

BOARD OF MAYOR AND ALDERMEN

May 19, 1998

**7:30 PM
School Administration Bldg.
196 Bridge Street**

Mayor Wieczorek called the meeting to order.

The Clerk called the roll. There were thirteen aldermen present. One alderman arrived late.

Present: Aldermen Wihby, Klock, Sysyn, Clancy, Pinard, Shea, O'Neil,
Girard, Rivard, Pariseau, Cashin, Thibault, and Hirschmann.
Alderman Reiniger arrived a few minutes late.

3. Presentation to the May 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 Mayor 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 the St. Patrick's Day Parade Committee, a group that sponsors an annual parade highlighting the city's diversity and strong Irish roots. 1998 marked the third year of a modern St. Patrick's Day parade in the Queen City. It featured 14 bands and over 1,600 participants, included floats and marchers, and was all coordinated by a mere 50 volunteers. The parade is the crown jewel of the city-wide St. Patrick's Day festivities. It offers a chance for all citizens to gather and celebrate what has truly become a multi-cultural holiday. The 1998 parade was enjoyed by an estimated 70,000 onlookers, a testament to the dedication and hard work of organizers. Those leading the parade effort are committee president Tom King, vice-president Dan O'Neil, treasurer Dan Sheehan, secretary Amy Gotsill, and coordinator Jim Sheehan. The parade committee and its volunteers have truly embodied the spirit of Manchester in their endeavors.

Alderman O'Neil made presentations to Tom King, Amy Gotsill, Dan Sheehan, and Jim Sheehan.

Mr. King addressed the Board thanking, on behalf of volunteers, the 70 men and women who volunteered their time, effort, and their talent to make this a success. I also wish to thank the Board of Mayor and Aldermen and all the municipal officials, department heads and staff who cooperated and helped make this a great event. Mr. King thanked the patrons, the sponsors, and the citizens and spectators who came to make this a lively thing, it gives civic pride to the City of Manchester, we look forward to it every year as it keeps growing, and he thought it was one of the remarkable things that is going to happen.

Mr. King continued stating if you look at St. Patrick's Day it's perhaps the second most celebrated holiday in the United States, and, it's not a mandated but a voluntary holiday, and every city and town who participates in it enhances the community for it. It is for all nationalities, a step that helps unite people together, it makes a better community to live and work in. He thanked each person for being so kind.

Mayor Wieczorek and Mr. King exchanged remarks to the audience from when Mr. King was Police Chief. Mayor Wieczorek extended his gratitude on behalf of the City.

Mayor Wieczorek advised teachers present that they did not intend to discuss the early retirement, the item was not going to be taken up tonight.

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.

Informational to be Received and Filed

- A. Minutes of Task Force on the Future of Health Care in Manchester meeting held on April 20, 1998.
- B. Communication from Executive Councilor Normand submitting the May 13, 1998 Executive Council agenda.
- C. Communication from State Representative Steve Vaillancourt relative to the Airport Access Road.
- D. Communication from the Concerned Taxpayers of Manchester relative to the Board's action taken on May 5, 1998 regarding confiscated firearms.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- E. Communication from Alderman Girard submitting a petition he received regarding EWTN programming on MediaOne.
- H. Communication from the President of the Assumption Church Parish Council seeking permission to hang a banner announcing *Greek Fest '98* across Hanover Street, between Chestnut and Elm Streets on or about August 1, 1998.

COMMITTEE ON BILLS ON SECOND READING

- I. Communication from Deputy City Clerk Bergeron submitting an ordinance amendment re-numbering and re-incorporating the Procurement Code into Chapter 35 of the Code of Ordinances.

COMMITTEE ON FINANCE

- J.** Communication from the Second Deputy Finance Officer seeking authorization to utilize approximately \$90,000 from the EPD Replacement Account to replace a mechanical bar screen at the CRPSA and one bar screen at the WSPS.
- K.** Communication from the Chairman of the Conservation Commission requesting a line item transfer of funds in the amount of \$800.00 for the Hackett Hill Wetlands Project; and further requests to meet with the Board at a future date to present an update.
- L.** Resolution:

“Amending the 1998 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000.00) for the 1998 Community Improvement Program 6.10601 MNHS Acquisition Project.”

