

BOARD OF MAYOR AND ALDERMEN

April 21, 1998

7:30 PM

Mayor Wieczorek called the meeting to order.

Mayor Wieczorek called for the Pledge of Allegiance; this function being led by Alderman Pariseau.

A moment of silent prayer was observed.

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

Present: Aldermen Klock, Reiniger, Sysyn, Clancy, Pinard, Shea, O'Neil, Girard, Rivard, Pariseau, Cashin, Thibault, and Hirschmann

Absent: Alderman Wihby

Presentation to the April recipient(s) of the "Spirit of Manchester" Award.

Mayor Wieczorek stated the "Spirit of Manchester" Award Committee recently convened and selected a group to be honored in the month of April for outstanding service to the City of Manchester. The parameters of the award state that the recipient should have contributed to the improvement of the quality of life in Manchester, performing acts that are clearly above and beyond the call of duty. This month's winner is Public Service Company of NH, an electricity provider that shares in resident's vision for a better Manchester. Public Service Company of NH was the owner of a slice of land along the Merrimack River with great breathtaking views of downtown, the Millyard and most notably the Amoskeag Falls. When the company heard of grass roots efforts to construct a scenic overlook on the Merrimack, they jumped at the opportunity to put its prime real estate to good use. Beginning in early October of 1997, employees of Public Service Company of NH began to build the overlook in conjunction with project enthusiasm from across the Queen City. In just four short weeks, after numerous 11 hour work days the dream of many civic activists to draw residents to the waterfront was close to reality. Encompassing a 30 x 40' wooden deck and access walkway is designed to hold up to 150 people at a time. In allowing viewers to catch a glimpse of historic Manchester along the mighty Merrimack, their work will emphasize the city's industrial heritage and its future potential as the center of culture and commerce. Public Service Company of NH purchased all materials for the project, in addition to donating the paid labor force. The scenic overlook will be used as a site for public docks, a meeting spot, an educational medium for groups of school children and a place to visit as a family. Public Service Company of NH and its employees have truly embodied the Spirit of Manchester in their endeavors.

Mayor Wieczorek asked that Alderman Reiniger make the presentation to PSNH.

Update by Felix Torres, Executive Director of Manchester Neighborhood Housing Services, Inc.

Mr. Torres stated thank you Mayor. I would like to thank all of you for having me here tonight. I am going to pass out some materials that you can take and if you have any trouble sleeping some particular evening, you can go through them. I will speak briefly because some members of the CIP Committee said I better. MNHS started five years ago and we have a long list of accomplishments, specifically in the past year. We made 18 home improvement loans for a total of \$215,000. All of those loans went to working families who own their homes and they would like to keep their homes and fix their furnaces, their windows, their roofs. We helped 10 families become home owners and lent them a total of \$500,000 in the past year. We financed the rehabilitation of 28 units bringing them up to code and up to standard in the City of Manchester. We are starting our third large scale reconstruction project. We are calling it Three Corners. It is on the corner of Cedar and Beech and Cedar and Union and we are taking three previous vacant or abandoned buildings and making them a fine addition to the neighborhood, as well as increase the tax base for the City. We have trained over 200 families this year helping them become and learn how to become home owners and we had over 60 families become home owners since we started. We have started several, as I mentioned, renaissance homes. The first new construction in our neighborhood for sale in two decades has been started. We finally have walls up so it looks like a building. We are very proud of that and five of them have already been pre-sold to families who have made a commitment to the center city and a commitment to living in Manchester. Finally, we launched, last year we launched the window initiative which is our attempt to take double and triple family buildings that are abandoned or in bad shape, we buy them, we rehabilitate them and then we sell them. We launched this last year and we just finished two of the buildings and are starting on our third and both of the buildings have been sold, again to home owners in the City of Manchester. These are some of the things that we have been able to accomplish this year and we are very happy with the support that the Board of Mayor and Aldermen has given us over the last several years. When I came here last year or a couple of years ago, I was new in town and I was driving through Cambridge. It is much easier now that I live in Manchester, three blocks from my office, to be here telling you what we are doing and saying thank you.

Mayor Wieczorek stated, Felix, I want to thank you and your organization for continuing the splendid work that has been started ever since Neighborhood Housing Services became active in the City of Manchester. You are doing a great job.

Communication from Ron Johnson, Deputy Director of Parks, Recreation & Cemetery requesting the establishment of a Community Tree Committee for the City and wishing to make a brief presentation to the Board.

Mr. Johnson stated good evening. I am pleased to be here tonight to talk a little bit about the Manchester Tree Committee and I think it is appropriate that we follow this presentation by Felix Torres with Manchester Neighborhood Housing Services. Many of the members that are on the Manchester Tree Committee have collaborated on several projects with Manchester

