot of time and their compensation is probably very important, I'm just questioning right now why it is that in the budget process we came to an agreement that we would remove this money, we counted on its removal and now it's being asked to be reinserted into the budget and we're hearing testimony tonight that certain departments can't even afford that. How did we get to this point, if that compensation was that important why weren't we talking about that in the budget process, why are we trying to shove it back into the budget now.

Alderman Wihby replied what's happened in the budget process, it is a deduction, the \$15,000 is less in the budget because of the fact that now they're going to have to come from within their own budget to finance this, so it is a definite cut in the budget process we did cut \$15,000 whatever the total equals.

Mayor Wieczorek stated I think your question is how did they get onto doing this again, is that what you're...

Alderman Domaingue interjected and who's going to pay the bill, your Honor, where is this money going to come from if Planning doesn't have it and I can believe they don't, where is that money coming from.

Mr. Girard replied it would have to come from Contingency, Alderman Domaingue.

Alderman Domaingue stated and the balance currently in Contingency before the snow flies.

Mr. Clougherty replied \$175,744.

Alderman Domaingue moved to table Item R. Alderman Shea duly seconded the motion. The motion carried with Aldermen Clancy and Cashin duly recorded in opposition.

Confirmation of the nomination of Mike Kania to serve as an

alternate on the City Planning Board, to fill a vacant position, term to expire May 1, 1998.

On motion of Alderman Cashin, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Mike Kania to serve as an alternate on the City Planning Board, term to expire May 1, 1998.

Alderman Elise stated I'm not familiar with this individual and usually we do receive a resume or a call.

Alderman Cashin stated I wasn't present at the last meeting, did you submit a resume at that time.

Mayor Wieczorek replied, no we didn't, I think we just submitted the name.

Alderman Elise stated it would be helpful to me if I had a resume to base a decision on.

Alderman Cashin stated I don't think he was told to send a resume in, it certainly isn't his fault. Under the circumstances, I think we should support him, he didn't realize what the procedure was, how can we blame him for that.

Alderman Elise stated I totally agree with you, but I didn't know this particular individual, it's very helpful to have a resume to just look over.

Alderman Cashin stated I totally agree and he should have been asked to send one, but he wasn't.

Alderman Elise stated in the future regarding this particular issue it would be very helpful to have a resume.

Mayor Wieczorek so noted the request.

Confirmation of the nomination of Thomas C. Nichols to succeed himself as a member of the Board of Assessors, term to expire January, 2003.

On motion of Alderman Clancy, duly seconded by Alderman Soucy, it was voted to confirm the nomination of Thomas C. Nichols to succeed himself as a member of the Board of Assessors, term to expire January, 2003.

Confirmation of the nomination of Leo R. Bernier to succeed himself as City Clerk, term to expire January, 2003.

On motion of Alderman Wihby, duly seconded by Alderman Robert, it was voted to confirm the nomination of Leo R. Bernier to succeed himself as City Clerk, term to expire January, 2003.

Confirmation of the nomination of Kevin A. Clougherty to succeed himself as Finance Officer, term to expire January, 2003.

On motion of Alderman Wihby, duly seconded by Alderman Reiniger, it was voted to confirm the nomination of Kevin A. Clougherty to succeed himself as Finance Officer, term to expire January, 2003.

Communication from Board of Fire Commissioners nominating Joseph P. Kane to succeed himself as Fire Chief, term to expire January, 2003.

On motion of Alderman Elise, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Joseph P. Kane to succeed himself as Fire Chief, term to expire January, 2003 as presented by the Board of Fire Commissioners.

Mayor Wieczorek to recognize Manchester Partners in Homeownership for their participation and commitment to increase homeownership opportunities for citizens of Manchester, New Hampshire and for their outstanding efforts to reach the goals of the National Homeownership Strategy.

Mayor Wieczorek stated we had Mr. John Newville the Chief Finance Officer for the Department of Housing and Urban Development this week making a presentation to us and recognizing us for what we are trying to do here is increase homeownership in the center city. I think we all know that if we have the landlord in the homes in the center city that we're going to have fewer problems with crime, prostitution and drugs, all of the usual problems you have when you have absentee landlords. So, they're working very hard with us and wanted to recognize what we have been doing here, so I was very pleased to have him here.

Update to be presented by the Manchester Development Corporation, Board of Directors.

Ms. Golz stated I appreciate the opportunity to make a few brief remarks and update you on the activities of the Manchester Development Corporation. I think it is very important that we maintain a very open dialogue with yourselves, obviously, and I have just a few remarks. There are a number of our Board members, the MDC Board are here this evening, so if any of you would like to speak to them at any time, but I had just a few brief remarks to be mindful of your agenda. I wanted to advise you that the MDC Board has been meeting regularly since it was constituted back in the spring or summer addressing a number of things include, first of all, some of the carryover and lingering issues from the former GMDC Board which needed to be addressed to make sure that we were in compliance with everything, but most importantly that we have been thinking about and considering what we meaningfully could do and accomplish and how we should best go about that and in that regard and we are very fortunate to have, of course, on the MDC Board two of the Aldermen and they are great contributors to the efforts that we're undertaking but in that regard we are having on January 18, 1997 a planning session and we are most interested in having any feedback, any input from this body on anything that they would like us to be addressing or considering or focusing so that that can be encompassed

into our planning meeting in January and again this is going to be our entire Board to make sure that we are well-focused on what we can accomplish. Additionally, I think on the agenda we would urge you to view favorably a proposed amendment to the MDC By-Laws that, I think has been provided to you in a letter dated November 8th in your materials from Jay Taylor and these proposed amendments were recommended by MDC Counsel and they are to comply with the State statutes as regards conflict of interest and actually to go beyond that because the MDC Board is very conscious of not having even any hint of any type of conflict of interest. So, we would urge you to view that amendment favorable. And, lastly, we would like to ask that we periodically have the opportunity to come back before you to keep you fully informed of our plans and activities and to also to solicit in these sessions and, of course, one-on-one whenever you would like anything that you would like to share with us or would like us to focus on and work on so that we have a very open and full communication.

Mayor Wieczorek stated, Karen, thank you very much for bringing the Board up-to-date. I think you've led very nicely into the next item which is 12 and talking about the communication from Jay Taylor so, Ladies and Gentlemen, what is your pleasure?

Communication from Jay Taylor, Industrial Agent, seeking the Board's approval of a proposed amendment to the MDC By-Laws due to recent changes in the State statutes regarding "conflict of interest" and "pecuniary benefit transactions."

Alderman Pariseau moved to approve the proposed amendment to the MDC By-Law. Alderman Clancy duly seconded the motion. There being none opposed, the motion carried.