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- M.** Communication from the General Manager of the Black Brimmer requesting the closure of Lowell Street from Elm to Kosciuszko Streets and including the alley behind Duffy’s Tavern on Saturday, June 27, 1998 from 12:00 to 8:00 PM in conjunction with their “Block Party/Outdoor Concert”.
- N.** Communication from OGBE Communications requesting the closure of Central Street, between Elm and Chestnut Streets on Tuesday, August 25, 1998 from 9:00 AM to 4:00 PM in conjunction with Healthsource for Seniors 1998 Senior Celebration at Veteran’s Park.

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- O.** Recommending that a request of the Director of Information Systems to issue a request for proposal in lieu of a bid for a new real estate assessment system be granted and approved.
- P.** Recommending that the Committee rescind its recommendation of February 10, 1998 that the City commence negotiations for an extension of the ambulance contract with Rockingham Ambulance and, further, that the Board of Mayor and Aldermen authorize the Fire Department to issue Requests for Proposals in lieu of sealed bids for the City’s ambulance services.
- Q.** Recommending that the Board of Mayor and Aldermen file a Form 329, Cable Programming Service Rate Complaint Form, with the Federal Communications Commission to initiate an investigation of the reasonableness of rates for MediaOne’s cable programming services.
- R.** Recommending that an entertainment license be granted to Peter Telge, Stark Mill Brewery, relative to a Brew Festival scheduled for Arms Park on Saturday, August 29, 1998, from 2:00 PM to 8:00 PM, provided that all related conditions are met and approvals obtained from the Traffic/Public Safety Committee and City departments.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- S.** Recommending that a request for bagging of meters, closure of streets, and free parking via non-enforcement for the Downtown Farmer's Market activities as enclosed herein be granted and approved, subject to review and approval of the Police, Fire, and Highway Departments.
- T.** Recommending that a request to block off Silver Street, between Belmont and Hall Streets, on Friday, June 5, 1998 be granted and approved, subject to approval of the Police, Fire, and Highway Departments.
- U.** Recommending that a request for closure of Kenney Street at Hanover Street and Hilton Street at Amherst Street from 10:00 AM until 11:00 PM from September 18-20, 1998 be granted and approved, subject to review and approval of the Police, Fire, and Highway Departments.
- V.** Advising that a request to close streets for a 5-K Run-Walk on October 18, 1998 be granted and approved, under the direct supervision of the Police Department.
- W.** Advising that it has approved a request of Pepsi-Cola Company for a two-sided sign with their company name and an arrow to be placed on East Industrial Drive at the top of Pepsi Road.
- X.** Recommending that certain regulations governing standing, stopping and parking, be adopted and put into effect when duly advertised.

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

- F.** Communication from Alderman Girard submitting a proposed Community and Economic Development Agency (CEDA) consolidation plan of Building, Planning, and MEDO.
- G.** Communication from Alderman Girard submitting a proposed consolidation plan of the Highway and Traffic Departments.

Alderman Pariseau moved to refer these items to the Mayor's office. Alderman Wihby seconded the motion.

Alderman Girard stated I understand that Alderman Pariseau was actually doing this at the request of the Mayor's office, and I wish that if His Honor had concerns or other thoughts about the process it should go through I would have appreciated a phone call. That having been said there were a couple of statements that you made in yesterday's paper that I would like to correct the public record on. The first of which is that these consolidations cannot be considered at this time because the city is currently considering a budget. Well, as you know the new charter does allow for the consideration of consolidation but it prohibits the proposal of consolidations through the budget process. If you note the referrals that I have requested I have not made these a budget proposal, I have not requested that they be a budget proposal, I have not requested that they be considered part of the budget, and I did confirm my understanding with the City Solicitor who agrees with my interpretation of the charter. The second item in the newspaper

was regarding the consolidation of the Highway and Traffic Departments. You noted that you unsuccessfully tried to do this a few years ago. I would argue with that only because the proposal that you put forward a few years ago was in fact adopted by the Board, but it was overturned by the court and the court said that it violated the charter. Now that the prohibitions in the charter have been removed I don't understand where the resonance comes from taking a look at these proposals. I would ask that these be sent to Committee on Administration, I gather from this that you are looking at your own consolidation requests and I don't understand why your input can't be part of the committee process, but I don't see why a dual referral at the very least can't take place and it's unfortunate again that the author of the proposals was not given a courtesy call by your office since you had the letters since last Tuesday.

Mayor Wieczorek commented that he appreciated his looking out for him and keeping him straight. Mayor Wieczorek stated I do miss you, because there isn't anybody working as strongly as you had to kind of keep things right for me.

