

**BOARD OF MAYOR AND ALDERMEN**

**May 6, 1997**

**7:30 PM**

Mayor Wieczorek called the meeting to order.

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

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

**Absent:** Alderman Reiniger

**CONSENT ITEMS**

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

**Ratify and Confirm Poll**

- A. Conducted April 18, 1997, relative to a request of the Assistant City Solicitor for the removal of the condition of requiring the Probate Court quiet title from the City's offer with respect to FDIC/991 Candia Road.  
(Note: Aldermen Wihby, Elise, Reiniger, Clancy, Soucy, Shea, Pariseau and Cashin voted yea; Alderman Domaingue voted nay; and Aldermen Robert and Hirschmann abstained.)

**Informational to be Received and Filed**

- D. Communication from the Manchester Airport Authority submitting minutes of their March 27, 1997 meeting.
- E. Communication from the Manchester Transit Authority submitting minutes of their March 25, 1997 meeting along with the Financial and Ridership Reports for the month of March 1997.

**Accept Funds and Remand for the Purpose Intended**

- F. Communication from the Deputy Finance Officer advising of the receipt of a donation in the amount of \$250.00 for the K-9 Unit.
- G. Communication from the Deputy Finance Officer advising of the receipt of donations in the amount of \$100.00 and \$18,742.34 for the Drug Forfeiture account.
- H. Communication from the Health Officer advising of the receipt of donations in the amount of \$200.00 for Lead Poisoning Prevention.
- I. Communication from the Health Officer advising of the receipt of donations in the amount of \$800.00 to support immunization initiatives.

## **REFERRALS TO COMMITTEES**

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

- L.** Communication from Margaret Sofio, Vice President and Counsel, Continental Cablevision, submitting a copy of the second annual progress on investment in rebuilding and upgrading systems under the Social Contract.

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

- M.** Petition to rezone properties in the vicinity of Goffe, South Main and West Hancock Streets from B-1 (Commercial) to B-2 (General Commercial).

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

- N.** Copy of a communication from Marypat Bilodeau, Greater Manchester Board of Realtors, submitting proposals relative to their concerns about the City and its declining Downtown.
- O.** Communication from Ronald Dube advising of his interest in purchasing a parcel in the vicinity of Candia Road and Groveland Avenue in order to gain access to the back of his property.
- P.** Communication from Roger Martineau, President of the Manchester Junior Soccer League West, requesting that the City allocate CIP funding to improve and enhance the facilities at the Piscataquog River Park.
- Q.** Communication from Ms. Thimitra Petas wishing to donate land to the City located at 406 and 408 Manchester Street.
- R.** Communication from Emile Pouliot requesting that a street be named "Pouliot" in honor of his grandfather.

### **COMMITTEE ON FINANCE**

- T.** Communication from the Health Officer requesting a transfer of funds in the amount of \$14,000 from Contingency to allow for the purchase of a photocopier.
- U.** Communication from the Personnel Director requesting a transfer of funds in the amount of \$10,600 from Contingency so that current work levels may continue for the remainder of the fiscal year.
- V.** Communication the Director of Public Buildings Services requesting a transfer of funds in the amount of \$50,000 from Contingency for corrective maintenance work.
- W.** Resolutions:
  - “Amending the 1995, 1996 and 1997 Community Improvement Programs, authorizing and appropriating funds in the amount of \$640,000 for certain CIP Projects.”
  - “Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”
  - “Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various Health Department Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 2.20708 HIV Prevention.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 4.20107 Universal Hiring Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$8,000 for the 1997 CIP 7.10108 Annual Bridge Maintenance and Inspection Project.”

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

- X.** Communication from Frederick Rusczek, Health Officer, seeking the reclassification of Account Clerk to Senior Account Clerk (Marilyn Deshaies).
- Y.** Communication from Frank Thomas, Public Works Director, informing the Board of the Highway Department’s intent to proceed with the Engineering Reorganization which had been previously approved in August of 1996 as a result of labor actions which have been resolved favorably by the Department.

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

- Z.** Communication from Alderman Domaingue requesting that the issue of a uniform 25 mph speed limit throughout the City be further reviewed.
- AA.** Communication from Linda Garriott, Intown Manchester, requesting the following items be considered with respect to the establishment of a Downtown Farmer’s Market:
  - (1) that the Downtown Farmer’s Market management be given permission to “bag” all parking meters on Concord Street, between Pine and Chestnut Streets on each Wednesday evening that precedes a Thursday market;
  - (2) that the Downtown Farmer’s Market management be given permission to coordinate the placement of barriers on Concord Street, perpendicular to Pine Street, and to close the street to motor traffic at noon for the Thursday markets;
  - (3) that no violations be made after 3:00 PM in the Hartnett Parking Lot on each Thursday when there is a market; and
  - (4) that the Downtown Farmer’s Market management be given permission to promote the market by installing artistic banners on the light fixtures in the area.

**(Note: concurrent referral to the Committee on Administration/  
Information Systems.)**
- AB.** Communication from Thomas Horgan, NH College & University Council, regarding a problem encountered in the Center of NH Parking Garage on February 10, 1997 during their 23rd JobFair and requesting that the parking situation be improved by their next scheduled JobFair at the Center on February 9, 1998.
- AC.** Communication from R. Sean O’Kane, Holiday Inn, The Center of NH, requesting that the Center be contacted prior to future parades that call for going beyond the park on Elm Street in order to determine the level of business which may be occurring at The Center during these times.
- AD.** Communication from Frances Rice requesting a traffic signal be installed at the intersection of Mooresville, Weston, and Huse Roads.

- AE.** Communication from Jonathan Simard requesting the use of Arms Park and the Bedford Street Parking Lot (at Canal & Spring Streets) from 6:00 AM-4:00 PM; and the closure of streets under the supervision of the Manchester Police Department for a series of races (sections of Commercial and Bedford Streets as shown on the attached diagram from 6:00 AM-3:00 PM) on Saturday, July 19, 1997 in conjunction with the First Annual Inline Skate Expo to benefit the Salvation Army's "Kid's Cafe".

## **REPORTS OF COMMITTEES**

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

- AF.** Recommending that a request allowing for substitutions of funds by decreasing the 1995 CIP 6.40409 Elm Street Redevelopment; and increasing the 1997 CIP 8.30340 City Hall and Annex Renovations; and by decreasing the 1996 CIP 8.30340 ADA Compliance/City Hall-Annex Renovation and decreasing the 1997 CIP 8.30397 ADA Compliance; and increasing the 1997 CIP 6.50220B Central Business District Improvements be granted and approved; and for such purpose an amending resolution and budget authorizations have been submitted.
- AG.** Recommending that a request for the acceptance and expenditure of grant funds for various School Department projects by adding the FY97 School to Work Program - \$71,420; NH Health Care Transition Fund Community Grant Program - \$100,000; Manchester School Community Pediatrician Collaborative - \$5,000; and CAST - Summer Youth Program NHJTC - \$80,565 be granted and approved; and for such purpose an amending resolution has been submitted.
- AH.** Recommending that a request for the acceptance and expenditure of State grant funds for various Health Department Projects by increasing the 1997 CIP 2.20704 STD Clinic - increasing the budget from \$23,000 to \$29,000; the 1997 CIP 2.20706 Tuberculosis Control - increasing the budget from \$19,350 to \$20,350; and the 1997 CIP 2.20714 Lead Poisoning Prevention - increasing the budget from \$100,000 to \$176,136 be granted and approved; and for such purpose an amending resolution and budget authorizations have been submitted.
- AI.** Recommending that a request for the acceptance and expenditure of State grant funds by increasing the 1997 2.20708 HIV Prevention - \$32,500 (increasing the budget from \$132,500 to \$165,000 State) be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- AJ.** Recommending that a request for the acceptance and expenditure of grant funds by adding the 1997 CIP 4.20107 Universal Hiring Program - \$300,000 (U.S. Dept. of Justice) be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- AK.** Recommending that a request for the acceptance and expenditure of an 80% state reimbursement grant for design costs associated with the Kelley Street Rehabilitation Project by increasing the 1997 CIP 7.10108 Annual Bridge Maintenance and Inspection Project - \$8,000 State DOT increasing the budget from \$30,000 cash to \$38,000 (\$30,000 cash, \$8,000 State) be granted and approved; and for such purpose an amending resolution and budget authorization has been submitted.
- AL.** Recommending that property located off Currier Drive known as Tax Map 860, Lot 21 be sold to the abutters, as owners of Tax Map 879-B, Lots 24, 25 and 26, for the previously agreed upon price of \$4,500 subject to the following:
- (1) approval by the Planning Board of a subdivision into three parcels;
  - (2) reservation of any utility easements as may be required by the City;
  - (3) notation on the plan and in the deeds that the parcels are not buildable lots (until the lots at a future time are consolidated into an adjacent building lot);
  - (4) that the non-buildable lots be consolidated with the purchasers' lots when clear title has been established on the property; and

(5) approval of the City Solicitor.

**AM.** Recommending that the Board of Mayor and Aldermen reduce its minimum bid for the property located at 113 Spruce Street from \$10,000 to \$7,500 and direct the Tax Collector to rebid the property through public auction at the earliest convenient date.

The Committee notes that such recommendation is based on the request of the Tax Collector and that the Board of Assessor's concurs with the request in relation to value.

**AN.** Recommending that property located at 1037 Elm Street be disposed of by a Request for Proposals (RFP's) rather than by public auction pending final approval by the City Solicitor's Office; that the Economic Development Office and the Planning Department work together in developing such RFP's, preparing the criteria for evaluating the proposals and reviewing the proposals submitted; and that staff respond to the Committee on CIP with a recommended proposal if there is one.