Neighborhood Housing, namely the new townhouse initiatives down in the center city, our department, the City Conservation Commission and Hillsborough County Cooperative Extension have worked to design the landscapes for these new project. They have also worked on project days to get the landscapes installed and also continuing with maintenance so I think it is appropriate that we talk to you tonight about the Tree Committee. In 1989, the Governor's Task Force on Community Trees looked at the State of NH and how best communities could promote trees. This was 10 years ago under Governor Gregg and through that program there were several initiatives that came forward and one of them was to implement a community tree steward program and we are fortunate to have Mary Thibeault here tonight who is the Hillsborough County representative and she has implemented the first Community Tree Steward Program here in Greater Manchester. Some of the other initiatives that the Governor's Task Force recommended were the hiring of the County Forester, namely Mary, and also one of the major recommendations was to establish a Community Tree Committee in each community in the State. In Manchester we have been fortunate to have Mary. I would ask Mary to stand up. I would like to recognize some of the other members later. Mary works for Hillsborough County Cooperative Extension. She is the Community Forester. She works with communities throughout Greater Manchester and has been a great asset to us here in the City. Mary coordinated the first Tree Steward Program and held classes whereby residents could take classes on tree maintenance and tree care. They were held at the Pine Island Center and now they are over in Goffstown at the county complex. One of the other things that Mary has done is conduct a tree survey that looked at the status and the health of trees in Manchester. Also, the last thing is the brochure that was in your agenda. I put some copies in front of you also. This is a new brochure that Mary helped to coordinate which really sums up a lot of the good information that the Tree Stewards and the volunteers have done over the last several years. So we are grateful to Mary and all of the work that she has done. What I want to do tonight is introduce some of the other members of the Tree Committee. Ethan Howard who is the Watershed Forester from Manchester Water Works. He oversees thousands of acres of the City Watershed but we are trying to get him into the City to take another look at community trees and how they are looked at. Next we have Dottie Larkin. She is a resident and I think she was one of Mary's first graduates of the Tree Steward Program. She is a nurse and she has a lot of care and concern for trees and she is a lifelong resident of Manchester. Next we have Mary, who I introduced and next to Mary is Pam Goucher who is a staff planner with the City Planning Department who is responsible for site plan reviews of new development in the City and we hope to work closely with the Planning Department in looking at how new development and landscape and tree ordinances can be included in new projects. As you can see, we have many well qualified individuals who have interest and dedication in the trees for the City of Manchester. What we are asking you tonight is to really endorse and establish a Tree Committee for the City of Manchester. We think it is an appropriate time this week. Friday is Arbor Day for the State and it would be an opportune time for the City to announce an official Tree Committee for the City. Does anybody have any questions or comments?

Alderman Hirschmann stated not a question, your Honor, just an endorsement. We have Alderman Wihby who is absent. A motion to endorse the Committee and I would move that for him. Alderman Pariseau duly seconded the motion.

Alderman Reiniger stated I hate to introduce a tone of partisanship into this discussion, but I should point out that the first Elm trees on Elm Street were planted by an early republican Mayor, Frederick Smith. I would also like to thank Mr. Davis for pushing the idea and I would like to thank Ron Johnson and the others who worked on that issue to bring them back.

Alderman Girard asked, Mr. Johnson, so that the folks at home watching on Channel 16 understand what the purpose of this Committee is, would you sort of give us a brief synopsis.

Mr. Johnson answered sure. What the Tree Committee hopes to do is take an overall look at trees throughout the City. We, in our department, are responsible for an estimate, I think Mary came up with in the tree survey, of around 50,000 street trees that are located on the City streets. We are also responsible for the trees in all of the City parks. We have 1,200 acres of park land and we also have nine cemeteries with Pine Grove being the largest. We are looking to take a comprehensive view of trees throughout the City, looking at recommendation for the City site plan review, hopefully making some recommendations on there. Making recommendations for planting, choosing the right tree. A lot of times people don't understand that you really need to put the right tree in the right place so we are working with a lot of the utility companies trying to promote that.

Alderman Girard asked will part of your work be looking at developing an overall maintenance plan for the City's trees so that we can address the problems that we have in some sort of systematic way.

Mr. Johnson answered we are also on the verge of hiring our first Urban Forester for the City. We have had in the past the Green Streets Program which was a tree planting program and the maintenance portion was done through our department. We are trying to merge the two together and we are going to be hiring an Urban Forester shortly. That person will work with this Tree Committee, work with Intown Manchester on looking at the health and status of the trees on Elm Street and that is city-wide.

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

Mr. Johnson stated I just want to mention that we have about 16,000 brochures that we will be distributing. They were published by Cooperative Extension through a grant from the Bean Foundation. I have let a few on the desk, but if anyone needs some additional ones we are providing them to City departments.

CONSENT AGENDA

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

Minutes Accepted

- A. Minutes of meetings held January 26, 1998; February 3, 1998 (two meetings); and February 17, 1998.

Informational to be Received and Filed

- B. Communication from Alderman Wihby as Chairman of the Economic Development Coordinating Committee Task Force submitting a final report of the task force as well as written summaries of reports submitted by participating organizations.
- D. Minutes of Manchester Transit Authority meeting of February 24, 1998, and Financial and Ridership reports for the month of February 1998.
- E. Copy of a press release from the Manchester Historic Association advising of their lease option with FIRST for 200 Bedford Street.
- F. Copy of an article in the *New Hampshire Town and City*, March 1998 issue relative to "10 Habits of Highly-Effective Councils".

REFERRALS TO COMMITTEES

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

- H. Communications from Lloyd Basinow relative to the tax-exempt status of Optima Health and requesting a public hearing be held on such matter.

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- I. Communication from Margaret Sofio, MediaOne, submitting a copy of its third annual progress report to the FCC regarding investment in rebuilding and upgrading systems under its Social Contract.
- J. Communication from Peter Telge, Stark Mill Brewery, seeking information relative to hosting a Brew Festival in Arms Park on Saturday, August 29, 1998 from 2:00 to 8:00 PM.
(Note: concurrent referral to the Committee on Traffic/Public Safety.)

- K.** Communication from The Way Home, Inc., requesting closure of streets under supervision of Police as may be required and requesting to place a banner across Hanover Street for their annual 5-K Run/Walk scheduled for October 18, 1998.
(Note: concurrent referral to the Committee on Traffic/Public Safety.)

COMMUNITY ON COMMUNITY IMPROVEMENT

- M.** Communication from Peter Kanteres, Chair of the Ward 2 Republican Committee, requesting construction of sidewalks on Mammoth Road between Kennard Road and Bridge Streets be expedited, and expressing concern that the proposed tax increase of 4.7% is too high.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- N.** Copy of a communication from Michelle Belanger to Representative Sununu submitting a couple of suggestions relative to the current parking situation in the Millyard.
- O.** Communication from Gail Emerson regarding an incident on April 4, 1998, involving her son and his friends in the vicinity of Wolfe Park.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT & REVENUE ADMINISTRATION

- P.** Advising that it has accepted the enclosed report from the Board of Assessors and is submitting same to the Board for informational purposes.

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- Q.** Recommending that the City Clerk be instructed not to issue permits to any vendors in the area of Riverfest (Elm Street to the east, Brook Street to the north, Granite Street to the south and the Merrimack River to the west) during the celebration scheduled for September 11, 12 & 13, 1998.