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

Mayor Wieczorek called the meeting back to order.

OTHER BUSINESS

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

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$3,155,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations."

ought to pass and layover; and further that Resolutions:

"Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$10,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 2.20719 NCADD Weatherization Program."

"Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 2.50609 Child Care Recruitment & Training Services."

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 4.10117 Domestic Violence Program and 1997 4.20309 Local Law Enforcement Block Grant.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$38,532 for the 1997 CIP 4.10127 Drug Task Force Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$3,155,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations.”

“Authorizing the Finance Officer to effect a transfer of Five Thousand Two Hundred Sixteen Dollars (\$5,216.00) from Contingency to the Elderly Services Department.”

ought to pass.

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

Ordinance:

“Establishing the maximum fees which may be charged to towing a motor vehicle without the consent or authorization of the owner or operator.”

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

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

Communication from Mayor Wieczorek seeking the Board’s approval to submit a letter to the General Services Administration in an attempt to acquire the former Naval Reserve Center across from Manchester High School West for school purposes.

Alderman Hirschmann moved to approve forwarding a letter to the General Services Administration. Alderman Wihby duly seconded the motion.

Alderman Robert asked when you say “school purposes” does that mean limited to school purposes or would the use of the facility be open to other, would they be willing to discuss other neighborhood concerns or is it just going to the School Department.

Mayor Wieczorek replied it would be going to the School Department, I’m assuming for parking.

Alderman Robert stated Parks and Recreation has expressed an interest and the neighborhood does have parking concerns.

Alderman Hirschmann stated I was under the impression that the federal government would give us the property if it was used for school purposes specifically and that's what it is intended for, your Honor, school parking.

Alderman Domaingue asked do we have any more definitive answer than "school purposes", is there a particular idea that the School Department has put forward that they would like to see this property used for.

Alderman Hirschmann replied this is a parking proposal.

Mr. Thomas stated and for West Memorial Field.

Alderman Wihby asked has School already said that they wanted it.

Mayor Wieczorek replied yes.

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

Communication from Mayor Wieczorek regarding the introduction of a "Bag and Tag" program to address rising solid waste costs.

Mayor Wieczorek stated I am going to ask Frank Thomas to start the presentation and I'm going to ask that you don't interrupt while they're making their presentation, so that we can get through it because the questions that you might have will probably be answered and if not then we'll get the answers after the presentation.

Mr. Thomas stated I wanted to start off by giving a brief history of where the Solid Waste Management program has been and how we got to the point where we are at now. Previously, a few years ago as you know, we the Highway Department provided curbside trash collection having 13 routes plus the Downtown area. The trash that was collected was disposed of at the Dunbarton Road Sanitary Landfill which was that 65 acre site up on Dunbarton Road abutting the Everett Turnpike. Back in the late 80's, early 90's the cost of operating this landfill was approximately \$650,000 a year. However, that landfill also generated a sizable income to the City to offset some other operating costs such as the cost of collection. Again, in that time period around 1990, we generated gross revenues of approximately \$2.4 million a year from that landfill and as I mentioned it cost approximately \$650,000 to operate it. Right after, in the early 90's, it became apparent that we had to conserve space in the landfill for the solid waste that we collected, so what the Highway Commission did during that time period was start to increase the tipping fees for the landfill and what that did was to discourage the private haulers that were using the landfill to dispose of their refuse from using it and seeking other areas to dispose of the trash, so the revenues started dropping down to a point within the last couple of years just before the landfill closed of showing a profit in the three, four hundred thousand dollar range to

a couple of years when it was almost break even. The point I am trying to make is that this landfill up on Dunbarton Road was really an asset to the City in that it provided low-cost disposal to our solid waste requirements and actually generated revenues from the private haulers that offset some of our other operating costs. A few years ago things started changing. One of the areas that we found changing is that the State passed various legislations changing the definition of solid waste. The definition of solid waste was changed removing yard waste from the term solid waste. Yard waste was no longer classified as a solid waste and as such we were ordered to seek alternative means of disposing of it. You couldn't dump it into a landfill anymore. So, the City was forced into providing separate collection for yard waste and if you remember correctly we collected it and made a compost out of it in order to dispose of it. During that same period of time it became clear to everybody that we finally were running out of capacity and we worked out an agreement with the State where we agreed not to go any higher in lieu of being able to continue to operate the landfill out to the boundaries of the landfill which picked us up a few years. But, it became clear that the landfill was closing. As a result, the City went out with RFP's, entered into negotiations, basically performed a bidding procedure. The results of that bidding process was that the Highway Department wound up continuing to provide collection services for the City, but at a greatly reduced fleet. As I mentioned, back a few years ago we were collecting trash with 13 trucks plus another for the Downtown and now we're doing it with nine trucks. So, we bid against the private sector and wound up providing those services. With the landfill finally closed the City had to develop a drop-off area so that if you had some extra trash that you wanted to drop off you didn't have the landfill anymore to drop it off at, so the City funded the construction of a drop-off area across from the old landfill which is being run by the Highway Department and the cost of disposal is being handled through contracts with Waste Management for what gets dropped off up there. Solid waste which is collected by the Highway Department trucks now drive down to Londonderry to the Spartan Transfer Facility. We are under contract with Waste Management, but Waste Management is providing this Londonderry Transfer Facility until such time as they are able to finish construction or start construction on their Auburn Transfer Facility that's been temporarily delayed as they're going through the permitting processing and addressing a few legal hurdles. We also now have contracted with Waste Management for final disposal of the trash and that's at their secure landfill in Rochester. We are now paying \$40.00 a ton to dispose of the trash up at Rochester and it's costing us an additional \$15.00 a ton to transfer the trash through this Londonderry Transfer Facility. Once the Waste Management Facility is completed in Auburn that price will drop from \$15.00 down to \$8.00 for transfer. Curbside collection and disposal of yard waste is also under contract with Waste Management, they are maintaining the same level of services that the Highway Department was providing. The basic difference is that originally we made a compost out of it and they're trucking it away to a facility outside Manchester that basically does the same thing. Also, the City entered into a contract with Waste Management to provide curbside recycling services on a bi-weekly basis. The intent there, obviously, was to reduce the increased cost of solid waste services with the landfill closing. Initially, it was anticipated that with a curbside collection program we felt that it was reasonable to expect that we could achieve a 15% reduction in the waste stream. When we started off the

program, quite frankly, we started off in about the 11% range or in that area and we felt pretty positive about the whole situation feeling that potentially by the end of one year's time that we would be up into the 20% range. However, it went up a little bit and pretty much stabilized at 13%. Victor Hyman is sitting to my left, he's our Recycling Coordinator and I would like him to say a few words of what we're proposing to do with recycling and to lead us off into how we're going to perform the "Bag & Tag" program.