The Committee advises that it has made this recommendation in order to insure that a major building in the heart of Downtown is retained and to insure a significant renovation investment in the property which will generate long-term revenues to the City and provide additional activities which will add to Downtown revitalization.

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

**AO.** Recommending that a report of the Committee on Traffic/Public Safety which recommended that the Board of Mayor and Aldermen approve the extension of health benefits for the family of Denis Robitaille for an 18-month period, with the cost to be paid by the City, be denied.

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

**B.** Communication from Stephen Tierney, Utility Coordinator, requesting the Board authorize a listing of sidewalk and curb petitions received under the 50/50 Sidewalk Program subject to the availability of funds.

In response to question from Alderman Shea, Mr. Thomas advised that there was \$50,000 in the upcoming budget cycle to continue the program meaning \$100,000 worth of sidewalk improvements could be completed.

On motion of Alderman Shea, duly seconded by Alderman Soucy, it was voted to approve the listing of petitions under the supervision of Highway subject to the availability of funds.

**C.** Communication from Alderman Elise relative to a denial by the Board of Adjustment of an administrative appeal filed by Michael and Marilyn Pena.

Alderman Elise noted that these were the people who had spoken at the public session and voiced concern in having the Building Department revisit the issue and assurance that the Mayor was going to look into the matter.

Mayor Wieczorek concurred that his intention was to look into the situation.

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

**J.** Communication from Alderman Elise submitting an amended “Business Friendly” proposal.

Alderman Elise noted that this communication was to be referred to Committee, but noted that she had been working on this for some time and that there were a variety of supportive communications enclosed from various entities in the City regarding the need for Manchester to become more business friendly. Alderman Elise noted the importance of the first two strategies, the first being informal sessions with the Planning Department staff to allow businesses to meet with the planners in the City.

On motion of Alderman Elise, duly seconded by Alderman Wihby, it was voted to refer the communication to the Committee on Administration/Information Systems.

**K.** Communication from Alderman Robert requesting the Board revisit the issue of banning video poker machines within the City limits.

Alderman Pariseau moved to receive and file the communication. Alderman Clancy duly seconded the motion.

Alderman Robert stated he brought this up because the compromise proposal didn't work out. There was a lot of people that feel pretty strongly about this, I for one. Even if I don't agree or others may disagree with whether we can do this or not, that shouldn't be a reason to vote against this. We've had some pretty credible people come before us and say this isn't a good thing for our City. I think if anything we should do it purely out of symbolism, even if the ban goes through, even if it is shot down by the court, I'd rather go down trying than not. What are we saying to the people of Manchester if we don't act or we don't do something, we're allowing things to happen to our City. We're allowing gambling which is illegal. We are allowing people to break the law. What does it say. Just out of pure symbolism, I would hope that the Board would go along with it to make an attempt to do the right thing, as opposed to say we can't do it and not do it. It makes me think that we really approve of what's going on, that this is something that's okay. Alderman Robert referred to a couple of communications from different groups, Manchester Federation of Churches, also Church of Women United, those are just a few of the people that have weighed in, they may be churches but they are people with a vested interest. I am doing this for the people of my district who are not putting the money from these machines into their pockets, for the people who stand to loose by this becoming larger and out of control. I am doing this for the property owners whose ability to find decent tenants will go down on account of this, it is a quality of life issue and why are we going to invite back all of the stuff that we worked on getting out of the City a few years ago. Alderman Robert asked fellow members to recognize the importance and act in the proper way.

Alderman Domaingue stated that Alderman Robert's communication was put on the agenda as a referral to the Committee on Administration and Information Systems and she would hope that out of respect to the Alderman, if nothing else, they don't simply dismiss the issue because of the continued input that we receive from the constituents in the City of Manchester who do believe we should clean up the act of video poker. She hoped that out of respect to their Aldermanic comrade they would at least give him the courtesy of sending it back to Committee, if they did not want to take a position on it this evening. Alderman Domaingue stated she was amazed at the amount of cash that was brought into the City Clerk's Office when the ruling came down from the court. We've assumed in the past that we cannot ban them, and I am not prepared as a member of the Board to make that assumption since the Board made the assumption that they could modify banning them and that didn't work out. Alderman Domaingue stated she felt they owed it to one of the Aldermen on this Board to send it to Committee, take a look at what our options might be at that point in time, and see if a ban is a reality for the City, and to stand by the quality of life that we all upheld at this Board level for so long. It would appear that the Board of Mayor and Aldermen without having to pay the fine or the fee for the license has in fact its own license to gamble and I would hope that we are not going to gamble with the people of Manchester without doing a thorough study.

Alderman Sysyn stated I just wanted to say that it is my understanding that only the State can either ban or legalize the machines, or legalize gambling and I don't think we have the right to take that step. We've tried it and we got overturned in court.

Mayor Wiczorek stated, Alderman, it's not for gambling, it's for amusement only.

Alderman Domaingue stated with all due respect, your Honor, we've tried other things and we haven't followed through on whether or not we could officially enact a ban and I think we owe it to the constituents to at least explore it.

Alderman Shea stated I too want to weigh in on the side seeking to do something about the video machines and I think that in the past we've really allowed a certain amount of State law to govern how we address problems and I'm not sure if we could address this by bringing it before the courts and seeing how they might rule and I realize that there is a lot of implications here, but I don't think we should say because we can't do anything, we shouldn't do anything. I believe that we should try our level best to do what we feel in our consciences the best and the right thing to do for the people of Manchester, those that really don't have a voice like others who may hire lawyers and so forth and are standing by the sidelines and looking on. I think we don't give a true message to the people if we say that it's okay for gambling machines or video machines that are really gambling machines to be in several areas throughout the City and I realize that a lot of weight is being placed on the fact that we do receive revenues to the City and so forth, but oftentimes my mother referred to certain types of money as "blood money" and I think that that is really what this amounts to because it really hurts more people and there are people profiting immensely by this and other people are going into their work places and trying

very hard to raise families and to do what is proper and right and they look around and see other people who are benefiting from this and building different places in and out-of-state and not paying any taxes on this money and sort of laughing at other people and I don't really think that that is giving a true message, so I too, would like to see it brought back to Administration and keep it going until something really positive comes even if it's just an aggravation, we still have to keep going and moving and trying to move on this in a positive way.

Alderman Hirschmann stated I just want to state for the Board there was one thing that I didn't understand with this process is that we tried to do two good things this year. One, was we banned exotic entertainment, I think that was brought in by Alderman Cashin and that passed through the full Board and we don't have exotic entertainment anymore. So, I don't understand the court process of how Judge Sullivan overturned when we tried to regulate this for a morality basis, but I just wanted to state that I saw one thing go through for the good of Manchester and we're hoping that this regulation would pass, but it didn't.

Mayor Wieczorek stated, Alderman, I think what you saw was that the Judge felt it was discriminatory to just allow the people that just have liquor license to have a machine and discriminate against folks that didn't, that is the basis of his ruling.

Alderman Hirschmann stated our concerns was with minors and I know that there are regulations on purchasing cigarettes in machines and over-the-counter and this was another measure to keep these machines away from the youth of Manchester.

Alderman Soucy stated I just had a question for Tom. My understanding that Judge Sullivan's ruling was on the injunction and we, at this point, don't have a date set for trial.

Assistant Solicitor Arnold stated that is correct, it was for a temporary injunction.

Alderman Soucy stated there is still the possibility that the City of Manchester could uphold this ordinance that we enacted.

Assistant Solicitor Arnold replied there is that possibility.

Alderman Soucy stated it is also my understanding that the ordinance relative to exotic dancing has been challenged in court and that could succumb to the same fate as this ordinance.

Assistance Solicitor Arnold replied not to my knowledge, it has not.

A roll call vote was taken on the motion to receive and file the communication. Alderman Robert, Hirschmann, Shea and Domaingue voted nay. Alderman Wihby, Elise, Sysyn, Clancy, Soucy, Pariseau and Cashin voted yea.

Mayor Wieczorek vetoed the action and asked that it be referred to the Committee on Administration/Information Systems.

Alderman Domaingue moved that the communication be referred to the Committee on Administration/Information Systems. Alderman Robert duly seconded the motion. Mayor Wieczorek called for a vote. The motion failed.

**S.** Communication from Alderman Robert requesting the Board review the fees enacted at the Drop-off Center on Dunbarton Road.

Alderman Wihby moved to receive and file the communication. Alderman Soucy duly seconded the motion.

Alderman Robert stated I think my letter was self-explanatory. I'll try not to bore the Committee with my rationalization, but as a matter of consistency, people at the beginning of the term thought that these were something that were reasonable. All of a sudden fees or something is something that people don't want to do. I've been finding from my constituents, all of a sudden they go to the dump and they have to pay to throw something away and I'm thinking to myself sooner or later a lot of people are going to go to the dump and figure this out. A fee is just another tax. I feel it should go onto the tax rate, everybody's got to go and throw stuff away and we shouldn't encourage people to throw stuff away in the woods and essentially that is what we are doing. There is no reason why I feel why we should be charging people to drop things off. My neighbor has two water heaters. He doesn't want to pay the fees, but they're sitting near his bulkhead and he's thinking about what to do with them. I want them to dispose of them properly. I just don't think that these fees are correct, I voted against it when they came in and I'm asking the Board to reconsider.

Alderman Wihby stated we put these in and we put the cost of it equal to what it was going to take to do it, so this is definitely a user fee and if someone is going to use it, they are paying, if they don't use it they shouldn't have to pay. So, why should my constituents that don't use it in Ward 1 have to pay for someone else who is going to use it and the cost of it was only put together to fund the necessary operation that was there; that is how we came to the pricing. So, I don't think we should change it now. It's \$400,000 or something.