COMMITTEE ON BILLS ON SECOND READING

- R.** Recommending that an Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-1B (Residential one-family) district to include parcels of land currently rezoned R-2 (Residential two-family), generally including all properties fronting on Lewis Street, and having an area of approximately 2.0 acres.”

ought to pass.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- T.** Recommending that a request to:
- (a) designate the area generally bordered by Elm Street to the east, Brook Street to the north, Granite Street to the south, and the Merrimack River to the west as the "Riverfest Area";
 - (b) allow those possessing valid Arms Park lease stickers to park "free-of-charge" in either the Canal Street or Wall Street garages or the Millyard, as deemed appropriate by the Traffic Director, from September 7-14, 1998; and
 - (c) close the Arms Park Parking Lot from September 7-14, 1998.

be granted and approved under the direct supervision of the Police, Traffic, and Highway Departments.

- U.** Advising that it has approved a lease agreement extension between McQuade's and the City of Manchester for 34 spaces in the Middle Street Parking Lot through January 1, 1999.
- V.** Recommending that certain regulations governing standing, stopping and parking, be adopted and put into effect when duly advertised.

HAVING READ THE CONSENT AGEND, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN RIVARD, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- C.** Communication from Ronald Roy, General Manager, Manchester Transit Authority, advising that he will be retiring effective June 20, 1998

Alderman Cashin moved to accept Ron Roy's resignation with regret and that we send him a letter. This man not only did his job, but took the second job he had and did that one also. He exemplifies what we would like to see in all of our managers. Alderman Thibault duly seconded the motion. Mayor Wieczorek called for a vote. There being none opposed, the motion carried.

- G.** Communication from Sal Coco commenting on the firearms industry.

Alderman Shea moved to refer this item to Traffic and Public Safety for consideration of the disposal process of fire arms. Alderman Rivard duly seconded the motion. Mayor Wieczorek called for a vote. Alderman Hirschman being duly recorded in opposition, the motion carried.

- L.** Communication from Thomas Seigle, Chief Sanitary Engineer, requesting the Board find that the Cohas Brook Interceptor - Contract #2 is a "public need" and that permission be granted to acquire a temporary easement and permanent easement from the owners using eminent domain.

Alderman Rivard moved to amend this item to include referring it to a public hearing.

Alderman Pariseau duly seconded the motion.

Deputy Clerk Johnson stated we will set-up the next available date to meet the criteria of law.

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

Report of Bills on Second Reading

S. Recommending that an Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the I-2 (Industrial Park) zone to include a portion of land currently zoned R-S (Residential Suburban) in the area generally to the northeast of Zachary Road cul-de-sac (Map 727/Lot 1-I).”

ought to pass.

Alderman Shea stated when this item was discussed at Bills on Second Reading, I opposed it. It was a three to two vote so I would like to mention that there are certain questions that I feel haven't been answered. This pertains to changing the zoning from R-S to I-2 and there are certain questions that I have regarding drainage and also impact of traffic, the affect that it would have on Lake Shore residents, potential residency of pupils, etc. and that is why I was opposed to it.

Alderman Girard moved to accept, receive and adopt the report. Alderman Klock duly seconded the motion. Mayor Wieczorek called for a vote. The motion carried with Alderman Shea duly recorded in opposition.

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

W. Warrant for Collection of Sewer Charges in the amount of \$137,932.96.

The clerk noted a listing of abatements totaling \$2,343.38 had been distributed. On motion of Alderman Hirschmann, duly seconded by Alderman O'Neil, it was voted to commit the warrant as abated.

Confirmation of nominations made by Mayor Wieczorek:

Airport Authority:

Bernard J. Perry to succeed Bradford Cook, term to expire March 1, 2000.

On motion of Alderman Hirschmann, duly seconded by Alderman Pinard, it was voted to confirm the nomination.

Zoning Board of Adjustment:

Armand R. Lemire to succeed Calvin Cramer as an alternate, term to expire March 1, 2001.

On motion of Alderman Hirschmann, duly seconded by Alderman Thibault, it was voted to confirm the nomination.

Mayor Wieczorek presented the following nominations:

Millyard Design Committee

Paul Mansback, term to expire January 1, 2001

Dean Camen, term to expire January 1, 2001

Fred Urtz, term to expire January 1, 2001

Richard Davis, term to expire January 1, 2001

Maria Skaperdas, ex-officio

Manchester Development Corporation Board of Directors

Gary A. Long to succeed Karen Golz, term to expire March 11, 2001

Personnel Appeals Board

Pauline Guay to succeed herself, term to expire March, 2001

William Varkas to succeed himself, term to expire March, 2001

Planning Board

Joan Bennett to succeed herself, term to expire May 1, 2001

As per rules of the Board, these nominations will layover until the next meeting of the Board.

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

Mayor Wieczorek called the meeting back to order.

OTHER BUSINESS

A report of the Committee on Community Improvement was presented advising that the Committee voted to recommend approval of an agreement between the City, The Sargent Museum and Amoskeag Industries, Inc. regarding reverter rights and requested that a report be submitted to the Board recommending that such agreement be approved subject to the review and approval of the City Solicitor who has, in fact, already reviewed the document.

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

A second report of the Committee on Community Improvement was presented advising that the Committee voted to recommend approval of a lease agreement between the Manchester Water Works and Cellco Partnership (Bell Atlantic Mobile) for placement of 88 foot free-standing antenna tower on the property of Manchester Water Works off of Hermit Road in Manchester.

Alderman Pariseau moved to accept, receive and adopt the report of the Committee on Community Improvement. Alderman Clancy duly seconded the motion.

Alderman Hirschmann asked is this thing going to be visible for the general public. Where is Hermit Road?

Alderman Pinard answered Hermit Road is off of Cohas Avenue in the back where the old road was for the Water Works. You can hit Hermit Road from Bodwell Road.

Deputy Clerk Johnson stated that question was raised in the CIP committee meeting earlier this evening and Mr. MacKenzie addressed it. The Zoning Board of Adjustment and the Planning Board have reviewed it and apparently it will be visible above the tree line but it was shorter than originally requested.