Mr. Hyman stated I'd like to give you a Recycling Program update to follow-up on Frank's introduction. We're ten full months into the program now, we're averaging about 400 to 450 tons a month of recyclable materials, it's about 330 tons of paper and another 120 tons of containers each month. In the first ten months of the program, I think we've accomplished a lot, we've solved a lot of the logistical problems with the residential program that showed up initially. Most of our concentration has been in the past ten months of getting the City's 23 schools, all the City offices and buildings and City departments participating in the Recycling Program and that actually turned out to be a monumental effort because we had to visit each site and set up a custom program according to their needs. So, by the end of September virtually all of the schools, all of the City offices and buildings and City departments are now participating in the Recycling Program. As Frank mentioned, our goal initially was 15%, we thought that was a reasonable expectation, we've achieved a little less than 13% after ten months. The numbers is actually 12.67%. The important thing to know is that of the 36,000 bins or of the 36,000 households or families that have bins, only 50% of them are participating in the program. We've gotten a real good data from Waste Management, we know exactly how many bins and households there are in every one of the ten routes, every time a driver empties a bin into his truck, he crawls back into the truck and punches a button and we get all that data in the form of a printout at the end of the month, so we know what the participation rates are, we know where the problem areas are. So the important thing to note is that half of our residents or 18,000 of the 36,000 are participating. Thirteen percent is not a terribly, horrible number for a brand new program in a City this size particularly when you consider that 90% of the City's residents have never recycled before. This is a whole new concept for most people. A lot more has to be done in terms of education, promotion and that's a measure that we're in the process of taking now. We had to implement the program so fast after we signed the contract with Waste Management that there really wasn't ample time to do a thorough promotion and education program, we've tried to a little bit as we've gone along. We should have formed a recycling committee probably six months prior to the implementation, we didn't have time to do that. We have formed that Committee now, it's a representative cross-section of citizens in Manchester who either have a vested interest in the program or belong to a civic group or organization that has access to volunteers and there are about 15 people and we expect our next meeting to be next week, if we can get a facility to meet in and basically what we are going to do is work together to identify the problems, use the data that we've collected and see what we can do to improve the program and work on the problem areas. We have a pretty good idea where those are.

Alderman Shea asked can I ask a question.

Mayor Wieczorek stated I wanted to wait until they were done.

Alderman Shea stated I just wanted to get the statistics right.

Mayor Wieczorek stated okay.

Alderman Shea stated he said there are 36,000 households in the City.

Mr. Hyman interjected actually 36,000 households that bins were delivered to.

Alderman Shea stated and 50% are...

Mr. Hyman stated 50% are using the bins for their intended purpose.

Alderman Shea stated that is only 12.6%.

Mr. Hyman stated 12.67%; that figure represents the percentage of the reduction of the waste stream by weight. In other words, 12.67% is what we're not having to pay to dispose of the waste stream.

Alderman Shea stated so of those participating, they're not really recycling as much as they should in order for you to arrive at that figure.

Mr. Hyman replied we're talking about 12.67% of the total waste stream in Manchester.

Alderman Shea stated but 50% of the households are participating, so 50% of the households participating are only generating 12.67%.

Mr. Hyman stated I'm not understanding your questions, somebody help me out here.

Alderman Shea stated you are saying that there are 36,000 households in Manchester, 50% are participating, yet they are only generating 12.67% of the total waste.

Mr. Hyman stated those 18,000 households are decreasing the waste stream by 12.67%.

Alderman Shea asked so if everyone participated, how much could they...

Mr. Hyman stated yes, that's a potential.

Mr. Hyman stated we're here to discuss as far as Solid Waste Management is the "Bag & Tag" program. We've talked about it before and I've been asked to sort of give you a general

overview of how the program is set up, how it would work and the Finance Department will be giving you the numbers later. Bag & Tag does a lot of things. It will increase participation in recycling which is what we need to do to ultimately decrease the amount of solid waste we have to dispose of. With the closure of our landfill and associated dramatic costs in solid waste disposal that we've experienced over the past few months, also coupled with a need to keep taxes at a reasonable rate this is the ideal climate, the ideal set of circumstances upon which to implement this sort of program. It's not a new or radical idea. Basically, there are twenty-one municipalities in the State of New Hampshire who have adopted Bag & Tag or user fee or paper bag, whatever you call it, they've adopted it as their solid waste management technique. Our program is based upon, primarily upon Worcester, Massachusetts program. We visited Worcester, we've done a lot of research about their program, got lots of documents. The benefits - there are several benefits to the Bag & Tag Program. Under "Bag & Tag" basically the waste disposal services are considered a utility, much the same as electricity or telephone or sewer or water. In other words, the cost of a portion of the solid waste services are passed on fairly based upon volume uses of services and that's important - the word "volume". People have an opportunity under "Bag & Tag" to reduce the "volume" not the "weight", but the weight of their trash. It's not uncommon for residents in a "Bag & Tag" program especially with a comprehensive program which includes so many things as in Manchester's program to experience a 45 to 65 percent volume decrease and that translates to if you generate three bags a week, you're probably going to generate about one. You pay directly for the volume of waste your household generates and you have the power to decrease your costs substantially just through the use of recycling. If we're talking about waste disposal services being considered a utility, I guess a question to ask would be right now, those services are included in the tax rate, if electricity were included in the tax rate, how many people would turn off the lights. There is no incentive and that's what "Bag & Tag" provides. People have the incentive to recycle and the incentive being to decrease their costs substantially. Additional benefits to the program - there's obviously going to be a reduction in the present solid waste tonnages that need to be now transported elsewhere for disposal due to the closure of our landfill. Increased participation in recycling and yard waste programs further reducing the disposal costs. The bottom line is it's just plain cheaper to recycle a ton than it is to dispose of a ton. The program will also assist in offsetting solid waste costs through revenues generated from the sale of bags. It takes a portion of the solid waste costs off the tax rolls. Basically, how the City's program is going to work or any "Bag & Tag" program for that matter...the program will require residents to set out trash only in specially designated plastic bags. The bags and the distribution services for these bags will be purchased by the City, this will go out to bid and awarded to the lowest responsible bidder. The bags will be sold to residents through their local retailers, will develop retailer networks in the City. The retailer for selling the bags will make a profit of three cents per bag and the City will be paid the net revenues directly by the bag supplier and distributor. A comparison here, a simple comparison we've drawn to the existing yard waste program which involves a resident going to a hardware store and purchasing the bags. In a similar fashion, a resident would be going to a store to purchase the required bags. Of course, the obvious difference is that the residents have another option other than purchasing a bag for yard waste,