Alderman Cashin asked could it be referred to the budget, at least we could discuss it at length there rather than debate it here, it's not going to go anywhere here this evening.

Alderman Wihby asked refer it to what budget.

Alderman Cashin replied we will be sitting down talking about budgets later, Dave. You know it and I know it, let's refer it to that group and we'll discuss it there. I'm surprised to hear the Alderman from Ward 11 and I wish I could have played the tape back that I said probably two years ago when I said all of these fees were going to come back to haunt you and they have. I

said it then and I'll say it now and I realize it's close to election, some of these things should have gone into the tax rate, that would have been the fair way to do it and you wouldn't have had all of these problems that you are having here this evening or you've had in the past.

Alderman Wihby stated obviously, the Mayor agrees with leaving it the way it is because he didn't change it in his budget.

Alderman Cashin stated I know that, Dave. A lot of things the Mayor doesn't have in his budget including the Police raise that he is going to recommend tonight.

Alderman Hirschmann stated for the benefit of everyone at home watching TV on Channel 40, anybody that wants free pickup, put the trash out front of your home and the City will come and pick it up. If you don't want to drive up to the west side and dump your trash and pay for it, you don't have to come up to the west side.

Mayor Wieczorek stated before you confuse viewers, Frank, would you please come to the microphone so that we can clear it up for the viewers, or we'll have people confused all over the City.

Mr. Thomas stated normal household trash including small furniture, well, I should say larger furniture couches and what not and minor amounts of demolition materials placed out at the curb will be picked up on normal scheduled collection day. In addition, yard waste will be picked up, at no cost, on the assigned collection days. There is a charge to pick up items such as washers, dryers, stoves and water heaters and there is a charge of either ten or fifteen dollars, ten dollars if there is no CFC's or refrigerants in the units and fifteen if there are and that is cheaper than you could have an appliance store pick them up for you.

Alderman Hirschmann stated it came to my attention that, not in my ward but in some other wards, some people are enjoying trash pickups of twice-a-week. A lot of wards that's only picked up once and those good people wait and put out their trash out by the curb.

Mayor Wieczorek stated I think we have this pretty well squared away here for the viewers on Channel 40. I think Frank explained what is going to be picked up, we don't want to get into something petty.

Mayor Wieczorek called for a vote on the motion to receive and file.

A roll call vote was taken on the motion to receive and file the communication. Aldermen Robert, Domaingue and Cashin voted nay. Aldermen Hirschmann, Wihby, Elise, Sysyn, Clancy, Soucy, Shea and Pariseau voted yea. The motion carried.

Mayor Wieczorek stated I would like to welcome the American Government class from the Manchester School of Technology and I was wondering why we had the large turnout here and want to welcome you here to our meeting.

Confirmation of the nomination of Paul F. Ledoux to succeed Michael J. Netkovick on the Retirement Board, term to expire January 1, 1999.

On motion of Alderman Hirschmann, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Paul F. Ledoux to succeed Michael J. Netkovick on the Retirement Board, term expiring January 1, 1999.

Discussion with Board regarding change in public counter hours for Ordinance Violations, Tax Collector, and City Clerk's Office.

Mayor Wieczorek advised that he was removing this item from discussion as there was still more work to be done with the three department's involved, so it will come back but when more information is readily available.

Discussion with Thomas O'Rourke, Continental Cablevision regarding the elimination of CMUR-TV and other concerns the Aldermen may have.

Mr. O'Rourke addressed the Board stating I was invited tonight to talk about the discontinuance of the contract that Continental has enjoyed over the past couple of years with WMUR-TV and what that means for local programming here in Manchester and for Continental customers throughout the State. Effective, May 8th, our current contract with WMUR for our CMUR partnership will not be renewed and this is a business decision that we made a couple of month's back as we were evaluating our own local programming efforts and putting some more resources in producing local programs of our own. The CMUR partnership while it was successful in many ways also locked up our entire primetime block on our local programming channel and at this point we have decided not to continue the relationship, so that we can take some of our own locally-produced programs and move them into the primetime block where more of our customers will have a chance to see them. In the future, I think we probably will continue some production efforts with WMUR either sports-related programming or other partnerships. But, at this point, we just were comfortable continuing the relationship as it was. If there are any questions specifically, I'd be happy to address them.

Alderman Wihby asked right now, where are you out of. What are you doing that's broadcasting that you're able to cover the same programming and local programming that CMUR does.

Mr. O'Rourke replied we actually have two facilities in New Hampshire. One of them is on Industrial Park Drive over by the Union Leader building, that is our Manchester studio and then the second is a Portsmouth regional studio, Seacoast Regional studio located in Portsmouth.

Alderman Wihby asked do you have a staff that goes out and does these.

Mr. O'Rourke replied yes, we have a great staff that produces a variety of programs. Some of you may be familiar with "Your Government" program. I'm sure that many of you have appeared on that over the years and we also do a French language program called "Bonjour". We do a minority perspective talk show called "Circle of Friends", Concord Hospital does a health line program with us and a variety of other specials. We've also recently begun providing some more public affairs programming such as our unedited coverage of Governor Jeanne Shaheen's regular press conferences and next week we're going to be getting an interesting partnership with New Hampshire Public Radio where we will be doing a series of forums with elected officials including the Governor and members of our Congressional Delegation. So, we're really putting a lot more resources into our own efforts and we think that our customers are going to enjoy it.

Alderman Wihby stated no offense, but it seems like every time something changes that Continental does, it's the subscribers that feel everything and I was on the original contract that Continental or United did at the time and we had not envisioned that we would lose control over what was going on. We had a couple of comments today about the problems that Continental has, one was about the SPICE program and how it's still showing through. but, it just seems that the Cable Company goes ahead and does what they want and notifies us afterwards that they are going to do it because they probably realize that they don't have to get any information from us anymore. Do you do live shows right now.

Mr. O'Rourke replied sure.

Alderman Wihby asked what do you have that's live.

Mr. O'Rourke replied we don't do a lot of live coverage although it is something that we are interested in expanding. But, probably the most notable live program that we do here in Manchester is the annual Rotary Auction and that's a terrific fundraiser for this City.

Alderman Wihby stated my biggest concern is New Hampshire College and St. A's basketball games. I've had a lot of complaints that those are going away and that they're not going to have live basketball games because you can't get into the New Hampshire College auditorium, right.

Mr. O'Rourke stated I think that's important to address because we realize that our forte really is not in live coverage. We certainly don't have the resources that WMUR has in terms of being an affiliate, a network affiliate and that is not the business that we are in. We do think that we will be able to, over the next several months, develop a superior local programming product that will be different than what WMUR has provided in the past, but we think we'll certainly have value for our customers.

Alderman Wihby stated WMUR when they first started weren't doing a good job with it either and they've developed it over the past two or three years, it took them a whole year before they even got off the ground. I don't understand how you are going to drop them and jump right in and do these programmings, but I guess my biggest concern is the sports. What do you plan on doing with that.

Mr. O'Rourke replied we are going to be looking at different opportunities for sports, it will definitely include regional coverage of high school and some college sports. As far as a specific schedule of events that we intend to cover, I don't have that information.

Alderman Wihby stated so St. A's and New Hampshire College are going to go bye-bye.

Mr. O'Rourke replied, I wouldn't say that. I'd say that we would probably see some kind of continued commitment to that coverage, but it will not be identical to what has been provided over the past couple of years.

Alderman Wihby stated I guess, your Honor, that is where my concern is. First of all, when we did the contract you were supposed to provide cable coverage throughout the City and that we had a complaint at a function that there is Bouchard Street down near the Airport doesn't get coverage and you won't go there, is that true.

Mr. O'Rourke replied I am not familiar with that location, but I'd be more than happy to research and get back to you.

Alderman Wihby stated it's Bouchard Street, KRL Electronics. I guess, your Honor, I would like at this time...New Hampshire College and St. A's are prime teams, they're always up there in Division II, I would hate to see them be gone on the channel because I know a lot of people watch them and it brings community spirit. I think this Board should write a letter to Continental asking them to keep those programs on there as far as the sports programs go and live programming. Nobody wants to watch sports afterwards, I think that it is something that this community should do. I don't know how anybody else feels.

Alderman Soucy asked what would prevent WMUR from airing the games live now.

Alderman Wihby replied I don't think they can do it on the channels they have now.

Alderman Soucy asked why can't they do it on the channels they have, couldn't they circumvent other primetime shows.

Alderman Wihby stated my understanding from the colleges is that they can't do it with the channels that they have, they could just do it on CMUR.

Mr. O'Rourke stated MUR is limited in what kinds of local programming it can provide because of its affiliate status with ABC. As a network affiliate they are not permitted to run a full schedule of local programs because they do have other commitments such as the sitcoms and the daytime talk shows, etc. So, they don't have complete flexibility. The reason that the CMUR partnership was developed in the first place was to allow WMUR to showcase some more of its locally-produced programs.

Alderman Shea stated earlier this evening, one of my constituents Diane Giroux took the time to present her concerns regarding the new SPICE Program and indicated that on cable ready televisions there's vivid images that come through and her concern was that the cable company although they have addressed it make an added effort to include in the bills a certain notification to people who have cable ready TV's to be alert to this. She, in turn, has put a filter on her particular television set, so I think that it is a concern parents have raised and I think that it is an important issue that Continental Cable should address, so I'm asking that they do that as a courtesy to the people of Manchester. I know they've done it, but I think it should be included in their billing, if they could, and I'm asking Tom if that could be possible.