Alderman Hirschmann stated visibility in the future should be considered. The one that is out at the Massabesic Traffic Circle towers over the neighbors over there. I hope that no one can see this one.

Mayor Wieczorek called for a vote. Alderman Reiniger duly recorded as abstaining, the motion carried.

Ordinances:

“Amending Sections 33.025 (Information Support Specialist-Police) of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by deleting Section 30.03, Appointment of Officers, providing for appointment of certain city officers.”

“Amending the Code of Ordinances of the City of Manchester, Section 150.999, Penalty, to delete reference to state law and insert in place thereof reference to Section 38.06, Citation Penalties.”

“Amending the Code of Ordinances of the City of Manchester, Section 151.04, Issuance of Building Permits; State Provisions Adopted, to reference current section of NH Revised Statutes Annotated.”

“Amending the Code of Ordinances of the City of Manchester, 1971 ed. as amended, by deleting Sections 6-51 through 6-71, Family Protective Shelters, providing exceptions to the building code for certain shelters.”

“Amending the Code of Ordinances of the City of Manchester by incorporating certain sections from the Code of Ordinances, 1971 ed. as amended, into the Code of Ordinances, 1996 ed. as amended, relating to previous Sec. 2-105 through 2-110, Compensation of Officers, and relating to Central Purchasing Division.”

“Amending Chapter 52, Section 52.161, Sewer Charges of the Code of Ordinances of the City of Manchester.”

On motion of Alderman Reiniger, duly seconded by Alderman O’Neil, it was voted to read the Ordinances by title only, and it was so done.

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

Alderman Shea asked Leon Lafreniere to explain some of the amendments so people will know what they are.

Mr. Lafreniere stated I did not come prepared to speak to these items. They have been brought forward at the behest of the City Clerk's Office as I understand it, however, I do believe that each of these sections are attempts at reconciling the recodified Municipal Code of Ordinances that took place over the last couple of years and in so doing also reconciling those specific provisions to state statutory provisions. The sections to which you indicated you had an interest earlier were amending the Code of Ordinances 150.999 Penalty and that is, as I understand it, a reference to the fact that the City adopted the citation ordinance some six years ago and this is a catching up with the existing citation ordinances. We currently enforce it as it is on the books. The amending the Code of Ordinances of the City of Manchester Section 151.04 Issuance of Building Permits, I believe that this is a reference once again to a reconciliation with the statutory provisions that have changed in the intervening time since this provision was included in the Code of Ordinances and I think more specifically refers to the fact that the City had a licensing provision for plumbers prior to the state adopting regulations for the licensure of plumbers and we are no longer in that business fortunately. The last section amending Code of Ordinances of the City of Manchester 1971 ed. As amended deleting Section 6-51 through 6-71. I had been asked during that process where we were trying to clean up the Code of Ordinances and to facilitate the recodification I think I dealt with Sean at the time and was specifically asked what sections might at that time be redundant or archaic that we could eliminate from the ordinance. This specific section deals with fallout shelters which are really not a high priority item at this time in terms of our enforcement efforts, but are addressed adequately in the current building code so if we felt that dealing with this as a separate item in the Code of Ordinances was no longer necessary.

Alderman Shea stated we are really trying as a community to adhere to the state statutes, is that correct. And the bottom line is in certain instances...

Mr. Lafreniere interjected we certainly want to be consistent with state provisions as they relate to the regulation of building construction and in the second two to which I referred that is really what we are trying to do here. The first one just deals with our methodology as to how we administer the citation ordinance which is one of the enforcement tools that the Board adopted six or eight years ago.

Mayor Wiczorek called for a vote. Alderman O'Neil being duly recorded in opposition to the second amendment from the bottom regarding Central Purchasing, the motion carried.

On motion of Alderman Reiniger, duly seconded by Alderman Klock, 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 was presented advising that Ordinances:

“Amending Sections 33.025 (Information Support Specialist-Police) of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by deleting Section 30.03, Appointment of Officers, providing for appointment of certain city officers.”

“Amending the Code of Ordinances of the City of Manchester, Section 150.999, Penalty, to delete reference to state law and insert in place thereof reference to Section 38.06, Citation Penalties.”

“Amending the Code of Ordinances of the City of Manchester, Section 151.04, Issuance of Building Permits; State Provisions Adopted, to reference current section of NH Revised Statutes Annotated.”

“Amending the Code of Ordinances of the City of Manchester, 1971 ed. as amended, by deleting Sections 6-51 through 6-71, Family Protective Shelters, providing exceptions to the building code for certain shelters.”

“Amending the Code of Ordinances of the City of Manchester by incorporating certain sections from the Code of Ordinances, 1971 ed. as amended, into the Code of Ordinances, 1996 ed. as amended, relating to previous Sec. 2-105 through 2-110, Compensation of Officers, and relating to Central Purchasing Division.”

“Amending Chapter 52, Section 52.161, Sewer Charges of the Code of Ordinances of the City of Manchester.”

are properly Enrolled.

On motion of Alderman Thibault, duly seconded by Alderman Girard, it was voted to accept, receive and adopt the report. Alderman O’Neil being was duly recorded in opposition to amendment regarding Central Purchasing reflected in th second to last ordinance listed.

Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of \$3,801,250 for the 1998 CIP 7.30279 Relocate Airport Drive.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of \$2,264,000 for the 1998 CIP 7.30280 Construct Bridge for Taxiway ‘E’.”

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to read the Resolutions by title only, and it was do done.

Alderman Pariseau moved that the Resolutions pass and be Enrolled. Alderman Girard seconded the motion.

Alderman Cashin asked does this impact the King property at all.

Mr. MacKenzie answered as I understand it, the King property is related to another airport extension where they have to get wetlands mitigation. This is creating a new entrance and a taxiway so I don't believe these two are tied into the King property that I am aware of.

Alderman Cashin asked this is not part of a swap or anything else that might have to do with the King property.

Mr. MacKenzie answered as far as I know, these are separate issues.