Alderman Wihby noted that the proposal on "G" referred to the fiscal 1995 budget, asking if that was a misprint or was that the Mayor's proposal back in 1995. If that is the Mayor's proposal from 1995 to say it was the author was your office talked to that he was using your proposal.

Mayor Wieczorek responded no.

Alderman Girard stated that the material submitted on that was the proposal that was approved by the Board in 1995; that he had made no bones about it in the letter attached to the Board; that he had said it was from that year and asked that it be reviewed so that it could be updated. As far as who authored it, He brought it to the Board and if the mayor had other desires for it he would have appreciated a call.

Mayor Wieczorek called for a vote. The motion carried with Aldermen Girard, Klock and Reiniger were recorded as opposed. Alderman Hirschmann was recorded as opposed noting he was opposed to the concept.

Confirmation of nomination made by Mayor Wieczorek:

Planning Board:

Ronald F. Poltak to succeed Michael Kania as an alternate, term to expire May 1, 2001.

On motion Pinard, duly seconded by Alderman Shea, it was voted to confirm Mr. Poltak to the Planning Board as an alternate, term to expire May 1, 2001.

Mayor Wieczorek presented a nomination.

Rita Pepino to succeed herself to the Board of Registrars, term to expire May 1, 2001.

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

Mayor Wieczorek advised that he was removing item 7 from the agenda, discussion was not needed, they were making progress in resolving the issue between the Committee on Athletics and Parks and Recreation.

A report of the Committee on Community Improvement was presented recommending that \$7,500. of Contingency funds be utilized for a bathroom facility in the City Hall Annex for the Tax Collector's office.

On motion of Alderman Wihby, duly seconded by Alderman Reiniger, it was voted to accept, receive and adopt the report.

A report of the Committee on Community Improvement was presented recommending that an amending resolution and budget authorizations adding the 1998 CIP 6.10601 MNHS Acquisition project and decreasing the 1998 CIP 6.10408 Elm Street Rehabilitation project \$3,000. HOME be approved.

Alderman Klock moved to accept, receive and adopt the report. Alderman Reiniger duly seconded the motion.

Alderman O'Neil requested information on what the committee was attempting to do.

Alderman Reiniger responded that this was in connection with a large purchase which the Neighborhood Housing Services was pursuing involving 10 city properties in the Auburn, Lake and Spruce streets area. A closing was scheduled for early June so this would be the last meeting from which they could obtain these funds to be prepared for the closing.

Alderman O'Neil asked how the transfer would effect this year's Elm Street project.

Mr. MacKenzie advised that the reference to the Elm Street project may be a little confusing. It is not the Elm Street reconstruction project, it was earmarked for an upper Elm Street housing project that has not gone through. There was \$300,000 earmarked for the housing project last year.

Mayor Wieczorek called for a vote on the motion to accept the report. The motion carried with none recorded in opposition.

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 Finance was presented recommending that Resolution:

“Amending the 1998 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000.00) for the 1998 Community Improvement Program 6.10601 MNHS Acquisition Project.”

ought to pass and be enrolled.

On motion of Alderman Shea, duly seconded by Alderman Reiniger, it was voted to accept, receive and adopt the report.

A report of the Committee on Human Resources/Insurance was presented recommending that the Board adopt the Department Head Hiring Procedure as enclosed.

The clerk noted the procedure had been distributed to the Board.

Alderman Rivard asked if this would impact summer help. It was noted that this was a department head hiring procedure, effecting only department head hiring.

Alderman Sysyn moved to accept, receive and adopt the report. Alderman Thibault seconded the motion.

Alderman Girard asked if there was a rush noting they had just received it in its updated form.

Mayor Wieczorek noted that they were trying to make progress on the hiring they were trying to get done.

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

- 13.** Request by the Board of School Committee that joint sessions be held with the Board of Mayor and Aldermen on a quarterly basis.

Alderman Clancy moved to hold the joint sessions. Alderman Pinard duly seconded the motion.

Brief discussion ensued where Alderman Hirschmann requested that people refrain from bringing their attorneys. Alderman Shea commented that if they have the joint meetings then perhaps that situation would not develop.

Alderman O'Neil noted they had a great working session with the administration of the school department last week, it was a positive meeting and he encouraged the quarterly meetings.

Mayor Wieczorek called for a vote. The motion carried.