Mr. O'Rourke stated I'm glad that that point came up because it does give me an opportunity to talk about some of the programming, blocking options that are currently available to our customers. We realize that SPICE is not a channel that is going to appeal to everyone in the City, but it is a business decision to provide different services for different kinds of customers. SPICE is a programming service that is adult in nature, is available only in the evening hours between the hours of 10:00 PM and 6:00 AM. Customers who have either a scrambled audio or video signal coming into their house on that channel and do not wish to receive that scrambled signal can do one of two things. They can either on their cable ready set have a converter box made available to them so that they can block that channel out, they can also program their own TV set to not tune to that channel or there is actually a third option - we can provide a trap which is something, a piece of electronics outside of the home that will not allow that signal to enter the home. So, there are three viable options...do we need to do a better job about promoting those options, I think we probably do and I'm glad that the point came up tonight.

Alderman Pariseau stated my concern is from a resident on Flint Street who happens to be a senior citizen. I lost the letter that he sent...it was in reference to your billing practices. He's paying for service for 19 days before he gets it and he wonders why you can't conduct your billing like Public Service Company. Now, these elderly people pay for the services they use instead of a prepay policy.

Mr. O'Rourke stated I'm not familiar with the way that Public Service does their billing, but I assume that because they are a metered service you're paying per usage and Continental has always billed one month in advance, as a subscription service the same way you might subscribe to a newspaper or a magazine that you have not yet received and we're billing 30 days in advance. We've introduced some cycles and we do have options for residents who are

interested in receiving their bill at a different time of the month, so that a customer who might be on a fixed income or dependent upon a check coming in at a certain time can contact our office and we can get them on a different schedule so that their bill is coming due at a time that is convenient for them, but we have always as a subscription service billed one month in advance.

Mayor Wieczorek asked how much time to do you give somebody, Tom, to do it. I know I get my bill, it comes about two days before it's due.

Alderman Pariseau stated but the coverage extend to probably the 23rd of the month and then you get the bill the 3rd of the month.

Mr. O'Rourke stated here in the City of Manchester we actually have a longer window than in any other municipality in New Hampshire. There is a 90-day cycle so that at 30 days past due we are providing what we call a soft disconnect notice which is a gentle reminder that they have a past due balance and then at 60 days we're providing what we in the company call a T-gram which is a little bit stronger of a reminder that there is a past due balance and then we won't take any action in the vein of collections or disconnections until 90 days and that's actually a requirement that's specific to this City as an element of the franchise agreement.

Mayor Wieczorek stated that is the hard disconnect.

Alderman Domaingue asked do I understand correctly that Continental Cablevision is still subject to the rules and regulations of the federal agency that governs.

Mr. O'Rourke replied absolutely - the FCC.

Alderman Domaingue stated part of the FCC requirement was in the past and I believe still is that you keep on file all communications relative to your performance as a broadcast entity and that that file be available for public viewing.

Mr. O'Rourke replied we do have a public file, but not as a broadcast entity because we are not a broadcast entity, but you have a public file at our office over on Industrial Park Drive and that is available.

Alderman Domaingue asked if the public felt strong about your programming they could write in and make that part of that public record.

Mr. O'Rourke replied sure.

Alderman Wihby moved to send a letter concerning St. A's and New Hampshire College and asking Continental if they can pursue keeping those basketball games on because they are part

of this community and it's a big part of spirit in the City and I don't think that's asking them a lot. Alderman Shea duly seconded the motion.

Mayor Wieczorek stated I know that Tom said there were going to be some changes, they're going to do some but there are going to be some changes...

Alderman Wihby stated I want live, I don't want them taped.

Mr. O'Rourke stated I don't know if we'll do live and I guess I wouldn't want to commit to that this evening.

Alderman Wihby stated I don't see why we can't ask that, your Honor, because I think that they made a commitment to the City and they're part of the City...

Mayor Wieczorek stated that the motion was to forward a communication to Continental Cablevision asking that they broadcast live the games that they have been doing with New Hampshire College and St. Anselm's College Division II.

Alderman Robert asked to what extent do we tell, does the City tell you what to show. We don't direct you to...

Mr. O'Rourke replied there are not specific requirements in our operating license for providing X number of hours of a certain kind of programming. So, if you're looking to question authority to dictate specific programming, I don't think we're going to find that either in the municipal license or in the federal regulations.

Alderman Robert stated I'm just a little uncomfortable about telling people how to run their businesses. I know we license them and they have a franchise and this sort of thing, but I think once you start tinkering with something like this, it starts to get expensive and people are sensitive to rates. I'd like to see that stuff I guess just as much as anybody else would, I don't know if I'm ready to tell them or to tell them that that is something that they have to do.

Alderman Pariseau asked wouldn't that be part of the next contract negotiations, your Honor.

Alderman Wihby stated the contract doesn't expire until 2000. When we hired attorneys for this we spent a hundred something thousand dollars and they told us that they were going to protect our interests and I don't think they've done squat for the citizens of Manchester. The prices have gone up, the cable company keeps throwing additional channels on us and says don't worry about it, I know what you want and raise your bill a dollar and throw you channels that nobody wants and that's their scheme of trying to make everybody happy while we're giving you more and we're raising your prices, but we're giving you more. I don't think a lot of people want that. But, we were told at that time that we were going to have some controls over the

pricing, over the TV shows, that there was going to be so many hours of local programming and now things have changed from that first contract and it's not all Continental's problem because we had problems with United also. The biggest problem, I think, is it's a monopoly and there's nobody else probably going to come in to bid. But, I think we should start and I think they're willing to start negotiating on the newest contract that's coming up and we should have some controls, but it's every right as St. A's and New Hampshire College being part of our community to ask and I don't think it's asking too much to ask them to keep the programming on for live shows. It does a lot for us. We're talking about civic centers and Riverfront Stadium and here's two athletic teams that are doing fantastic and we're going to shut them off and we want to wait until the next contract, it doesn't make any sense.

Mayor Wiczorek called for a motion on the floor to forward a communication expressing the concerns of the Board to them now. The motion carried with none being recorded in opposition.

Brief presentation to be made by the Finance Officer and Industrial Agent regarding the Civic Center.

A handout was distributed to members of the Board. Mr. John Snow addressed the Board and read the communication as follows:

On February 25, 1997, the Board of Mayor and Aldermen directed Manchester Development Corporation to move forward on Phase I of a possible three-phase process to pursue the civic center project. A sub-committee of Manchester Development Corporation Directors was established to make decisions necessary to accomplish this phase.

The sub-committee has completed its deliberations on the choice of an architect and have decided to recommend to the Board of Manchester Development Corporation the team of HOK Sport and Lavalley/Brensinger. Our process included the following:

1. An RFP which was sent to every major firm in the country specializing in arena construction and which required an alliance with a local partner.
2. A complete review of the three proposals received.
3. Interviews with each of three teams.
4. Financial review of the teams' fee proposals and financial conditions.
5. Reference checks.

The team of HOK Sport and Lavalley/Bresinger was chosen because:

1. The quality of and ideas included in their presentation.
2. Their fees were the lowest for the entire project.
3. Their references were the most enthusiastically positive.

We have requested that the architectural team hold a press conference as soon as possible to give the entire community a full report on their plans. We will also be requesting ratification of this recommendation from the Board of Manchester Development Corporation at its next meeting on May 16, 1997. Between now and then, the Committee would welcome your comments and questions concerning site selection or any other issue concerning Phase I objectives. Although any member of the Committee would be happy to discuss this recommendation with you, we hope you will contact Jay Taylor at the Manchester Economic Development Office so that he can keep a complete record of these inquiries.

Our Committee includes the following Directors of Manchester Development Corporation:

Elias E. Ashooh

Richard Charpentier  
Karen Golz  
John Snow

We also had considerable help from:  
Kevin Clougherty and the City Finance Department  
Jay Taylor and the Manchester Economic Development Office  
Carl Scheer, ScheerSports, Inc.  
Steven R. Stern, William R. Hough and Co.  
Richard R. Tortora, Evensen Dodge, Inc.

We believe it is very important for the sub-committee to maintain a close working relationship with the Board of Mayor and Aldermen as we continue the Phase I process. We hope to be included on the Board agenda on a monthly basis in order to receive your advice and counsel.

s/John I Snow  
Chair  
Civic Center Sub-Committee

Mr. Snow stated with me is Skip Ashooh another member of the Committee, Kevin Clougherty, Jay Taylor, Steven Stern of Hough & Co., we have other Directors - Aldermen Sysyn is the Director of the Manchester Development Corporation as well as Eleanor Dahar is with us and I believe that covers it, so if there are questions now, we'd be happy to take them or at any time between now the 16th.

Alderman Shea asked if any private people have come forward, Kevin, at this stage and if so how much have they come forward with.

Mr. Clougherty replied what we are talking about this evening is putting in place...

Alderman Shea stated no, I am asking a different question, I know what you're explaining, but I'm asking if any private people have come forward to sponsor a \$45 million civic center that most people in Manchester object to, but you can go on, please.

Mr. Clougherty replied I'm not sure most people object to it.

Alderman Shea stated, I do.

Mr. Clougherty stated I'll be honest with you, Alderman.

Mayor Wiczorek interjected no squabbling, please.

Mr. Clougherty stated there has been interest.

Alderman Shea asked how much.

Mr. Clougherty replied we are not prepared to disclose that right now.

Alderman Shea asked why not.

Mr. Clougherty replied we are not prepared to disclose that, Alderman, because a number of the companies that are interested are still working on that, but there is interest. I can assure you that there has been very strong interest by companies and by individuals with respect to this project and I think once we go through the process you will find a complete accounting of what that interest is in terms of knowledge.