they can put it in a container with a sticker on it and the other obvious difference is that the retailers are realizing the full profit of the bags instead of the City. Additional costs - by additional we mean "Bag & Tag" costs what it's going to cost above our present situation right now to put this together. Promotion and education - like the Recycling Program the key to the success of any user fee program is going to be promotion and education. We intend to do everything that we possibly can given the time to do it - newspaper ads, articles, we intend to use Channel 40 and Continental Cablevision to do some shows, information packages to all local media, radio interviews, public service announcements, schedule public meetings which worked well for the Recycling Program, everything we could possibly do in the time allotted. Frankly, I would propose if this program receives a concept approval and we proceed with it, I would recommend strongly that we do a public relations effort similar to the City of Worcester which is hiring a private professional public relations firm to assist in this effort. I believe the City of Worcester spent \$50,000 for this effort. Now, if these monies turn out not to be available then we can do the best we can. The bag purchases just involve our actual cost for the bags and the retailers profit margin...these numbers are all built into the proposal numbers you'll see later when Finance Department does their presentation. Enforcement - it's a kind of a strong word, what we're talking about is two positions that would be created by the City to administer parts of the program and primarily to educate and promote and monitor the compliance of the City Ordinance which would become necessary if we were to pass this program. They'd be out in the streets in City vehicles and monitoring compliance. Incremental recycling costs refer to costs that are built into the present recycling contract. There is only a \$13,200 difference in the contract price with Waste Management without a "Bag & Tag" and with the "Bag & Tag" so that cost is not substantial, at all. There's an annual CPI adjustment built into the contract which has a cap of four percent and we can expect those as incremental increases. Our first CPI adjustment on the recycling contract in July was only 1.7%. Of course, it's based upon the cost of living.

Mr. Thomas stated before you get off this slide, I think Victor skipped over the Welfare subsidies which I think is very important. In the proposals that have been put together now, we've identified the need to provide a subsidy to be administered by the Welfare Department for those families that are on the Welfare rolls and where this program could potentially impact, so what we've done is last year there were approximately 950 families that were clients of the Welfare Department and we've built-in enough to the program to subsidy a thousand of these such families. So, we hope that we have identified this very important area.

Mr. Hyman stated that is based upon providing a thousand Welfare households three 30-gallon bags per week, 52 weeks a year. As you see, a minimum of four months is going to be required to implement this program, we need at least this amount of time, if it's approved. We have to have time to go through the City procurement process for the bags and distribution services, involves writing the specs and the bid documents, advertising, the evaluation and award. We need to develop a retailers distribution network. We feel confident based upon what's going on in other cities with "Bag & Tag" that retailers, large retailers within a city usually have a good

neighbor policy and even though the three center per bag profit margin seems minimal, they are usually willing to do this for two reasons. One, is a public service and being a good neighbor in the community they operate in and also to bring in more walk-in business. We would have to create a new Ordinance and this takes time to get through the process, a User Fee Ordinance and this would have to be protected by ordinance. We would need to train and fill the positions, create the positions actually in the Highway Department for these two enforcement personnel and last but not least promoting and educating...what I referred to before. This is going to be a big effort if we are going to do it ourselves, but it can be done.

Mr. Thomas stated before we move on to the presentation by the Finance Department, I'd just like to summarize what Victor has said here. A "Bag & Tag" program is a fair and equitable way of allocating the costs of solid waste services. In addition, a "Bag & Tag" program allows a person to somewhat set their own destiny. You're going to have to pay for solid waste services. With a "Bag & Tag" program if you make the effort to recycle, you're going to minimize your costs for the solid waste services. If you're single and carefree and have a buck in your pocket and you don't want to waste your time and that's the view you're taking of recycling, then fine, pay for that luxury, pay for the costs of those solid waste services. So, a "Bag & Tag" program does that. So, again, the benefits are it increases recycling, it promotes recycling in the fact that if you recycle you are going to reduce your solid waste costs and in doing so allows you the opportunity to define your own destiny when it comes to paying for solid waste costs and with that I'll turn it over to Randy.

Mr. Sherman stated the first thing we have to consider when you implement a "Bag & Tag" the additional costs that you're going to be looking at, but there are also going to be some avoided costs that the City will be able to pull out of the stream. To get these numbers right the estimation is that you can actually increase your recycling by an additional five percent. By increasing it five percent that pulls 2,150 tons of solid waste out of the stream that you now no longer have to collect, transfer or dispose of and there are estimated savings in those line items by implementing a "Bag & Tag". Now, just to refresh your memory back in 1995, only three years ago what the City used to do is collect the trash and bring it to our own landfill. Those are the only two things we had in the '95 column. Now in '98, we collect it, we collect yard waste separate, we collect recycling separately and now we have to transfer and dispose of the trash and we also have to run a drop-off center. So, there's a wide disparity between the amount of services we provided in '95 and those services that we provide in '98. Along with that, obviously the dollar amounts change. In 1998, what they project the budget is \$4.7 million bringing in revenues which includes the Reclamation Trust Fund that this City has, it includes the revenues that are in place at the drop-off center of roughly \$570,000 leaving a net cost to the City in 1998 for solid waste is \$4.1 million and only three years ago the costs were \$1.7 million and that was just collections and the landfill. At that point, we were collecting \$750,000 mainly tipping fees at the landfill for a net cost of approximately \$1.4 million. In the last three years we've increased the requirement in the budget to \$2.8 million. Now, as Frank said we pretty much have three options on how we're going to fund this. You can either fund it fully through