Alderman Cashin asked are we sure.

Mr. MacKenzie answered I can't give you 100% guarantee right now. I am not aware of any wetlands. The King property is necessary for wetlands mitigation when they actually impact due to construction but I can't say I am 100% sure that these are not tied together.

Alderman Cashin stated, your Honor, if I don't have 100% assurance here tonight you got a public hearing tomorrow night on the King property and I think it would be premature to vote on this this evening.

Mayor Wieczorek deferred voting on the motion until the Airport Director could be reached.

Ordinances:

“Amending Sections 33.025 (Information Support Specialist-Police) of the Code of Ordinances of the City of Manchester.”

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“Amending Chapter 52, Section 52.161, Sewer Charges of the Code of Ordinances of the City of Manchester.”

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

This Ordinance having had its third and final reading by title only, Alderman Clancy moved on passing same to be Ordained. Alderman Shea duly seconded the motion. Alderman O’Neil being duly recorded in opposition to the second ordinance from the bottom regarding Central Purchasing, the motion carried.

NEW BUSINESS

Alderman Clancy moved to allow the Police Department to order a new crime prevention passenger van and prisoner transport vehicle. Alderman O’Neil duly seconded the motion.

Chief Driscoll stated we have an opportunity now under the State bid if we order these vehicles before May 24 to lock up this year’s prices as opposed to next year’s prices. The money has been allocated. It is the same thing we did with the 10 cruisers we previously ordered.

Alderman O’Neil stated it is next year’s MER account though. Your Honor, we are not paying for them in 1998, we are paying for them in 1999.

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

Mayor Wieczorek noted that a call was made to Fred Testa’s house, but he is not home yet. Discussion took place about whether the item does, in fact, affect the King property.

Alderman Pariseau stated lets vote on it tonight and address it tomorrow.

Alderman Cashin asked what does that mean. Everybody is pretty sure that it doesn’t affect the King property, but nobody is sure. I want to be sure. This has nothing to do with Bill Cashin and Pete King. If you remember when Mr. Chapdelaine came before this Board, they tried to run over him too and I defended him at that time and I didn’t even know the fellow. Pete King has a right to be treated like every other constituent and that is what I am doing. I am not prepared to vote on this tonight unless I am absolutely sure it is not going to have any effect.

Mayor Wieczorek stated I am going to accept the motion on the floor to go ahead with this provided it doesn’t impact on the King property.

Alderman Cashin asked what happens now on a bond issue.

Asst. Solicitor Arnold answered if the condition is placed on it that it doesn’t impact the King property, I would imagine that we couldn’t use the bond if it impacted the King property.

Mr. Clougherty stated whenever we go out for a bond, we go back to the record of this Board and we get a certified copy from the City Clerk and that tells the actual vote taken by the Board. Obviously the bond market does not look favorably upon moving votes back and forth on bond issues. If there is a relative degree of certainty here, that is one thing but if what you are saying is you are going to take a vote on this tonight and that you may change it tomorrow, those types of messages to the bond market show uncertainty, lack of planning and can be construed against you. You are better off knowing exactly what you are voting on and if you have some certainty then you proceed. Otherwise, I think bonds are a little bit different than your other appropriations. You don't want to go back and be taking votes and reversing them because that just shows that you are inconsistent.

Mayor Wiczorek stated it is pretty clearly understood here that if the King property is impacted by this vote that this vote is negated.

Alderman Cashin stated the Finance Director, if I heard him correctly, is recommending we don't do this.

Mr. Clougherty replied I am not saying don't do it. I am saying that if you take these votes and if you reverse them in 24 hours it shows that there is a problem. If the motion is that this doesn't take affect until you get some type of a ruling from the Solicitor or from somebody saying that this doesn't affect the King property and the eminent domain proceedings, then I think that is all right.

Alderman Pariseau stated if we negate the thing tomorrow, there is no bond issue so why are we worried.

Mr. Clougherty asked the Deputy Clerk how it would be recorded on a certification.

Deputy Clerk Johnson answered if these two bond resolutions were to impact the mitigation project that he is referring to then the Clerk would not process the bond resolution. It would not go anywhere. It remains internal and it would be resubmitted to the Board. There would be no vote recorded on a certification because there would be no vote passed at that point.

Mr. Annis stated that Mr. Testa was on his way in and that it doesn't affect the King property.

Alderman O'Neil stated didn't we several weeks ago have a policy with regards to asking department heads to be here and remain here.

Mayor Wiczorek replied we did.

Alderman Pariseau stated they cut my suggestion out and made it only if they have something on the agenda.

Alderman O'Neil stated we seem to, every week, have items come up and nobody is here to answer them. Should we remind the department heads of that?

Mayor Wieczorek replied I did send a note out to them but we will send another one.

Alderman Cashin moved for reconsideration of the early retirement package for the teachers. Alderman Shea duly seconded the motion.

Mayor Wieczorek stated before everybody is moving and seconding it, nobody asked for reconsideration at the last meeting.

Alderman Girard stated if you are a member of the majority, your Honor, you don't have to give notice at the meeting in which the vote was taken. It is only if you are in the minority.

Mr. Testa came in.

Mayor Wieczorek asked the item on the agenda here having to do with your bond authorizations, the one to relocate Airport Drive and to construct a bridge for taxiway E, is the King property impacted in any way by these two things.

Mr. Testa answered no it is nowhere near that. As you go up into the Airport, it is the old taxiway E that used to connect with the bottom of Runway 6. We are going to reconnect it, but we have to put the road underneath. We have to relocate Airport Drive that goes in underneath a taxiway bridge over the top. It is all on airport property and has nothing to do with the King property. In fact, it is quite far away.

Alderman Cashin stated so you got Airport Drive and bridge for taxiway E. Now you are not taking any of the wetlands from where they are, figuring on putting it on King's land or anything else. King is not involved in this?

Mr. Testa answered no, not at all. This is strictly on airport property.

Mayor Wieczorek called for a vote on the motion to enroll the two airport resolutions. There being none opposed, the motion carried.