Alderman Shea stated I think the people of Manchester would like to keep abreast of what kind of outside interest there is in this project because my constituents and I don't speak for any other constituents are very much concerned that their taxes are going to be raised so high either because they will not be able to utilize the Rooms & Meals Tax which they would like to utilize or their taxes, if there is a problem with the Rooms & Meals Tax and they're very much concerned so I think it's incumbent upon any committees that's formed to keep people abreast of what's going on. I think we were due a report in June, weren't we.

Alderman Shea moved that in June we find out how much private resources are going to be forthcoming for this project. I think the people are very much concerned that this project will be jammed right down their throats, I can't put it any other way and I'm very much opposed. I was opposed from the beginning concerning this project and I'm still very much concerned about how it's going to be manipulated by people who have this particular project foremost in their mind.

Mr. Clougherty stated I agree. As I said to you at Memorial High School when this was first proposed, it's important to quantify these dollars and this interest. I agree wholeheartedly with you and if it's not there, it's not there and this project should not go forward. But, I think in order to get to those numbers there has to be a process and it has to be a process that allows people to compete through bids and RFP's and we're going through that process now and we have to make sure that at the conclusion of that process we can answer the questions on where the dollars are, but we've also assured people that they have had a fair share in terms of competing to participate in this project and I think over the next few months as John's indicated, we'll be coming back to the Board to advise you as to where we are with respects to the steps in the process so we can get to that point in June or wherever that tells us what the number is and that's what we're trying to engage is the private sector through a process that's comfortable to them in terms of public disclosure and records and things of that nature. So, we are very, very careful with respect to the development of a process and to documentation, so that when we do come before the group and tell you what the commitment is, we know what that is and it's a firm commitment, it's not something that is going to be wishy-washy or we can say to you the commitment is just not there from the private sector to undertake this project and to make a recommendation accordingly.

Alderman Shea stated I think the concern and I will stop after this...the concern is that \$180,000 initially was spent, the next concern of my constituents that another \$800,000 is due in the second phase and I think their concern is that this \$800,000 would be possibly voted on without people realizing that the second phase would then involve another phase, so I think that's what my concern is at this stage.

Mayor Wieczorek stated I think your concern is premature, Alderman, because you have to get past the first before you ever...

Alderman Shea stated there's a lot of things that happen, your Honor, that unfortunately people after the horse it out of the barn, they realize that somehow or other they can't get the horse back in again and I want to make sure that people understand each phase of this process and that the people who are well-meaning and quite sophisticated in certain matters concerning business operations let everyone in the community know where they stand at the beginning of this particular process, so that we're not excluding the people that are paying the taxes and perhaps are not fully informed. Thank you.

Mayor Wieczorek stated, I know Steve Stern is here and Steve did you want to address the Board.

Mr. Stern stated we are as Kevin has stated correctly going through the process of...and part of it, Mr. Alderman, is asking the facility managers and the concessionaires how much they would like to invest in the building which are private dollars and, of course, the more competition we have and if people want the project hopefully the more we'll attain and we'll let the free market work because I think this is an awfully attractive investment opportunity for those firms. But, what I can tell you, I can't tell you anything about dollars yes, but what I can you tonight about the prime tenant in the building and the economic necessity from the building's economics that will make it work is that there are two national hockey league clubs who are seriously evaluating putting their triple A American Hockey League affiliate in this town, in this new proposed facility. Further, there is a local investment group that has begun to assemble and expressed a direct interest in acquiring a hockey club and my understanding was that when we met with them last week that they were engaging an attorney and forming a local partnership and I just learned today from Carl that the American Hockey League has placed Manchester on its expansion list or I should say a list of cities that it believes are prime candidates for expansion or relocation of existing franchise. So, I think from the economic interest of the hockey world which really drive much of the private investment opportunities in the building there are very strong, very strong indications of support and if Carl could be here today and he just can't be, I think he has said that I could say to you that it is clear that if we put together the right financing mix and the right building that the town and the community, the business interests can agree upon that a hockey club will come to Manchester, New Hampshire, an AHL club.

Alderman Domaingue stated I'm pretty confident that what we've heard here tonight is that there are organization's groups and businesses and individuals who are prepared to come forward and help seek out the right kind of financing package for this project, but I think what I've heard from Alderman Shea and I know I've heard from my own constituents is that there is a fear out there that we are not paying attention to the fact that there are going to be on-going maintenance and operational costs associated with such a facility and the taxpayers that I'm hearing from are very fearful that once the money is invested in the building is up those on-going maintenance costs and operational costs are going to become their burden and I think they are looking for some assistance from that same community who is so supportive of a civic center to help shoulder that burden or carry that burden rather than they assuming the burden, the property taxpayer. So, I'd like to ask Mr. Snow and the members here tonight whether or not the sub-committee has considered or in fact I should ask does this sub-committee intend to support a call for a public referendum on this issue once you have final numbers in place that the public can look at and make a determination.

Mr. Snow replied we haven't really discussed that and I'm not sure it's our decision. Certainly, it's yours, but I would say that there certainly wouldn't be any resistance to that, let me put it that way and if the Board of Aldermen wanted to go that way, I think the committee would run with them and we would do our best and I would hope that everybody would to get out factual information on what this proposal is all about, what the possible impact could be economically on individual taxpayers and the community as a whole and so the voters could vote with knowledge of the project.

Alderman Domaingue stated you've come forward with your recommendations tonight and all I'm asking is whether or not we can look to this sub-committee to come forward once again once those numbers are in place and become a little clearer where the recommendation for the support of a public referendum because I think out of fairness to the people who ultimately will pay a portion of that maintenance and operation burden, we owe it to them have them their say, your Honor.

Alderman Wihby stated I don't think that is an appropriate question. This Board is going to decide whether or not we're going to have it on the referendum.

Alderman Domaingue stated I know which Board is going to decide it, Mr. Chairman, but if they can come and make a recommendation on this, they can make a recommendation on a public forum.

Alderman Wihby stated I think this Board is going to have to make that decision, you're going to have some Aldermen that favor and some that don't, you have some that want to kill it right now without even getting all of the information and some that want to go ahead with it, but I don't think it's appropriate to ask this sub-committee to come up with that conclusion. They're looking into it and they're going to see if it works or not and they're going to present the facts to

the Aldermen and the Mayor, it's a vote. I don't think they should come up with that recommendation one way or the other.

Mayor Wieczorek stated I think a lot of discussion is taking place here is very premature, we don't even have the first phase concluded and until we get that concluded let's not be jumping too far ahead. Let's be sure that we are satisfied with Phase I before we start criticizing.

Alderman Shea stated I want to be consistent. I was against Phase I.

Mayor Wieczorek stated we have that recorded.

Alderman Shea stated thank you. I try to make it very emphatic and now I'm expressing my opinion because I'm reflecting what my constituents are calling me about and I would be remiss if I didn't and I might add that the Whalers have since left Hartford and are heading south now and I'm hoping that some of the other teams that are in the AFL or the independent leagues will stay put.

Mayor Wieczorek stated if Horace Greeley were still alive he would probably say "go north young man".

Alderman Cashin stated, your Honor, as far as I can tell this is just a presentation being made, it's informational. It's a very complex problem and we've been discussing it for a year-and-a-half now and I don't think it can really be discussed in 15 minutes at this Board level, so I appreciate them coming in, I appreciate the information and I think we ought to let it go at that.

Mayor Wieczorek stated it's just an informational update to let you know where they're at as they promised they would do.

Mr. Stern stated I do find that the feedback about the concern about operating deficits, the feedback about...I think that helpful to me as Carl and I meet with members of...with private investors and, in fact, I'm thinking of a meeting we had with the owners of a National Hockey League team that they're going to move their affiliate to the town that they're in and they're seriously looking at Manchester and we told them that there was a bottom line that we believed from the Board of Mayor and Aldermen that would require protection against operating deficits and protection against cost overruns meaning that there could be no recourse to the public government or the public body or citizens of the community for on-going costs to the project or for project overruns. What we had heard from you before was that whatever we do, we think our fair share is on the public side if we think that there is a fair share on the public side and that is clearly your decision to make and that's going to be it and no more after that.

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

Mayor Wieczorek called the meeting back to order.

A Report of the Committee on Finance was presented recommending that: a request of the Health Officer for a \$14,000 transfer from Contingency to allow for purchase of a photocopier and a request of the Personnel Director for a \$10,600 transfer from Contingency to allow for current work levels for the remainder of the year be approved; and further that a request of the Public Buildings Services Director for a transfer from Contingency for corrective maintenance work be approved in the amount of \$25,000.

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

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

“Amending the 1995, 1996 and 1997 Community Improvement Programs, authorizing and appropriating funds in the amount of \$640,000 for certain CIP Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various Health Department Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 2.20708 HIV Prevention.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 4.20107 Universal Hiring Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$8,000 for the 1997 CIP 7.10108 Annual Bridge Maintenance and Inspection Project.”

ought to pass and be enrolled.

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

Ordinances:

“Amending the Code of Ordinances of the City of Manchester by deleting Chapter 35 in its entirety and replacing it with a new Chapter 35 Finances.”

“Amending Section 38.06 Citation Penalties of the Code of Ordinances of the City of Manchester by changing penalties relating to unlicensed dogs and dogs at large.”

“Amending Section 151.04 Issuance of Building Permits of the Code of Ordinances of the City of Manchester by replacing said section to provide for the adoption of state provisions.”

“Amending the Code of Ordinances of the City of Manchester by deleting Sections 151.15 through 151.27, Building Regulations providing for municipal licensing of plumbing.”

“Amending an Ordinance Regulating Traffic Upon the Public Streets of the City of Manchester relative to penalties for certain vehicular traffic and pedestrian violations.”