property taxes as we are in fiscal '97, you can fund it through fees, the "Bag & Tag" fees which I believe is actually the proposal the Mayor's Office had last year, fully-funded and running it more as an enterprise fund or there's a combination. You can come to some middle ground and part of the program through property taxes and part of it through fees. If you fund it through property taxes, take that net cost of the \$4.1 million there's a tax rate impact of \$1.15. Now, if you take your average household which currently has a value of \$105,000 that means that household is paying \$120.75 as part of their tax bill for their contribution to the disposal of solid waste. Now, if you impact in there the federal taxes and we assumed a 20 % reduction that means the net cost to that household is \$96.60. What that equates to in 30 gallon bags on a full "Bag & Tag" is about 1.2 bags per week. Now, if you fully fund it through user fees your costs go up as Vic said there's certain other costs you have to throw in and the main cost there is the purchase of the bags because you obviously have to have bags, you have enforcement, you have the Welfare. But, you go from \$4.1 million up to \$4.6 million. Now, the best way we could figure out how to do this is actually come up with a cost per pound of solid waste and it's 6.75 cents per pound to dispose of the solid waste. If we go with an average of 1.3 bags which is what we had used last year when we did these calculations that's about 1,600 pounds of solid waste generated by each household which means each household would be paying \$108.00. Now, that's higher than they're paying on the property tax rate, but it does give them slightly more bags to dispose of. What this means when they purchase the bags for a 30-gallon bag is a \$1.55 per bag and a 15-gallon bag is \$1.15. The reason it is not twice as much for a 30-gallon bag as a 15-gallon bag is on a weight basis and maybe ask Vic to verify this, people tend to put more weight in a 15-gallon bag than they do in a 30-gallon bag. Seventeen pounds is what we used for a 15-gallon bag and 23 pounds for a 30-gallon bag. Now, the third option we had...you want to run some middle ground here and the cost three funders is still the \$4.6 million because you still need the bags, you still need a Welfare program, you still need enforcement. If we take these bags and reduce the cost of the 30-gallon bag to \$1.00 and the 15-gallon bag to 75 cents what that does is it generates roughly \$3 million in bag revenues. What that means then when you take the average household and assume that average household generates the average amount of trash it means that they'll be paying \$38.00 in their property tax, they'll be paying another \$70.00 for the bag fees with a total of \$107.77 which is roughly right around the \$108.00 that we had for the full program. One other thing that you may want to consider which I'm sure is not very popular is mandatory recycling to force the reduction rather than going to the bags or in conjunction with using the bags. I know that Frank has all types of statistics on whether this works or doesn't work, I can't address that. But, obviously if you do go to a mandatory recycling you take more waste out of the stream, your recycling costs will go up, but your transfer disposal and collection costs will go down. However, you also then need to increase your enforcement costs and you need to implement some type of fines, if you're going to enforce it you're going to have to have a penalty for those who obviously aren't abiding by it. On that, I'll turn it over to Rick Girard and he can explain the Mayor's proposal.

Mr. Girard stated as Mr. Sherman noted the Mayor did initially, last April, propose a program that would have had the full costing, bag prices were roughly what were represented here today

and earlier in the program in June he came back with a proposal at the \$1.75 level that's represented here as part of the zero tax increase budget he presented. The Mayor's proposal would have bag prices at \$1.75, recycling would remain voluntary and this program would fund the enforcement that is necessary to operate the program and the Welfare subsidies which are also necessary to make this work and several Aldermen here had concerns over enforcement and Welfare when this program was brought up beforehand. The \$1.75 figures are not random figures. They will generate roughly \$3 million in revenue, but these figures will cover the following aspects of the solid waste program which largely are our new costs - yard waste collection, the recycling program, the drop-off center, the purchases of the bags, and it will cover roughly 90% of the transfer fee. So, the numbers do have a basis in relation to our costs. What will remain on the tax rate is roughly \$1.65 million to cover the curbside collection of trash, the Welfare subsidy and ten percent of the disposal and transfer costs. The fact of the matter is that what this proposal does is in keeping part of it on the tax rate provides for the service to exist and the fee provides the vehicle to pay for the services that are used by the user. Currently, as you know, residential condo developments, commercial industrial establishments, many business establishments are paying property taxes and they're also paying privately for pick-up. So, they're paying a tax for a service they do not get. Not-for-profits are having, in many cases, most cases have City pick-up but they don't pay any property taxes and the residents, of course, are paying a set fee regardless of their usage whether they're an elderly couple or a family with several children. So, what this plan does is again keeps the provision or the existence of the service on the tax base because I think we all agree that trash removal is something the City has to do, but it assesses people for the use of that service. This is really not an additional revenue to the City. What we're doing is finding another revenue stream and replacing the tax stream to fund these programs. So, while it may be looked at as a new non-property tax revenue, folks paying the taxes are going to pay it one way or the other. It does assess it in a more equitable manner and it's success in recycling or increasing recycling throughout communities in New Hampshire and, in fact, throughout the country has been remarkable and I think one of the statistics we have to take a look at is the fact that roughly half of Manchester's households are participating in the recycling plan now, but we're only removing 12% of the waste stream with that participation. If everyone were to participate based on the current level you could expect to double that, but if everyone were participating to the fullest extent that the program allows and I know a lot of people don't think about recycling their papers, their cardboards, a lot of different things people don't recycle. As Mr. Hyman pointed out it's not unrealistic to expect that the City could reduce the volume by 35 to 40 percent which is a significant savings to the City on the disposal side. So, the people that are participating in the Recycling Program now thought they're doing so well are not taking a look at the numbers, are not really removing as much as they could from the waste stream. This provides a mechanism to encourage maximization of that service and the Mayor did look at a mandatory recycling program and, frankly, if we were to go to a mandatory recycling program you still would be looking at having residents buy special bags. They would have to be clear so that the folks picking up the trash could see into them to know whether or not there were any recyclables there. Your enforcement costs would roughly triple because the department

estimates you'd need three times the number of people to do the enforcement and, frankly, mandatory recycling plans have been turned away from around the country because they're not as effective as the "Bag & Tag" and that is the basis of the Mayor's proposal.

Mayor Wiczorek stated to make a couple of points. One, Richard, I heard you mention \$1.75 and I don't want anybody to get the mistaken idea that we're talking about \$1.75, it's \$1.00 for a 30-gallon bag and 75 cents for a 15-gallon bag because we're talking to the citizens here in addition to talking to the members of the Board. In looking at the program, in talking about the program, I know that last year when we tried to do this through the budget process the Aldermen say well, it's a good idea but there isn't enough time to really implement it and try to do it through the budget process. So, we're presenting it now before we get into the budget process so that you can really take a look at it and determine if, in fact, you think this is a better way to do it. I don't think there's any question after what you've seen tonight you know that our solid waste costs have increased substantially with the closing of the landfill and we're going to have to take some steps to try to see how we can do it most effectively and efficiently. I am opposed to a mandatory recycling program because as Richard outlined we're talking about more enforcement. But, more importantly, I think if you have it voluntary it gives the person a choice. If you are too lazy or don't want to put recycling in there, pay for the bags because somebody is going to have to pay to remove that trash. But if, in fact, you want to do as good a job as you can at recycling then you could reduce the solid waste stream by approximately two-thirds in your own house and these are the things that people have to measure. If you have any questions, we'll answer any questions, but what I would like to do would be to refer this to the CIP Committee for further study.

Alderman Wihby stated we're property tax funded, a hundred percent fee funded, Randy, are those equal. Are you saying there that by leaving it the way we have it, it's \$96.60 and if you do it 100% fee funded, it's \$108.00.