Communication from the Chairman of the Amherst Board of Selectmen seeking the Board's support in opposing the compromise educational funding program and asking that the City ask its Legislative Delegation to oppose same.

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

Communication from the Special Olympics Director of Development requesting that information relative to their "Recycle for Gold" project be displayed in City offices.

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

16. Resolution:

"Amending the 1998 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000.00) for the 1998 Community Improvement Program 6.10601 MNHS Acquisition Project."

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

Alderman Clancy moved that the Resolution pass and be Enrolled. Alderman Sysyn duly seconded the motion. There being none opposed the motion carried.

TABLED ITEMS

- 17.** Communication from Alderman O'Neil seeking the Board's support of Governor Shaheen's ABC Plan.
(Tabled 5/5/98)

This item remained on the table.

- 18.** Communication from Virginia Henderson requesting use of Manchester's City Seal to be used in her proposal for a mosaic mural in the Brown Building in Concord, NH.
(Tabled 5/5/98)

On motion of Alderman Pariseau, duly seconded by Alderman Rivard, it was voted to remove this item from the table.

Alderman Pariseau noted that the City Clerk spoke with other communities who had no problem with sending their decals of their town or city seal, and moved to approve the request to authorize the City Clerk to forward a copy of the seal for use in the Brown Building. Alderman Rivard seconded the motion.

Alderman Cashin stated this would not be used in any commercial venture.

Mayor Wieczorek noted that it would not and so incorporated that within the motion, and called for a vote. The motion carried.

NEW BUSINESS

Mayor Wieczorek advised that there was a department head meeting this morning and at that meeting he requested that the department heads try to refrain from spending over the next couple of weeks as we try to work through this situation with the school department. He did not want to put a freeze on but to alert them to the fact that it would be nice if they held back a little bit, and in about two weeks they would know better, it was moving in the right direction.

Alderman Pariseau stated what the mayor was saying was that the departments that have managed their budgets throughout the year would be penalized further so we could accommodate the school department.

Mayor Wieczorek stated that he hoped that was not what was going to work out. They were working on both sides, the revenue side and the expenditure side, and it looks like the movement is going in the right direction on both those issues, so maybe the problem won't be quite as large as we originally anticipated.

Alderman Wihby stated he was going to make the motion that they institute a hiring freeze for all the departments and knowing that there is some summer/season/temporary help that were coming for parks and stuff like that the way out would be for them to have approval of the department head, the human resource director, and the mayor. And they could give them a way out if somebody had to be hired or for those types of issues, but for anything else would be frozen until the end of the year. No matter which way we look at it there is a problem, \$1.1 million, \$800,000, \$400,000 whatever number you come up with all that money is going to be doing is coming out of our fund balance which is going to effect next year's budget, if we don't do something now, maybe it effects all of the departments but everybody has to pitch in to help. I think it is time now to institute the hiring freeze to get things in line so we don't effect next year's budget.

Alderman Hirschmann commented that he wished to second the motion.

Discussion ensued where Alderman O'Neil questioned the seasonal help. Alderman Wihby stated any help that has a good, like public safety police officer, those people could petition Human Resource Director and Mayor.

Alderman O'Neil noted that parks and rec relied on a lot of summer help to get projects done. He agreed with the concept with regards to permanent full time employees but had a concern about the summer help end of it.

Alderman Wihby stated the intention was not to stop the summer help from coming on, parks and highway rely on them. He was talking permanent full time and allowing them some waiver rights through petition.

Discussion followed relative to issuing the freeze with no waivers where Chief Driscoll, Chief Kane and Mr. Hobson commented on the critical need to hire dispatchers.

Alderman Wihby restated his motion and moved to freeze hiring of all full time permanent positions, with exceptions to such hiring being allowed through approval of the Department Head, Human Resources Director, and the Mayor. Alderman Hirschmann duly seconded the motion. The motion carried.

Alderman Thibault stated several weeks ago they had a building that burnt on the west side and the remains of that building are still standing right now and they are certainly in a very dangerous position of falling down. He wished to know what kind of mechanism could come in now and take care of this and knock the building down because it is dangerous. Alderman Thibault wanted to know what they could do to get the building down before it fell and hurt children in the area who were playing in the area.