“Authorizing the Mayor to dispose of a parcel of property of approximately 615 square feet at 175 Mammoth Road.”

“Authorizing the Mayor to dispose of a parcel of property of approximately 975 square feet at 175 Mammoth Road.”

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

These Ordinances having had their second readings by titles only, Alderman Shea moved on passing same to be Enrolled. Alderman Cashin duly seconded the motion.

Alderman Cashin stated that the ordinance amending Chapter 35, Finances. you're giving the Finance Department ultimate authority here. I hope we all realize this and I've talked to a couple of department heads and they're concerned about this.

Mr. Clougherty stated you may recall we talked about this at the last meeting. This whole process came out of the recodification effort in the City Clerk's Office. We went back to the existing ordinances that are vintage 1950's, 60' and 70's. We put in place with the assistance of the City Solicitor and the Clerk's Office a revised section, we made certain in working with the Solicitor's Office that we weren't in any way going beyond the authorities that we have underneath the Statutes and the Charter. We met with the City departments, made a presentation to the City departments to try and get input from them. I have not personally heard from any department that there is an issue. There was a question with respect to the School Department and the School Department, I think resolved that issue. As far as the Finance Department is concerned it's a modern section of ordinances, it lays out the duties and requirements of the Finance Department, the Finance Officer, complies with the prevailing laws based on review by the Solicitor's Office and if adopted we would live within those requirements. We don't think it expands anything other than the authorities we already have.

Alderman Cashin stated I know one department head stopped me as I was walking in, he was very concerned with it and that's what brought my attention to it and also I know the School Department was...you say they don't have any problem with it.

Mr. Clougherty replied the Committee on Accounts dealt with that right before the meeting tonight.

Alderman Cashin asked is Mark here.

Mr. Clougherty stated Mark spoke to that at the Committee meeting.

Alderman Cashin asked is he here now.

Mayor Wieczorek replied I don't know, I think he was at the Committee meeting, I think he left.

Mr. Clougherty stated he has a meeting at eight o'clock.

Alderman Cashin stated it is my understanding that he still has concerns with it.

Mr. Clougherty reiterated that is not my understanding, Alderman.

There being no further discussion, Mayor Wieczorek called for a vote on the motion that the ordinances be Enrolled. The motion carried with Alderman Cashin duly recorded in opposition to the ordinance relating to changes to Chapter 35, Finances.

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

Mayor Wieczorek called the meeting back to order.

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

“Amending the Code of Ordinances of the City of Manchester by deleting Chapter 35 in its entirety and replacing it with a new Chapter 35 Finances.”

“Amending Section 38.06 Citation Penalties of the Code of Ordinances of the City of Manchester by changing penalties relating to unlicensed dogs and dogs at large.”

“Amending Section 151.04 Issuance of Building Permits of the Code of Ordinances of the City of Manchester by replacing said section to provide for the adoption of state provisions.”

“Amending the Code of Ordinances of the City of Manchester by deleting Sections 151.15 through 151.27, Building Regulations providing for municipal licensing of plumbing.”

“Amending an Ordinance Regulating Traffic Upon the Public Streets of the City of Manchester relative to penalties for certain vehicular traffic and pedestrian violations.”

“Authorizing the Mayor to dispose of a parcel of property of approximately 615 square feet at 175 Mammoth Road.”

“Authorizing the Mayor to dispose of a parcel of property of approximately 975 square feet at 175 Mammoth Road.”

were properly Enrolled.

On motion of Alderman Soucy, duly seconded by Alderman Pariseau, it was voted to accept, receive and adopt the report of the Committee. Alderman Cashin was recorded in opposition to the ordinance relating to Chapter 35 (Finances).

A second report of the Committee on Accounts, Enrollment and Revenue Administration was presented advising that it has accepted a report from the Board of Assessors and was submitting same to the Board for informational purposes.

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

Communication from Alderman Reiniger requesting that the Board invite representatives from the Parks and Recreation Department to the next meeting to make a presentation on the Master Plan for Livingston Park.

Alderman Hirschmann requested that West Memorial Field be added to the presentation.

On motion of Alderman Soucy, duly seconded by Alderman Hirschmann, it was voted to request a presentation be made by Parks and Recreation regarding the Master Plans for Livingston Park and the West Memorial Field.

Communication from the City Clerk requesting the Board's authorization to allow residents an opportunity to stop by City Hall on Saturday, May 31, 1997 for a walk thru and tour of the premises prior to the official closing of the building for renovations/restoration.

On motion of Alderman Pariseau, duly seconded by Alderman Shea, it was voted to approve the request.

Communication from the Fire Chief requesting adoption of the provisions of RSA 154:24 through 30 (Aid Outside District) as a housekeeping measure with respect to mutual aid.

On motion of Alderman Pariseau, duly seconded by Alderman Sysyn, it was voted to so adopt the provisions of RSA 154:24 through 30 (Aid Outside District) as requested.

Agreement between the City of Manchester and The Riverfront Park Foundation, Inc., presented for final approval.

Mr. Clougherty stated the Board asked the City Solicitor and I to pull together an agreement as a result of actions that were taken at the last meeting. I believe all of you have seen a copy of that agreement and it has been forwarded under another cover. What we've done here is put together a memo that the Solicitor and I have prepared jointly and I'm not going to read it, but I'd like you to follow along as I go through and highlight what the arrangement would be, what it would work, and some of the issues that were raised during the process and how they would propose to be addressed by The Foundation for your information before you consider the

contract. Basically, what's being requested is The Foundation be provided with \$800,000 that would be raised through the issuance of bonds to build a stadium. The property and equipment would belong to The Foundation, they would own and operate it and we're following that approach that has been recommended by bond counsel who has also reviewed the document. The City agreement will lease The Park Foundation the site and we are still waiting for a site map to come forward from the group as part of the planning process, but once the parcel's decided upon it would be lease to them for \$1,200 a year, in that neighborhood commonly referred to as Hobo Jungle, down at the end of Commercial Street. The Foundation in turn agrees to supply the City with sufficient funding to cover debt service associated with the project which we estimate at the current rates of about \$70,000 a year and they will do that through raising dollars through the sales of tickets and through corporate sponsorship. Attachment G to the document that you received is a pro forma in terms of how the project would operate for the first few years. In the event of default, all property, buildings and equipment revert back to the City. With respect to issues: The Foundation is currently working to solidify their corporate sponsorship for the facility; that was a concern at the meeting that the Singer Family stepped forward. We understand from The Foundation that there is significant corporate interest in this project, however, those details haven't been finalized to date. So, the Solicitor and I have not seen written agreements between The Foundation and sponsors. We understand that they are there, we understand who the parties are, but to date we've had verbal confirmation and we haven't seen that in writing. The School Department is concerned, as you know, with the way this might work with respect to revenues from the gate going to offset the debt as opposed to going to them. The Combined Sewer Overflow (CSO) and the siting of this as the Board knows there is no guarantee that this thing can be sighted perfectly so that there would be no disruption. What the agreement does is layout a proposal so that both the City and The Foundation will give their best efforts to try and site it in a manner that it would have possibly the least disruption possible, but that is not guaranteed. In the event that the CSO does go forward and we have to do some improvements down there what we will try to do is roll up the fences and the turf and protect the buildings and stockpile that stuff so that when the CSO is done, we could reconfigure the field with as least expense as possible to The Foundation or to the City. Attached to the letter is a series of issues that were raised in part by Board members and by other departments as we went through the process. There are some scheduling issues...currently, the proposal from The Foundation is that...what we've tried to do on this page here is to list to you what the issue was and what basically The Foundation's response is. As you can see with respect to scheduling the Athletic Director, they agree will determine what games will be played where. At the facility, only junior varsity and freshman championship games will be played. There won't be a regular slate of those games at the facility. Manchester Bear and Pop Warner Championship games again will be played at the facility if the Athletic Director wanted to, but the regular seasonal games would not be played there. Games scheduled during Riverfest, it's The Foundation's feeling that the Athletic Director could perhaps schedule those on the weekends of Riverfest, our local teams will be playing away games, so there wouldn't be conflict or have to play at other City fields. All concerts...there was a concern raised by the Board and part of the agreement is that any concerts would require to come

through the normal process of getting approvals by the appropriate City departments. They agreed with respect to the Booster Clubs that the August Jamborees would be continued the way they have been and the 50/50 Program would remain with the Booster Clubs. With respect to the Babe Ruth concern, they've said that they are willing to negotiate with the Babe Ruth officials to try and come up with some type of a concession arrangement so that that program would not be harmed with respect to its fund-raising efforts. There is some considerations for passes, as you know, the School Department...what they've said is that they will honor the passes but they would like to revisit that policy and do a cost-analysis of it. the Tax burden again - if the decision is to play a number of game sat the facility then there is some impact with respect to the High School Athletics budget of about \$50,000. The CSO project as we stated...there is no guarantee with respect to this project but everybody will try their best to site the thing so that there would be as little disruption as possible. On the second page, items that were raised with respect to liquor, it's important that the Board understand that on occasion there would be the request to have certain events like concerts and some liquor promotions and that is included.

Alderman Wihby asked do we have an okay on liquor, has the City okayed it.

Mr. Clougherty replied you have to go to various City departments as have approval, much as the same as you'd have to go for the concerts. So, there would be City departments that are contacted to. There is a State law, as I understand it, that prohibits the sale of liquor at intercollegiate and high school athletics and they'd have to abide by that law. Local management teams would be hired by the not-for-project board of directors and short-term contracts and no promoters fees to the management team for concerts. With respect to the site, we understand that by the Board adopting this agreement they're not waiving any of the Planning Board's requirements to review the site as their normal procedures and whether that's full-blown review or an administrative review by the staff because of the size of the project will follow their normal procedures, but they'll have to go through that process and with respect to graduations there was a question as to whether the facility would be made available and they've said that they'd make it available for graduations at the request of the City.