Mr. Sherman replied if you own the average house and generate the average amount of trash that is correct.

Alderman Wihby stated, so what we're saying then is we don't like the fact that it's cheaper to do it with the property tax rate because we want to spend more money and charge the residents of an average household more money to get rid of their waste stream, is that what we're saying.

Mr. Sherman replied the reason it ends up being cheaper under the full tax method is because you have people who pay property taxes that don't get that services, so they are performing a subsidy.

Alderman Wihby stated but the average homeowner is going to end up paying more money by accepting this "Bag & Tag" proposal.

Mr. Sherman replied unless they try to make some effort to reduce the average stream.

Alderman Wihby stated, I thought that the first time this came to us and actually this is the same presentation we had, there's nothing that's really changed except for perhaps a few numbers and I thought the most expensive way was the half-and-half or some sort of combination and that that was the most expensive out of the three proposals, so that we were instructed to either take the tax-funded part or the one hundred percent fee part, but not the mixed one, isn't that true, it seems to me that is what it was the last time and I don't know why that's not like that this time.

Mr. Sherman stated some of the numbers have changed and one of the main factors is that the prices have changed, the price of the bags and that may be a factor, but if you also look at the average house that now has a higher value and I'm not sure, but there were a number of components that changed that did affect some of these numbers.

Alderman Wihby stated and finally I heard from Vic and somewhat from Frank that we want to go all out with this and we're going to hire people and we're going to promote people and we're going to do advertising, go to schools and go to all of these places. I guess my question is, why aren't we doing that now with the way it is now. I think we started off all right, but I think we haven't done much since it started and I think if we're doing 13%, we can get to the 15 or 16 percent if we just tried a little hard without implementing the "Bag & Tag".

Mr. Thomas stated as Vic mentioned in his presentation, we're in a start-up mode, we're going into new areas this year, we started a drop-off center and we had to get that built, we had to set up a mechanism to run that efficiently, we got into a Recycling Program without a lot of advance lead time as Vic mentioned where you could build up and have a big dedication and this is the day you could start the Recycling Program, so we're playing a lot of catch up. We were looking at working out bugs that were in the program, we got Waste Management to change routing, etc. and things along that line. We feel now that we've got the mechanical problems out of the way and now Victor as he mentioned is starting to focus more on getting the recycling group together and doing a little bit more of the education.

Alderman Wihby stated my point, Frank, is that we haven't done that yet. So, we're asking to change our way of thinking now and go to a "Bag & Tag" when we haven't implemented this new idea of getting this group going. Why wouldn't we work with trying to promote what we have first and if it didn't work then try to go to something different.

Mr. Thomas stated you're going to increase the recycling effort through promotion, but I don't think you're going to see the big potential jumps as you'd be looking at a "Bag & Tag" program. Right off the program with a "Bag & Tag" program according to our discussions with Waste Management and BFI, you should be able to realize almost on Day 1 a five percent increase in your recycling effort. So, there's going to be a large jump where what you're

proposing we continue to do with Victor...the education and promotional...that will gradually build up the percentage, but not as quickly and not overall as much.

Alderman Wihby asked are we that far off from where we anticipated on being.

Mr. Thomas replied as I mentioned earlier, we were hoping to have a 15% reduction at the end of the first year or ten months into it and as Victor mentioned 12.6%, I was saying 13% and quite frankly, optimistically we were hoping to be up in the 20% range after the end of the first year, but fifteen was what we budgeted, we hoped for twenty and it looks like we're going to be darn closer to thirteen by the end of the year.

Alderman Wihby asked don't you think that with more promotion and promoting what we have that we can get it up to the fifteen where we figured we'd be.

Mr. Thomas replied, yes, over a period of time whether that's three months, four months, six months or a year, yes, I think that's reasonable to feel that we are going to continue to increase that percentage, but as I mentioned not into the 20-25-30-40 percent range that some of these other programs could potentially...

Alderman Wihby stated I guess I expected to see a figure that was going to show me that the taxpayers made more sense to an average household to do it with the new proposal than to do it the way we're doing it, but I don't see that. I see that it's going to cost more money to change our proposals, at least for an average household.

Mr. Thomas stated as Randy was trying to say is that the difference being when it's 100% on the tax roll, you don't have a say in the matter. You're going to pay whatever that number is, you're going to hope that Vic Hyman's effort to increase participation in recycling is going to go up to control your costs. With a "Bag & Tag" program again, you have the ability to set your own destiny when it comes to paying for that solid waste charge. The difference, I think, was about \$10.00 between \$96.00 and \$107.00 and again with an effort if you can increase your participation for your household up into that 40% range, 50% range you're going to realize a much greater savings than that \$10.00 of the cost of the program.

Mayor Wiczorek stated I guess the question is, Frank, how do you get 18,000 out of 36,000 households to recycle since they're not doing it now and the one sure way, of course, is to tell them look, you control your own destiny. If you don't want to recycle that's your privilege, but you pay. But, here everybody pays.

Alderman Shea stated, Frank, I wanted to ask you a few questions. Have you found out why people aren't recycling, is there a thought process going into that.

Mr. Thomas replied, I don't think some of the areas of low participation are that strange. Manchester has an urban environment with a lot of multi-families and typically those areas don't participate as high or as with as much enthusiasm as the single-family, more high income part of the City. So, we have found that those areas are going to get more of our education and whatnot in the future.

Alderman Shea stated so your premise is that people from different sections aren't participating in recycling, but they're going to participate in a "Bag & Tag" which is more costly for them, it probably will not fly there either if your same premise is followed.

Mr. Thomas stated there is going to be some enforcement. We would start off trying to educate those people to go along with the program. If they weren't voluntarily going along with the program then they'd be paying for money to buy the bags, what they're saying is that they don't want to spend their time recycling so they're going to shell more money out of their pockets to buy more bags to dispose of their trash. If a person doesn't want to participate in a "Bag & Tag" program then they're going to have to pay more for the disposal of their solid waste, they're going to have to buy more bags. So, we will try to work with them but if they don't want to work and recycle then fine. They're going to have to pay for their solid waste services by buying more bags.

Alderman Shea stated what my premise is that they're not participating in recycling now which obviously is an easier process because all they have to do is put materials into a bin and you're expecting them to go to a corner store or some area and buy bags and then participate in the program and the reason that they're going to participate is it's going to be strict enforcement but you're going to have two people enforcing that particular ordinance.