Acting Building Commissioner Leon LaFreniere stated we are aware of the situation over there and have been trying to take the first line of reaction by working with the owner. They are not getting a lot of cooperation, we are mobilizing to take the next level of steps working with the solicitor's office. Potentially they will be petitioning the Board for permission demolish the building under provisions of RSA 155B. It will require the Board's permission to petition the courts for that purpose. It will also require potential funding. It being a complex process they do try to get the building down through all the private mechanisms if possible but that is not panning out. He noted that they were putting the other steps in motion.

Alderman Thibault stated he was looking at it from the danger prospective.

Within discussion Mr. LaFreniere noted that it was his understanding that the building was secured as far as openings and he was attempting to meet with a structural engineer in terms of the imminent nature of the hazard is with regard to potential collapse in the near term, at this time it did not seem to be imminent all over, it was obviously a great hazard, they were moving forward with the process within the parameters of the law and would continue to address it as quickly as possible.

Alderman Thibault commented that he appreciated anything that could be done to expedite taking the building down because of the hazard to children.

Alderman Shea commented that contingency had been utilized in the past for funding demolition of buildings.

Alderman Thibault asked to be kept informed. Mr. LaFreniere stated he would keep the alderman informed and commented on the federal funds and requirements for target areas. He did not believe this building would qualify but they would be looking at that as well.

Alderman Thibault asked about the status of the naval center, he had heard it was to be turned down a month ago and it was still there.

Mr. LaFreniere stated that removal of this building presented significant challenges to the city structure because they originally looked at it from a demolition perspective and through investigation and initial RFP's to remove the building it was apparent that the situation of removing the building was really an abatement project more than a demolition it was heavily laden with various materials, most predominantly asbestos, and it has required that they take some different steps to go at that. Mr. LaFreniere noted that Mr. Houle had gone out for consultants to administer the project and he thought the contract had been awarded. He anticipated they were trying to get out to bid for abatement and removal within the next couple of weeks. They had a time line where they were trying to act for Parks and Recreation working with the Marine Corp. It was anticipated that the building would be gone within the next five weeks.

Alderman Pariseau questioned if the building that was burnt out could be taken down on an emergency basis. Solicitor Clark noted there were statutory requirements that the Building Commissioner would have to follow, petition the Board, owner notified and then issue an order for him to demolish it and if he doesn't then the city can go in and tear it down and place a lien on the property. Mr. LaFreniere advised that he would move forward within the confines of the law.

Alderman O'Neil questioned emergency situations where a building is ready to fall down on a city street, did they have to sit there and wait. Acting Commissioner LaFreniere advised that there were provisions in the building code that would allow the commissioner to exercise prerogative to have the hazard abated. In order to exercise those provisions they needed to well document the fact of the hazard. In the case of this building while it represents a hazard it comes to the question of how imminent that hazard is. He noted that with 1057 Elm Street they had an imminent hazard resulting from fire over a weekend with materials falling into Elm Street and they contracted with a firm to come in and board the building up.

Alderman O'Neil questioned the hiring of a consultant for the naval center demolition, noting there was an asbestos position in PBS.

Mr. LaFreniere stated he could not really speak to that he did not know what their staff complement was in terms of the expertise they had in house. They had somebody that deals with that. This project is fairly complex in that the sheer volume of the material they had to deal with was fairly significant and because we are in the chain of title we want to make sure that we have documented everything properly. Alderman O'Neil noted they would probably spend more money on a consultant than taking the building down.

Mr. LaFreniere responded not by a longshot.

Alderman Cashin stated that we do have a person working on asbestos in Public Building Services.

Mr. Hobson stated they had recently changed the position description of one of the new hires to reflect that they have certifications which includes asbestos.

Alderman Cashin asked what he was doing asking why they had to go out and hire a consultant if they had somebody on board that was qualified.

Mr. Hobson responded he was not sure of that question.

Mayor Wiczorek asked if they had an answer.

Mr. LaFreniere stated it was difficult for what Mr. Houle feels he has in his department to handle it, it did come up for discussion and if I understood his representation was that the scope of the project, because of the volume of the material and the site supervision required during the demolition process was beyond the scope of what he could handle internally. It would not be appropriate for me to respond for Mr. Houle.

Alderman Thibault asked if Mr. Houle could bring a report back.

Mayor Wiczorek thought he could asking if Mr. Houle would be reporting to Mr. LaFreniere.

Mr. LaFreniere responded that it was his understanding that the consultant services have been secured. Where it was in terms of completion he was not sure. He could get a hold of Mr. Houle and let him know what the Board's concern was.