Alderman Wihby stated I think all sides worked hard on this and I think it addresses all the concerns that we had. I just wanted to note one thing is where it talks about live television coverage. What we did with United is the same thing, if they wanted to do something live at this facility they wouldn't be able to do it because of the fact that they are getting rid of the MUR live telecasts.

Alderman Soucy moved to accept the recommendation approving the agreement as presented.  
Alderman Domaingue duly seconded the motion.

Alderman Pariseau stated I have two questions of Mr. Clougherty. The first item under Base Terms of Agreement...reference is made to all property and equipment will belong to The Foundation. You don't mean the land.

Mr. Clougherty replied no. It's the fixtures on the premises. We want them to own it and have responsibility for it. If down the road, the City has to take it back because of the reverter clauses then that is the way it will be. But, in the interim they should be owning and operating it and maintaining all of the equipment.

Alderman Pariseau stated the other question was a question from a constituent that The Foundation had requested an \$800,000 loan from the City...what happens to the Singer Family \$400,000. Shouldn't that be reduced.

Mr. Clougherty replied part of what happens here, Alderman, is you have the City and The Foundation and we have an agreement between them. The Foundation...there are people willing to contribute to The Foundation, but they don't want to have their contributions perhaps disclosed because of modesty in some cases or because of corporate reasons. The commitment from the Singer Family is over time and I hope I'm not stepping out-of-bounds here and I'm looking to The Foundation here to perhaps step in and answer that, but it's an accumulation of dollars over time that helps with cash flow for the project which is one of the Board's concerns is that they have operating capital upfront.

Alderman Pariseau stated so they would use some of the funds to pay the City back.

Mr. Clougherty replied correct.

Alderman Hirschmann stated I just wanted to make the Board and the public aware that Coca Cola Bottling of Ward 12 on Eddy Road has signed on as an exclusive sponsor and they've made a substantial commitment to the site and The Foundation. There were questions raised tonight about CenterPlex whether these types of sponsors would show up and in this public/private enterprise it shows that someone like Coca Cola Bottling of West Manchester has stepped up to the plate and they're contributing to this enterprise.

Alderman Shea stated earlier this evening I alluded to the CenterPlex situation. This is an example of people being straightforward, coming right to the plate saying exactly what they were going to do, letting us know that there was no subterfuge of any type or any kind, not that I'm accusing the group behind me prior to my speaking here who were here before, but they were right upfront, they answered all of the questions, they're community people, and this is an example of how the community can move forward. This is really the community being involved, people living here, not out-of-towners, people who we don't even know from Adam. These are people who have lived here, know the community, want to improve the community,

and this is a prime example of what's important to Manchester and I applaud their efforts and I really feel that this is going to be a positive impact on the City of Manchester.

Mayor Wiczorek stated, Alderman, I agree but to follow you line of thinking should we ask the companies that are not headquartered here to move out of here.

Alderman Shea asked what are you talking about.

Mayor Wiczorek replied that is what you're talking about.

Alderman Shea stated I'm not talking about that at all. I'm talking about people who do not have an interest. We had presentations from people from North Carolina, New York and so forth who are interested in coming into our community, but are not part of our community and we are expecting the constituents to contribute not \$800,000, but \$45 million.

Alderman Soucy stated I think it would be appropriate perhaps if we recognized both Kevin Provencher and Peter Ramsey who are here this evening representing The Foundation who have really spearheaded this whole project and who, I think, are owed a great deal of thanks from the citizens of Manchester.

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

Communication from Steven Dyer, Executive Director of the Baseball Search Committee requesting time be scheduled on May 20, 1997 so that he and his partner, Dr. Judson Smith may make a preliminary presentation to the Board with respect to bringing a AA minor league baseball team into the City.

Mayor Wieczorek noted that he was appointing a Baseball Committee, which included Alderman Shea, as there were others indicating an interest in meeting with the Board for the same purpose and he felt a committee should review these requests and report to the Board.

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

#### Ordinances

“Amending the Code of Ordinances of the City of Manchester by deleting Chapter 35 in its entirety and replacing it with a new Chapter 35 Finances.”

“Amending Section 38.06 Citation Penalties of the Code of Ordinances of the City of Manchester by changing penalties relating to unlicensed dogs and dogs at large.”

“Amending Section 151.04 Issuance of Building Permits of the Code of Ordinances of the City of Manchester by replacing said section to provide for the adoption of state provisions.”

“Amending the Code of Ordinances of the City of Manchester by deleting Sections 151.15 through 151.27, Building Regulations providing for municipal licensing of plumbing.”

“Amending an Ordinance Regulating Traffic Upon the Public Streets of the City of Manchester relative to penalties for certain vehicular traffic and pedestrian violations.”

“Authorizing the Mayor to dispose of a parcel of property of approximately 615 square feet at 175 Mammoth Road.”

“Authorizing the Mayor to dispose of a parcel of property of approximately 975 square feet at 175 Mammoth Road.”

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to read by titles only, and it was so done.

These Ordinances having had their third and final readings by titles only, Alderman Clancy moved on passing same to be Ordained. Alderman Shea duly seconded the motion. The motion carried with Alderman Cashin duly recorded in opposition to the ordinance relating to Chapter 35, Finances.

#### Resolutions

“Amending the 1995, 1996 and 1997 Community Improvement Programs, authorizing and appropriating funds in the amount of \$640,000 for certain CIP Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for various Health Department Projects.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 2.20708 HIV Prevention.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds for the 1997 CIP 4.20107 Universal Hiring Program.”

“Amending the 1997 Community Improvement Program, authorizing and appropriating funds in the amount of \$8,000 for the 1997 CIP 7.10108 Annual Bridge Maintenance and Inspection Project.”

Alderman Domaingue moved to waive the readings by titles only and accept as presented. Alderman Pariseau duly seconded the motion. The motion carried with none recorded in opposition.

Alderman Shea moved that the Resolutions as presented pass and be Enrolled. Alderman Domaingue duly seconded the motion. There being none opposed, the motion carried.

Mayor Wieczorek presented nominations to the Conservation Commission as follows:

Thomas Donovan to succeed himself term to expire August 1, 1999.

Jack Rice to succeed himself term to expire August 1, 1999.

Brett Gifford to succeed himself term to expire August 1, 1999.

Under the rules these nominations were to layover to the next meeting.

**TABLED ITEM**

Confirmation of nominations to the Heritage Commission as follows:  
Gregory Goucher to serve as an Alternate, term to expire January 1, 1998.  
David Boutin to serve as an Alternate, term to expire January 1, 1999.  
(Tabled 4/1/97)

Alderman Pariseau moved to remove item 23 from the table for discussion. Alderman Robert duly seconded the motion. The motion carried with Alderman Soucy duly recorded in opposition.

Alderman Pariseau moved to confirm the nomination of Gregory Goucher to serve as an Alternate to the Heritage Commission, term to expire January 1, 1998 and David Boutin to serve as an Alternate to the Heritage Commission, term to expire January 1, 1999. Alderman Robert duly seconded the motion.

Alderman Cashin stated Alderman Elise had her hand up before the vote, I think you should acknowledge her.

Mayor Wieczorek replied, I'm sorry, I didn't see you.

Alderman Elise stated, your Honor, I thought you said before the meeting that you would be discussing...before this meeting you had indicated to me that you were going to have a conversation with an important party.

Mayor Wieczorek stated I did not say I was going to talk to him today, he called today, but I didn't have time to talk to him today. So, Alderman, I will call him tomorrow.

Alderman Elise stated I don't see where we have to take up this matter tonight.

Mayor Wieczorek stated they voted to remove it from the table, so I'm assuming they want to vote on it.

Alderman Elise stated you didn't have a unanimous vote to take it off the table. I just want to inform you, your Honor, that Bernard Cowette the person at issue here is going to be receiving a Preservation Award from the Manchester Historic Association for leadership in this area and I really do think that we should give him some due consideration.

Mayor Wieczorek stated I told you I will meet with him, Alderman, but it's my nomination.

Alderman Soucy moved to table item 23. Alderman Cashin duly seconded the motion.

Alderman Cashin stated you ought to straighten this out before this comes in. I thought it was straightened out, but evidently it isn't.

Mayor Wieczorek called for a motion to retable item 23. The motion carried with Aldermen Pariseau and Robert duly recorded in opposition.

### **NEW BUSINESS**

A proposal for an amendment to Section 191 relative to the Heritage Commission was distributed to the Board with the request being that it be referred to the Committee on Bills on Second Reading.

Alderman Elise stated I want to explain that the Board is receiving this this evening, but it was attached with some other paperwork that went to the Board two weeks ago and it was not separated from the other items, so that is why it is coming in this evening. It had gone to another committee without being noticed.

Alderman Elise moved that the proposed amendment be referred to the Committee on Bills on Second Reading. Alderman Pariseau duly seconded the motion.

Alderman Domaingue asked could we have a very brief explanation from the Clerk's Office as to the effect that this amendment would have on the current Heritage Commission.

Mayor Wieczorek stated what's happening, I think is that the Alderman is trying to take the authority away from me to make the nominations; that is basically what I see here. It says..."where practicable, five alternate members shall be appointed by the Board of Mayor and Aldermen and confirmed by said Board."

Alderman Elise stated the amendment presented does not take away your power to nominate the Board, but it does give the Aldermen the ability to nominate alternates if we so chose to bring them forward with verification from the Board, so you would still have the ability to appoint the full Board members and if we so chose, we could bring forth the nominations for the alternate positions.