Mr. Thomas stated there is going to be two people who are new employees enforcing that ordinance, however, the same enforcement powers would be given to some of our additional staff. Quite frankly, Worcester, when they went into their "Bag & Tag" program they have a similar makeup as Manchester and they didn't find any of the problems that they anticipated. They had initially started off with four enforcement personnel and at the end of six months they were able to eliminate two of them because they didn't have the enforcement problems we anticipate, we have fears of.

Alderman Shea asked what is the cost for the yard waste. You mentioned the expense in terms of...yard waste and also the recycling...how much does that cost.

Mr. Thomas replied I didn't mention that because they're lump sum prices. We pay for them on a yearly basis, but yard waste costs us \$402,000 a year, recycling costs us a little over \$380,000 a year.

Alderman Shea stated that's in addition to the \$15.00 and the \$40.00.

Mr. Thomas replied that is correct.

Alderman Shea stated that's all done by the same company.

Mr. Thomas replied that is correct, Waste Management.

Alderman Shea asked do we have any kind of assurance that they won't raise prices, is it done on a yearly basis.

Mr. Thomas replied we have long-term contracts which have a cost-adjustment factor permitted on a yearly basis based on the Boston Consumer Price Index to a maximum of 4%. So, in any one year the increase cannot be more than 4% and as Vic mentioned the one contract that did increase which was recycling because it started ten months ago, it went up 1.7% instead of 4%.

Alderman Hirschmann stated I have two points to make. One is that I would be very supportive of a public relations effort. I feel that the efforts so far has been lacking and I get calls on how to get a bin, how to get a sticker for your leaf barrel and people in the public are just not informed as they should be how to participate, how to bring their trash and leaves at the curbside, how to get to the citizen drop-off center. We have a hundred thousand people in this City who could really use some information...that's point number one. The second point, I think, is I credit Alderman Domaingue with this is that there was an amendment made that any new fee would be brought to a public hearing, so I think ultimately this proposal goes to the public and the public is going to decide and that's my point of view because that was passed not too long ago and if this goes anywhere it has to go to the public.

Alderman Domaingue stated I have no opposition to moving this to Committee, if that's the will of the Board, but it's not what I'm hearing tonight. It's what I'm not hearing. I'm hearing 21 communities in New Hampshire have partaken of a "Bag & Tag" of some sort, I'm not hearing whether or not their populations are comparable to the City of Manchester.

Mayor Wiczorek interjected they can't be, this is the largest City.

Alderman Domaingue stated I am hearing that there are efforts that have been attempted, but not fully to reeducate the public, I'm hearing about a recycling committee, but I don't know how often they've met or how many meetings they've had or how much progress they've made or if their progress includes reeducating the public. I'm hearing in this proposal which is very nice about the benefits, but I don't see anything under the heading of what some of the problems are in the communities that have "Bag & Tag". Have we guaranteed Waste Management a minimum tonnage in our contract that will cause them to come back in and raise fees for whatever else they have to take care of for us. Do our solid waste increase figures include the costs that are included with capping the landfill because if they do then these figures are

skewered incorrectly. I hear them talking about an average of 1.3 bags per week and I have to be very honest, your Honor, I don't think the Domaingue Family could meet a 1.3 bag a week maximum. I have to tell you that I am also looking at...the City is being asked to subsidize the Welfare families at 3 bags a week while everyone else is being asked to limit it to 1.3 bags a week and I'm a little concerned about that and I would finally, your Honor, make the point that I am a little bit nervous when I hear about people who can afford to buy the bags can just go ahead and buy the bags and they can pay to have their trash taken away, well, actually they are not the only ones who end up paying to have their trash taken away. The remainder of the costs associated with that process still fall upon the taxpayer and are still provided by the rest of us regardless of whether we can afford it or not. So, I have no problem if this Board wishes to send it to Committee, but I have too many questions to support this program at this time.

Alderman Soucy stated, Frank, initially in your presentation you said that we were spending \$15.00 for the drop-off going to Londonderry and that it will drop to \$8.00 when Auburn goes on-line, when that facility is built. What kind of a time table do you figure before Auburn will meet all of its legal requirements and that facility will be built and if that will then drop our solid waste hauling costs in half, would we see a reduction in the bag price, how long is that process going to take, and how would you figure that into your calculations of what it's going to cost people.

Mr. Thomas replied to be on the safe side, we're going to be figuring that we're going to have to use the Londonderry Transfer at \$15.00 a ton for another budget cycle. The proposal that the Mayor brought forward the difference between the \$15.00 for Londonderry and \$8.00 for Auburn transfer was reflected in that that difference, the increased price to utilize Londonderry was kept on the tax side of the calculation because that was going to be a short-term cost that shouldn't be reflected in any long-term fee that's established right now. In the Finance Department's presentation you probably noticed there was a difference in transfer and disposal costs of a 90% number instead of a 100% number and that makes up that difference there, so it was taken into account.

Alderman Soucy stated I think, I'm disappointed to hear about the recycling and the percentage being low, but I think probably the most effective PR method is to inform people about recycling and the benefit to people in the tax bill. If we were to insert something in the next tax bill that says...by the way, if you recycle you're reducing the costs of disposal for the City, you're saving yourself a few pennies every week which means you're saving the City as a whole...that would probably be one of the most, certainly one of the most effective methods, I think, to inform the public about what the benefits of recycling are and it's something that's easy enough to do. We're mailing out an envelope with a 32 cent stamp, add another sheet of paper that says here's a reminder, these are the items you can recycle and I would like the Committee into doing something like that and contact Joan as soon as possible to arrange for some type of an insert just to get people thinking and aware.

Alderman Clancy stated from the calls I have received over the last two days, I received approximately 18 calls, most of my constituents, all of them in fact do not want the "Bag & Tag". Here's some of the scenarios - one guy says, Jim, I'll be taking my garbage to any dumpster here in town - another guy says I'm afraid of the backstreets here and especially in the summer time be loaded with garbage and maggots - one other guy says, I'm taking my furniture out into the rural areas of the City and dumping them because I can't afford it. Well, I said let's give it a chance. But, as far as I'm concerned right now from what I hear from my constituents they do not want the "Bag & Tag".

Alderman Elise stated I'd like to second Alderman Soucy's proposal, I think that's a great idea in terms of education. One of the things we do have to do is educate the public on this particular issue and your proposal and I certainly am not opposed to sending this to Committee and looking at it more, but I think education is the key and I couldn't support this unless I knew there was a majority of people in my Ward that did want it. Regarding the Solid Waste Committee, would one of the roles be to continue looking at the solid waste issue and how to handle it because I guess our contract expires within three years.

Mr. Thomas stated, no. We have seven years on the smaller contracts and with the disposal contract we actually have 30 years down the road. Excuse me, five years not seven years.