Alderman Girard nominated Donald Pomeroy of 255 Greeley Street to fill the vacant position on the Manchester Transit Authority.

Alderman Hirschmann moved to close nominations.

Discussion followed where Solicitor Clark advised that it would have to sit on the table.

Alderman Pariseau noted that out of respect to the deceased he thought they were going to wait until June before filling the position. It was noted that the position expired on May 1.

Alderman Hirschmann again moved to close nominations to the Manchester Transit Authority.

Alderman Clancy seconded the motion. A roll call vote was taken. Aldermen Girard, Hirschmann, Klock, Reiniger, Sysyn, Clancy, and Pinard voted yea. Alderman Rivard, Pariseau, Cashin, Thibault, Wihby, Shea, and O'Neil voted nay. Mayor Wiczorek broke the tie and voted nay. The motion failed.

Alderman Pariseau noted there was a memo from the Manchester Transit Authority relative to appointment of a general manager. He noted that there was a problem ongoing at the Transit Authority with the Fourth of July weekend apparently the administration wants the long weekend so the commission has declared that the third of July will be the holiday and the bus drivers have to work on Saturday, the drivers would rather work on Friday and have Saturday off. He felt a message should be sent to the Transit Authority that all people should be treated equally.

Alderman Cashin stated it should be up to the Authority and the Board should not get involved.

Mayor Wieczorek commented it was micro-managing.

Alderman Hirschmann noted the drivers were a bargaining unit.

Alderman O'Neil stated they needed to put the teacher retirement issue to rest, they had been showing up every meeting they had and if they were not going to settle this then the Board needed to tell them they were not going to settle this.

Mayor Wieczorek stated it was going to be put to rest very quickly. I announced at the outset of this meeting that we weren't going to take any action.

Alderman O'Neil stated not with regards to tonight, with the balance of the year if it's not going to happen we should tell them it's not going to happen. My understanding is they were under the impression that the board was going to be voting on it tonight.

Mayor Wieczorek stated he had announced at the beginning of the meeting that we were not going to do that.

Alderman O'Neil stated he understood with regards to tonight, he was talking the balance of the year. If it's a dead issue they should be told it's a dead issue.

Mayor Wieczorek stated they were still working on trying to resolve the financial problem that we have over there, and we have not only not resolved this year's budget we've got next year's budget that has to be resolved. As you know they only made their first presentation to us and they are going to be back here to make another presentation. I think it would be very inappropriate to be taking a vote on this now.

Alderman O'Neil stated he was not asking to take a vote on it, all I'm saying is if it is a dead issue then we should tell them it is a dead issue.

Alderman Girard asked when the teachers had to give notice.

Mayor Wieczorek interjected the 28th of May.

Alderman Cashin stated he was willing to vote one way or the other, if we know that by the 28th if they have no indication from this board it's a dead issue, then I think we owe them the courtesy of telling them or bring it to a vote and at least let them know what is going on.

Alderman Wihby stated how is it fair when we don't have the numbers in front of us. The School Board took this and dropped it on our lap and made some promises to some people that they were going to do it without telling us what was going on. And now we don't have any money in their budget this year, they are looking at \$800,000 or \$1.1 million or some number, we have just instituted a hiring freeze and next year's numbers they are already short \$5 million. So if I am asked to vote today I will vote no because I don't know what they want to do with that number.

Alderman Cashin stated he appreciated where Alderman Wihby was coming from, I did not make the promises, you did not make the promises but the City did make promises somewhere along the line, and the Mayor is Chairman of the School Board and was there evidently when it was discussed. I didn't commit to it but a promise was made or an indication that something was going to be done for these teachers and we should at least have enough integrity to vote it up or down.

Alderman Rivard stated it was his understanding that there was \$450,000 set aside for retirement, the \$450,000 is no longer there, you are saying yes and he is saying no.

Alderman Wihby stated it was there for regular retirees.

Alderman Rivard asked if they were going to use it all for regular retirement.

Mayor Wieczorek responded yes.

Alderman Rivard stated the problem we have, and I've gotten calls, and it is unfortunate that they did drop it in the aldermen's lap is that there are several teachers that are under the impression that it's the Board of Mayor and Aldermen's responsibility to make this whole, when in fact we didn't play a role in this at all from what I understand.

Mayor Wieczorek responded no the School Board did.

Alderman Rivard continued stating I would hope that when they appear here next time someone can tell this Board how this whole thing developed and why we are in this situation, because it was an unfortunate situation and these people are really on a time line. They are under the gun.