Mayor Wieczorek stated this is what I said. What you're doing is trying to take my authority to make the nominations because currently I make the nominations of the regular Board members and the alternates.

Alderman Elise stated I am not taking away your ability to do that, I'm just giving the Aldermen an option to nominate alternates and as you know, Mayor, alternates only sit in if regular Board members are absent.

Mayor Wieczorek stated I am familiar with that, Alderman, but what it is doing is taking away my authority to do that, to make the nominations and this is part and parcel of the problem.

Alderman Cashin stated it is being referred to the Committee on Bills on Second Reading or some committee and that's where it ought to do. It can be discussed in committee, it doesn't have to be discussed here this evening which is why it goes to committee.

Mayor Wieczorek called for a vote on the motion. The motion carried with Alderman Robert duly recorded in opposition.

### **OTHER BUSINESS**

Communication from non-affiliated employees requesting to meet with the Board on May 6, 1997 to discuss wage and fringe benefit packages for non-affiliated employees - July 1, 1997 through June 30, 1999.

Communication from the Chief Negotiator requesting to meet with the Board for a negotiation strategy session.

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

Mayor Wieczorek called the meeting back to order and stated we'll take these one contract at a time and, David, if there's any explanation that anybody needs then be prepared to do that. The first contract we have here is MESPA, the School Support Group.

Mr. Hodgen stated the Board has spent a considerable amount of time talking about all of the proposed agreements including MESPA. The Board knows that the proposal for MESPA is 3% on date of ratification. I'm sorry, we had an earlier proposal on MESPA, but we have learned that although the earlier proposal was 3.5% and 3.5%, that they would accept 3%, and so the Board is, I believe, receptive to accepting the MESPA proposal at 3% on date of ratification, 3% on September 1, 1997, and 3% July 1, 1998 with a change of their health insurance to Blue Choice and the other details as spelled out in the Memorandum of Agreement. An order would be in order to lay that proposal on the table to the next meeting for final ratification.

Alderman Shea moved to approve the MESPA contract as outlined in a Memorandum of Understanding presented with financial reporting subject to Rule 26 of the Board. Alderman Soucy duly seconded the motion. The motion carried with Aldermen Robert and Hirschmann duly recorded in opposition.

Mayor Wieczorek stated all of these contracts are going to lay on the table until May 20, 1996, Rule 26 for final ratification. The second one is AFSCME, the Educational Assistants.

Mr. Hodgen stated the Educational Assistants had proposed a 3% raise and their steps reinstated on date of ratification, 3% on July 1, 1997, and 3% on July 1, 1998 and the two other changes in their contract were specified in the Memorandum of Agreement and I believe that the Board is receptive to that and if that is true a motion would be in order to lay that one over to the next meeting for ratification.

Alderman Sysyn moved to approve the AFSCME Educational Assistants contract as outlined in a Memorandum of Understanding presented with financial reporting subject to Rule 26 of the Board. Alderman Pariseau duly seconded the motion. The motion carried with Aldermen Robert and Hirschmann duly recorded in opposition.

Mayor Wieczorek stated the next one is the Police Support Staff.

Mr. Hodgen stated the Police Department Support Staff, the proposal is 3% and steps reinstatement on date of ratification, 3% on July 1, 1997, and another 3% on July 1, 1998. Their health insurance would be changed to Blue Choice. There are a few minor other changes in the contract as shown in the Memorandum of Understanding. I understand the Board is receptive to that and if that is correct a motion would be in order to lay that one over for ratification.

Alderman Pariseau moved to approve the Police Department Support Staff contract as outlined in a Memorandum of Understanding presented with financial reporting subject to Rule 26 of the Board. Alderman Cashin duly seconded the motion. The motion carried with Alderman Robert duly recorded in opposition.

Mayor Wieczorek stated the next one we have is the Public Buildings Services.

Mr. Hodgen stated the Public Buildings Services proposal is for a 3% raise on July 1, 1997, a 3% raise on July 1, 1998. These folks are already in Blue Choice and those are virtually all of the changes, but the whole agreement is spelled out in the Memorandum and if that is acceptable, a motion would be in order to lay that agreement on the table for the next meeting for ratification.

Alderman Sysyn moved to approve the Public Buildings Services contract as outlined in a Memorandum of Understanding presented with financial reporting subject to Rule 26 of the Board. Alderman Cashin duly seconded the motion. The motion carried with Aldermen Robert and Hirschmann duly recorded in opposition.

Mayor Wieczorek stated the non-affiliated's.

Mr. Hodgen stated the non-affiliated's have been in discussion with the Board this evening. I think we have reached an agreement with a 2.5% raise effective July 1, 1997 and the 12-month step delay reinstated to the former periods between steps and then another 2.5% effective July 1, 1998. If that is acceptable to the Board, I think we would lay this one over to the next meeting for ratification.

Alderman Hirschmann stated I just want to state that I am going to oppose this because the department heads are still integrated with that group.

Mr. Hodgen stated there is a variation with regard to the department heads under that that I neglected to state and that is that the Board has agreed to a 2.5% July 1, 1997 and to fix the step delay problem, but there is no commitment for department heads for 1998 at this time.

Mayor Wieczorek stated because we want to put in a performance based system, okay.

Alderman Domaingue stated I would have liked to have supported this contract, but as Alderman Hirschmann has already indicated there are 21 department heads included in this group and knowing the amount of percentage increase that they have received within the last year-and-a-half, I can't, in good conscience support them and since we cannot separate them out, I have to vote no on this contract.

Alderman Pariseau moved to approve layover of a salary and benefit improvements package for Non-Affiliated employees presented for ratification at the next meeting. Alderman Sysyn seconded the motion. The motion carried with Alderman Domaingue, Alderman Robert and Alderman Hirschmann recorded in opposition.

Mayor Wieczorek stated the Manchester Police Patrolmen's Association.

Mr. Hodgen stated the Manchester Police Patrolmen's Association, the Board has reviewed the Memorandum of Understanding with the Patrolmen's Association and it's my impression that that Memorandum is acceptable to the Board of Mayor and Aldermen and if that is correct, a motion would be in order to lay that over until the next meeting. By way of news reporters who don't know the specifics, I think which we could straighten out later; that is 3.5% on date of ratification and steps reinstated; 3.5% effective July 1, 1997; 3.0% effective July 1, 1998; and

a change to a new health insurance plan which we call Health Care Value Management for the sake of identification. And, again, if that's acceptable to the Board, a motion would be in order.

Alderman Hirschmann moved to approve the Manchester Police Patrolmen's Association contract as outlined in a Memorandum of Understanding presented with financial reporting subject to Rule 26 of the Board. Alderman Cashin duly seconded the motion.

Alderman Domaingue stated it was about a year ago, we were listening to the Police Department deliver their budget, we've had a lot of discussion on this particular contract tonight. And, it wasn't minutes after that that they got a call regarding a woman who was trying to be or they were attempting to rescue from the Merrimack River and subsequent to that, your Honor, Manchester Police Department found themselves at the apartment of this woman and had to go up the stairs to discover that not only were they dealing with the mother, they were also dealing with the son and as much as I have been disgusted and disappointed with the behavior of a minority of the Manchester Police Patrolmen's Association, I am going to support this contract because I can't for the life of me figure out what kind of memories they carry home every evening and the job they do has been exceptional, it's what I found in January when I spent a day there and I have wrestled very long in recent weeks with constituent calls, people who are very angry about the behavior of a minority of this group and it's out of respect to the majority of those Patrolmen and women who go out and stay on the job, have endured exactly what the minority have endured and carried themselves professionally and they are the reason I will vote in favor of this contract tonight. And, I want to make sure that my constituents and they understood that. Thank you.

Alderman Soucy stated there were five other contracts that we negotiated this evening with various groups in the City. Most recently, we've negotiated contracts with Firefighters, with AFSCME, with many other groups in the City who have gone as long as the Patrolmen have without a contract and none of them have displayed the type of contemptible behavior that I have seen by this group. It has been inappropriate, it has been a black mark on the City, I've heard comments from people outside of this City that are absolutely appalled by it, but as Alderman Domaingue said unfortunately it seems to be the vocal minority that is leading this type of activity, it's inappropriate, I think it will only hurt the union in the future, but I think it would be wrong at this time to penalize those men and women who are committed to doing a good job and who have done a good job to date. I hope this sends a message to those vocal few that this will not continue to be tolerated by this Board or by the citizens of Manchester. This was a group that up until about a year ago, I would say had broad citizen support and it has waned very thin, but, at this time I feel that I need to vote for this contract and get this issue settled and get it behind us and work towards hopefully resolving the issues that are still in existence within that department.

Alderman Shea stated, your Honor, I would like to say that the Police Department now has a chance to start anew. We heard so much about closure today, well, one chapter can be closed or

one door and another door opened. They're tremendous young men and women serving on the force and I think that they now can prove to the City that they really mean what they say when they start accepting the contract and working together with the citizens, working with the young kiddos who look up to them, everyone likes a Policeman, they're a symbol of authority, they're a symbol of trust among the young, and I think this will give all of the Patrolmen a chance now to prove to the community that they're really going to work together. We all respect them, we know they have been through hard times, but I think that now is the time to do away with all of the hard feelings and the negatives thoughts and just start anew and I guess this can really be a fine day for the City of Manchester. So, I too, am in favor of this contract and it's long overdue.

Mayor Wieczorek called for a vote on the motion.

The motion carried with Aldermen Pariseau and Robert duly recorded in opposition.

Mayor Wieczorek stated this will lay on the table until May 20th also before we take the final vote and as I understand it, it has to be presented to the Association and will be before our next meeting.

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

A True Record. Attest.

City Clerk