Alderman Elise asked, Victor, so is this committee going to look at the long-term management of our waste stream in terms of reassessing how the City will manage it in the future, too, looking down road five years.

Mr. Hyman replied the committee may take on something like that. The immediate charge of the committee as I see it is to examine ways to promote and educate the Recycling Program and deal with the problems.

Alderman Elise stated I definitely would support that a hundred percent and I would like to second Alderman Soucy's proposal, I think that was a great idea.

Mayor Wieczorek stated I didn't accept that as a motion and I don't think she meant it as a motion, but what I really wanted to do was to send it to the CIP Committee so they can address all of the concerns that you have here.

Alderman Pariseau moved that the Mayor's "Bag & Tag" proposal be referred to the Committee on Community Improvement Program. Alderman Domaingue duly seconded the motion. The motion carried with Aldermen Wihby, Cashin and Hirschmann duly recorded in opposition.

Communication from Alderman Elise wishing to introduce her High School Intern for the 96/97 school year, Jason Biondi.

Alderman Elise stated Jason Biondi is here as well as his teacher Kathleen Mirabili and Laura Monaca who Chairs the Government Affairs Committee for the Chamber of Commerce and this is the third intern I've had and is an introductory program to City government with the new item being that the Chamber of Commerce is participating with me on this and they will be giving the teacher who participates in this program a \$200 stipend to recognize the teacher and the department's effort at Central High School on this particular issue. Laura Monaca is here tonight and she will be presenting the \$200 stipend to Kathy Mirabili.

Ms. Monaca stated on behalf of the Greater Manchester Chamber of Commerce, it's my honor to present this check to Kathleen Mirabili, we're very pleased from the Chamber's perspective to be working with the Mayor and the Board of Aldermen and Alderman Elise in support of this program. We think it's just a superb program and a wonderful educational opportunity for Jason.

Ms. Mirabili stated I'd like you to know that the School Department had received a technology grant and the computers are now coming into the schools and our department has just gotten theirs and this stipend will be put towards software that can be used for our department. Thank you very much.

Alderman Shea asked is this open to all of the Aldermen.

Alderman Hirschmann asked can we have interns, your Honor.

Mayor Wieczorek replied sure you can have an intern, I don't know about the \$200.

Alderman Elise stated, Alderman Shea, this is a model that I put together with Bob Lord at Central High School.

Alderman Shea stated I should probably contact somebody at Memorial High.

Communication from Alderman Elise, requesting that the Chairman of the Board, Alderman Wihby, name a special committee whose task would be to explore ways in which the City could become more business friendly.

Alderman Pariseau moved that the communication from Alderman Elise be referred to the Committee on Administration/Information Systems. Alderman Shea duly seconded the motion.

Alderman Elise stated I have formed a committee which is looking into this issue, a task force and there has been a change. There are some scheduling conflicts and I have formed a task force with some people that are working on this particular issue. As you know, one of the assets that the City has is our space, we have a lot of available space for lease and for sale and there has been some roadblocks in the way or marketing that space where other communities don't have those roadblocks, so I do have some people that are working on this particular issue and if Alderman Pariseau wants to look at it also that would be find, but I'm going to handle it separately and I'm going to work on it in terms of a task force model and come to the Board with recommendations that the Certified Industrial Board of Realtors are looking at the Chamber of Commerce, Jay Taylor, etc. So, I just wanted to say at this particular time I'm not asking Alderman Wihby to form this committee and I'm handling it on a task force level.

Mayor Wieczorek stated we should probably receive and file this then.

Alderman Elise stated we can do that.

On motion of Alderman Pariseau, duly seconded by Alderman Hirschmann, it was voted to receive and file the communication from Alderman Elise.

Communication from the Director of Parks, Recreation & Cemetery submitting a retirement request for Kenneth Morse, effective December 1, 1996.

Alderman Cashin moved to accept the retirement request for Kenneth Morse with regrets.

Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Resolutions:

“Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$10,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 2.20719 NCADD Weatherization Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 2.50609 Child Care Recruitment & Training Services.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 4.10117 Domestic Violence Program and 1997 4.20309 Local Law Enforcement Block Grant.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$38,532 for the 1997 CIP 4.10127 Drug Task Force Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$3,155,000 for the 1997 CIP 8.30340 City Hall and Annex Renovations.”

“Authorizing the Finance Officer to effect a transfer of Five Thousand Two Hundred Sixteen Dollars (\$5,216.00) from Contingency to the Elderly Services Department.”

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

On motion of alderman Shea, duly seconded by Alderman Pariseau, it was voted that the Resolutions pass and be Enrolled.

Ratification of agreement with AFSCME Health Department in accordance with the memorandum of agreement and cost calculations presented on November 6, 1996.

Alderman Soucy moved to ratify the agreement with AFSCME Health Department in accordance with the memorandum of agreement and cost calculations presented on November 6, 1996. Alderman Clancy duly seconded the motion. The motion carried with Alderman Robert duly recorded in opposition.

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

Alderman Shea moved to nominate George Gott to succeed himself as a member of the Highway Commission, term to expire January 15, 2000.

Alderman Shea moved to nominate Robert Jobin to succeed himself as a member of the Highway Commission, term to expire January, 2000.

Alderman Hirschmann moved to nominate Eugene L. Gagnon to replace George Gott as a member of the Highway Commission, term to expire January 15, 2000.

Alderman Pariseau moved to nominate Nathan Bowen to succeed himself as a member of the Elderly Services Commission, term to expire 2003.

Alderman Elise stated I did read the minutes from the recent Police Commission meeting and it did indicate that five officers were leaving due to salary issues and I would urge the Board to look at this particular issue in terms of communicating with the Police Commission that we try to do something to settle this issue because I think it is a very destructive issue existing at this particular time.

Mayor Wieczorek stated that is exactly what the Chief Negotiator is doing, that is what his job is and that's what he's doing.

Alderman Soucy moved to closed nominations to the Highway Commission. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Alderman Elise stated I did have one other item, at our last meeting you became very jovial when I mentioned to The Salvation Army Captain that Alderman Reiniger and I wanted to work for The Salvation Army in front of The Palace Theatre during the performance of The Nutcracker and I wasn't quite sure if you were familiar with The Nutcracker or not, so I did get you an early Christmas present. It's a tape of The Nutcracker...on one side it has the music and on the other side it has the story and I am very honored that you do associate me with the performance because it is held in such high esteem. So, this is an early Christmas present for you, Mayor.

Mayor Wieczorek replied this is surely an early Christmas present.

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

A True Record. Attest.

City Clerk