Discussion of the reconsideration resumed.

Asst. Solicitor Arnold stated the Rule 10 provides that a motion for reconsideration of a vote shall be opened for debate, but such motion shall not be considered unless made by a member voting with the majority or unless notice is given at the meeting at which the vote is passed.

Mayor Wieczorek stated I am still opposed to this and I am going to tell you why. We were going to be meeting with the School Department this week, but they couldn't make it so we have postponed it until April 28. They have, we believe, a deficit. We don't know what the deficit is but what you are talking about here is adding another \$425,000 to it. \$325,000 additional for early retirement and another \$100,000 for fringe benefits because you would have to be buying health insurance for a three year period and I think that we ought to wait since it is not imperative that this pass tonight that we get a better handle on what their deficit is going to be. I told them I would give them an answer by early May on whether I would support that or not. I think we ought to have all the information before we can do that.

Alderman Pariseau stated we were told at the last meeting that it was imperative that we acted last time and then I find out from a constituent that we have a little time but because of the poor management of the School Department I don't think we have to hurt those people who are already planning on this program. I know that the School Department has probably faced mismanagement over this last fiscal year to the tune of \$2.1 million and he is going to blame everybody but himself and I think if he has over expended his budget he ought to be brought to jail. No one has that right. He can say English as a Second Language is costing the City extra money. He had a certain amount of money to run that department and he should have run it with that amount of money. Don't come back in in May and say oh look, I am \$2.1 million short because of poor management and I don't think we should hurt these people who are waiting.

Mayor Wieczorek stated I think it is irresponsible for us to be taking an action when we don't even know what those figures are. We need to get a better handle on them.

Alderman Pariseau stated we didn't know the numbers in November when we agreed to this.

Mayor Wieczorek stated I am not going to support it unless I do know what they are. That is the responsible way to do this.

Alderman Cashin stated number one I am not suggesting that anyone has not done their job or anything else, I am simply supporting this proposal. I don't think there is mismanagement in the School Department. That is my personal opinion and I think they will prove that as time goes on. I don't see any reason why we don't vote on this this evening, your Honor. You supported it. You were one of the, if I remember correctly, one of the big pushers for this. I would say that you are one of the mainstays in this thing and I supported it at that time because it makes sense. It is good business.

Mayor Wieczorek stated it makes sense if we are not adding to the potential loss that they have. Then it makes sense.

Alderman Cashin stated we can always find a reason not to do something.

Mayor Wieczorek replied that is a very good reason as far as I am concerned.

Alderman Cashin responded well I am not too sure it is because I am not even sure you know what the figures are from the School Department. Why penalize these people? You may save the same amount of money or even better if you do this.

Mayor Wieczorek stated you are not going to save that amount of money.

Alderman Cashin replied, your Honor, over a three year period you are going to save several thousand dollars.

Mayor Wieczorek responded I am not talking about three years.

Alderman Cashin replied it is a three year package and everybody knew it.

Mayor Wieczorek responded we were looking at it. I don't think you had a commitment from everybody that is serving here.

Alderman Cashin stated no one was more supportive and more vocal about this than you were.

Alderman Hirschmann asked the \$325,000 and the \$100,000, are those numbers separate from your severance budget.

Mayor Wieczorek answered yes, it is in addition to.

Alderman Hirschmann asked so it is like you budgeted \$500,000 for severance and this is another \$450,000 over that. Explain this.

Mr. Hobson stated there is \$450,000 budgeted this year for severance. The estimate for the amount of people who are interested in retiring would push that number to \$775,000 in payroll expenditures and then there is the amount of money that would be expended for health benefits and we are looking at that over a three year process. So that would be approximately \$100,000.

Alderman Sysyn stated I thought we were going to do it for one year and we had the money for one year.

Alderman Pariseau stated last meeting's idea of the three years was changed to one year the way I understood it. I was told that we were going to go the one year with that \$450,000 and it was going to be allotted for 31 teachers planning to retire this year. They were going to conduct a lottery and that \$450,000 could accommodate maybe 16 to 18 individuals. Why don't we do it? I don't have a problem with it.

Mr. Hobson stated the health insurance is for a three year period and the retirement severance program is a bridge to assist these people with retiring and we would have expenditures over three years so when we discuss the fact that this is a one year program I don't want to put words into Chairman Wihby's mouth but I believed what he was saying was that we would fund it for this year to look at it as a pilot program and perhaps next year we would fund it in the School Department or district's general fund allocation. If we approve this, whether we approve this tonight or next week after we meet with the School, we will have expenditures that will be over a three year period.

Alderman Rivard asked for an explanation of the costs. The first year is the major cost, \$775,000 then it goes down considerably in the second year. Do you have those numbers for the second and third year?

Mr. Hobson stated I wasn't prepared to make any kind of a presentation.

Alderman Cashin asked what is the estimate of savings if, in fact, we do go into the program. Do we have that figure?

Mayor Wiczorek answered no.

Mr. Hobson stated we did have a projection, but it has been revised. Originally, the projection was over \$400,000 but that has been revised by the School Department.

Alderman Rivard stated, your Honor, this is a terrible situation. I have never been in a position like this in my life where the Board of Mayor and Alderman are expected to bail out the bad management that Alderman Pariseau is talking about and the promises that the School Board made to these people out here. These people here were planning on retirement and we made a commitment to those people. Somehow we got the wagon before the horse here before we knew how much it was going to cost. I can't believe that the School Board put a proposal before these people that don't know what it is going to cost, don't know what the savings are and tell them they are going to come in and if they don't put their name in by December they are not going to qualify for retirement. This is the worst disorganized thing I have ever seen in my life.

Mayor Wiczorek replied they don't know what their data is.

Alderman Rivard responded somebody should know something. This is a terrible situation.

Alderman Girard stated I have spoken to several different people today about this early retirement thing and I have to admit to still being confused so bear with a couple of questions that I have. As I understand, the Fiscal 98 budget that we have now, there is enough money in the budget to do the early retirement program but only for 18 people. That takes care of people who are retiring normally, those who are not part of the early retirement program so we can take care of all of the people who are retiring normally plus 18 people under the early retirement program which would cause the School Department to have to have a lottery?

Mayor Wieczorek answered I don't know how many. It is 16 or 18 for early retirement.

Alderman Girard stated okay so it is 16 or 18. The bottom line is there is something there to do something this year.

Mayor Wieczorek replied \$450,000.

Alderman Girard stated next year, I was told, if this program were to go forward there would need to be another \$310,000 in severance.

Mayor Wieczorek replied that is in addition to the \$465,000 that is in the budget.

Alderman Girard responded but we don't have a savings estimate. The thought that I had was if we could get this ball rolling maybe future early retirement programs could be paid for from the savings that the School Department gets by rotating the teachers at the top of the scale out and bringing teachers hopefully at the beginning of the scale end and I realize it is a problem and it rarely happens. The question is if the School Department were somehow asked by this Board to bring entry level teachers into the system as a guideline to getting this early retirement thing rolling because I think if we could get it rolling there are savings there.

Mayor Wieczorek stated the savings are X, Alderman, because you don't know what it is.

Alderman Girard stated I guess what I am trying to say is there is a way we can do this and have whatever the savings are from the program going forward. It may limit the program, but if we are not liable for budget additions and the program can be funded solely on the savings it generates, then it seems to me that we answer most of these questions and I agree with some of what has been said here. Rather than looking it at as having to add more gasoline to the fire, is there a way we can let the fire burn on its own.

Mayor Wieczorek stated I will know next Tuesday. If you can wait, we will have a better idea.

Alderman Clancy stated time is of the essence because the State Retirement Board has extended the City of Manchester already. Originally it was supposed to be April 15 for people who are retiring. Now they have given them to May 30 I am pretty sure. Either we do something tonight or we are going to have a special meeting after the school meeting.

Mayor Wieczorek replied this is April and I am meeting with the School Department next Tuesday, that is April 30. I told the MEA and the Administration that I would have my answer for them in early May. Early May and late May you have about four weeks.

Alderman Clancy stated I am sorry, it is May 1 that is the deadline for the State Retirement Board.

Mr. Annis stated it is May 28.

Alderman Shea stated I notice there are quite a few people here who are waiting for a decision and if there is a teacher who is impacted by this particular situation, can they come to the mic and explain what they want us to hear concerning their involvement in this process.

I am Jim Healy and I have been a Manchester teacher for 31 years. I make roughly \$42,000 per year and I know I will be replaced by a teacher who is going to get \$23,000 per year. I don't think a whole lot of Math is involved after that. I don't know what the budget committee did or whatever, but we are talking \$20,000. Granted it is going to cost \$2,100 a year for my retirement insurance and some of the benefits don't apply to what you are voting on anyway so you are talking \$43,000 instead of \$23,000 and I think you should be able to work out the other \$20,000 a year to make it come out right.

Mayor Wieczorek stated I wish you were right, but it doesn't seem to work out that way and I don't want to get into a dialogue with everyone who is here on this particular issue but my experience in the past, and I am Chairman of the School Board, has been that we don't get the \$43,000 dropped down to the \$23,000. They are somewhere up higher so they are pretty close. We get very few of the \$23,000 so I don't want to have anybody saying that all of the sudden we have a big gap of all of the teachers that are there. It hasn't happened yet.

Mr. Healy stated it hasn't happened but I don't know why it hasn't. I mean you have people clamoring at the doorway for jobs. I know hundreds of them and they are not even first year teachers. They are subbing at \$45 or \$50 a day and they would love to have the chance to take my place at \$23,000.

Alderman Sysyn asked if the deadline is not until May 28, can we do it at the first meeting in May which is May 5.

Ms. Ellen Healy answered the problem that you will find is that these people need to make appointments, there are 30 people who need to get to Concord before the deadline of May 28 to set-up their retirement package. They have to get their financial statements and all the paperwork done on or before Friday, May 28.

Alderman Sysyn stated well they should get it done now.

Ms. Healy replied believe it or not, the City of Manchester school teachers are not the only ones retiring, so there is a list and it does take a lot of time. They have been holding since December and I don't know what the dilemma is.

Alderman Sysyn stated it is because of the big deficit.

Ms. Healy stated what is happening now is that you have 30 people whose lives are literally being held hostage because of the dilemma between the City and the schools.

Mayor Wieczorek stated we can get into a very emotional hearing here and I am not going to have that. I spoke with you, Ellen, at the last meeting we had before the School Board and I told you that I would have an answer for you. We were going to meet with the School Department this week, but they said they couldn't make it this week so we are meeting on April 28 which is next Tuesday. I told you that I was going to give you an answer in early May and I thought that was plenty of time. I still think you really need to take a look at this to find out what the potential problems are and as I said I don't think a few days is going to make a big difference here.

Alderman Girard stated if the motion to reconsider passes and it is not vetoed, then the original question on adopting the early retirement program would be back on the table, so reconsideration does not mean that the early retirement package passes.

Mayor Wieczorek replied no, it just means that you want to reconsider the issue and if I veto that you have to override the veto then we go on to the next thing.

Alderman Reiniger stated wouldn't it make sense to vote to do the reconsideration. Will you support that so it comes back after your meeting so we can discuss it?

Alderman Cashin stated if you vote to reconsider, I am going to come in and I am going to move for a vote tonight.

A roll call vote was requested by Alderman Cashin, and Mayor Wieczorek advised to proceed with a roll call vote on the motion. Aldermen Cashin, Thibault, Sysyn, Clancy, Pinard, Shea, O'Neil, Rivard, and Pariseau voted yea. Aldermen Hirschmann, Klock, Reiniger, and Girard voted nay. Alderman Wihby was absent. Mayor Wieczorek vetoed the action.

Alderman Cashin moved to override the veto. Alderman Shea duly seconded the motion.

A roll call vote was requested by Mayor Wieczorek. Aldermen Cashin, Thibault, Sysyn, Clancy, Pinard, Shea, O'Neil, Rivard, and Pariseau voted yea. Aldermen Hirschmann, Klock, Reiniger, and Girard voted nay. The motion failed.

Alderman Hirschmann noted that Alderman Girard abstained from the last vote.

Alderman Girard stated for the record I did receive a letter from the City Solicitor that said I do not have a conflict of interest under the Charter.

Deputy Clerk Johnson noted I have two items of new business. One is an addendum to the Board Agenda. It is the Manchester Association of Police Supervisors, the agreement that was presented to the Board. It is being brought back for final ratification to the Board this evening.

Alderman Clancy moved to approve the agreement. Alderman Klock duly seconded the motion. Mayor Wieczorek called for a vote. There being none opposed, the motion carried.

Deputy Clerk Johnson noted the second item is Mr. Schwieger from the Chamber of Commerce apologizes to the Board. They negated to send you out your invitations. There is a breakfast tomorrow morning at 7:45 a.m. at which the Mayor is addressing the State of the City and the Aldermen are invited to attend as their guests. It is at the Center of New Hampshire.

Alderman Pinard stated the Board should thank West High School for what they did for the community today. I had 75 kids down at Lake Massabesic and they did a terrific job and Mrs. Somma and the rest of the gang need to be sent a nice letter of thank you.

Mayor Wieczorek replied I agree, they did an excellent job.

Alderman Thibault stated I went out myself and met some of the kids and the teachers who were out there. They cleaned a lot of the back alleys on the west side and a lot of the parks and in front of the churches. They did a fantastic job and I just wish that the Board of Mayor and Aldermen could send West High School's principal and for all of the kids and the teachers that did this a very well deserved thank you from the Board of Mayor and Aldermen.

Mayor Wieczorek stated we will send them a letter of thanks and commendation for a job well done.

Alderman Girard stated we should make sure that a letter goes to Mrs. Somma. She is the one who really organized the whole thing on behalf of the school.

Alderman Clancy stated I want to thank the people who helped us out for the Adopt-A-Block last Saturday. In particular, the high schools and all of the other people.

Alderman Shea stated we did have a large group of parents and scouts helping at Prouts Park on Saturday and we had probably 250 bags that they gathered. Mark Hobson and his son were there helping and I do feel that the people living around Prouts Park should be commended for their participation. We had about 30 or 35 people there your honor.

Mayor Wieczorek stated well this is National Volunteer Week and I know that I had a proclamation that I was supposed to read into the record. What I would like to do is make that a part of the next agenda so that folks will know that we did recognize the volunteers that we met with on Sunday.

Alderman O'Neil moved to have Frank Thomas and his staff, as well as Tom Bowen and his staff join us on Wednesday, April 29 to discuss Aggregation and the Hydro Plan. Alderman Thibault duly seconded the motion. Mayor Wieczorek called for a vote. There being none opposed, the motion carried.

Alderman O'Neil asked are we going to be receiving some back up material for the operating budget.

Mayor Wieczorek answered yes.

Alderman O'Neil asked when is that coming out.

Mayor Wieczorek answered we are going to be taking your budget books so we can give you some updated material and that should happen early next week.

Alderman O'Neil asked will it contain information such as added positions, etc.

Deputy Clerk Johnson answered we are going to take the books back at the beginning of next week and replace it with updated information. It will have the organizational charts, etc.

Alderman O'Neil moved to refer to the Committee on Community Improvement and staff that we start some discussion about a permanent solution to the Chandler School and that they start taking a hard look at an addition to McDonough School as the permanent solution. Alderman Cashin duly seconded the motion.

Mayor Wieczorek stated this is school business you are taking up here.

Alderman O'Neil stated you say it is a school issue, but we seem to get everything dropped in our laps so maybe it is appropriate it belongs here and we need to start setting some direction on this.

Mayor Wieczorek replied before we start with poor management and everything else, there are a lot of things that they are looking at. As a matter of fact, the solution hasn't come back to the School Board yet.

Alderman O'Neil stated I am not concerned about what the School Board is doing at this time. I made a motion to refer it to the CIP Committee that we start looking at an addition to McDonough School as a possible solution for the Chandler problem.

Alderman Girard stated with all due respect to the concerns of Alderman O'Neil, an item like that really should be an agenda item and not something brought in under new business. Given where we are in the process, there is no urgency that I can see.

Alderman O'Neil stated it is being referred to the CIP Committee and I am sure they will send it in the right direction.

Mayor Wieczorek stated we are not going to get into a full blown discussion about that stuff. There is so much that is going on in that area. If you had the information you would be in a better position.

Alderman O'Neil stated nothing seems to get done. We thought Lake Shore was a solution for six or eight months and nothing happened there.

Mayor Wieczorek replied what happened was it turned out that it wasn't a good deal.

Alderman O'Neil stated we have to start moving something. In the meantime Chandler School continues to fall apart.

Alderman Shea stated my understanding is that the School Board is considering renting space at Easter Seals. \$48,000 they pay right now and \$48,000 more is going to be paid for the leasing so that is about \$96,000 plus repairs that the School Board is considering for Easter Seals which will bring it to maybe \$175,000. If we rent that for five years as was a possible suggestion, that is half a million dollars. If we have a feasibility study for \$100,000 and the decision is that we can add on, we can get State aid, we can get foundation aid and we can have a permanent place for these children. Your Honor, we do control the funding of different matters and I think that Alderman O'Neil is correct in saying lets do something for these children. We can find money for Riverwalk. We can find money squirreling away for a Civic Center but we can't help the

kids that are special needs. I think it is despicable and we should do something as a Board tonight to give these kids someplace where they can hang their hats just like the rest of the schools.

Mayor Wieczorek stated, Alderman, it is not up to you or this Board to decide what they are going to do. That is up to the School Board.

Alderman Shea replied that is correct, but we can recommend the monetary sources by which they can make judges and if we don't give them the right path on which to go then they don't know probably what our direction is as far as what we are doing.

Mayor Wieczorek called for a vote. Alderman Girard being duly recorded in opposition, the motion carried.

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

A True Record. Attest.

Clerk of the Committee