Alderman O'Neil stated he did not think anything was going to change financially and that was his point. He did not believe the money was going to be there. So all he was saying was why continue to drag this out.

Mayor Wieczorek asked if he wanted to move to deny.

Alderman O'Neil stated he thought they had to make a stand one way or the other, but he would not make that motion.

Mayor Wieczorek asked if there was a motion.

Alderman Girard stated at the last meeting this was discussed he was under the impression that the \$450,000. that is in the severance account could have handled the regular retirements plus 16 or 18 of the early retirements, asking if that has changed.

Mayor Wieczorek stated I think that number is 42.

Mr. Hobson stated that the number that is in the severance account was budgeted last April before the collective bargaining agreement was reached for a tentative agreement in June. Then it was passed by the Board of School Committee, then the Board of School Committee continued to work on it with the new superintendent. I'm not exactly sure what the details are and it wouldn't be fair for me to respond on that, to get to your point, there was money put aside in last year's budget for 25 regular retirement packages. I have heard as Alderman Girard has stated that that money could also be used for approximately 15 or 16 early retirement severance packages, not both, one or the other. The problem is that a) it is part of collective bargaining, this is my opinion; and b) you still have people that are going to retire no matter what. If they retire, you as a city have a collective bargaining agreement in force to pay for their severance if they retire no matter what.

Alderman Girard stated I understand that, but the understanding as it was presented at the last board that the \$450,000 in the severance account could handle both the regular retirement and a certain number of early retirees then is incorrect.

Mr. Hobson stated I don't think that we have that information before us.

Alderman Girard asked if they had any information as to how many retirements the School Board is expecting at this time, and what percentage of that \$450,000 is that number.

Mr. Hobson stated I know that there were approximately 31 people who brought their retirement to the Superintendent, I don't know how many of those will say no matter what you do I will retire no matter what.

Alderman Girard stated so a 31 total including the early retirees.

Mr. Hobson stated he believed that was a correct assumption, but he did not feel qualified to get into those details because they haven't been given to us.

Alderman Girard stated it would seem that since this severance account has been discussed and hanging on the table that the \$450,000 having been brought up, when someone would know the number of pending retirements we have, how many are regular, how many are early and how many the \$450,000 could accommodate. It seems to me if we could accommodate both within the \$450,000 we would be wise to look at it.

Mr. Hobson stated to answer the questions and suggestions, we do have Finance Committee meetings to hear budgets, going into next week. He believed those were taking place on Tuesday, May 26th and Wednesday the 27th and they had one tomorrow evening. It might be prudent to try to bring this detailed information to Tuesday's meeting.

Mayor Wiczorek stated he did not know. They had \$450,000 that was set in the budget, that it was in there this year. Next year's budget had \$465,000. he believed in the severance account. In order to accommodate the early retirements would require another \$425,000. if he recalled correctly, in next year's budget. The question was would they be adding \$425,000. to a budget when they had a \$5 million differential between what the Mayor's budget had and what the School was asking for.

Alderman Girard stated he understood what the Mayor was saying, but he wanted to question whether or not they could fund in the current year a certain number of retirements. He was not saying they should fund every early retirement if they can't afford it, but if they could handle the early retirements within the \$450,000. plus the regular ones, it seemed to him they should be able to roll those and handle them within the severance that has been budgeted next year and you are not looking at additional money at that point you are looking at what is already budgeted.

Mayor Wiczorek stated the problem is that you have to make a commitment to pay the group insurance for three years. So if you do it now you are going to be paying it for three years. It isn't just a question of paying the retirement package.

Alderman Girard stated I understand that but that is not something that is carried in the school department's line items it's carried by the City in the restricted line items.

Mayor Wiczorek stated no, we would have to set up another line item for teachers with early retirement, that's not going to be part of the regular program.

Alderman Girard stated but that would not necessarily be in the school department's operating budget.

Mayor Wiczorek responded it could.

Alderman Girard responded it could, but it wouldn't necessarily be.

Alderman Hirschmann stated he wanted to offer something out and think about it; that there was some discussion of giving Medicaid money back to the school budget and the finance officer

recommended that we do that to reduce their deficit. What if we used Medicaid money to fund early retirements and thus.

Mr. Clougherty stated they could not do that.

Mayor Wiczorek stated it was not a slush fund.

Alderman Hirschmann stated by retiring those people you are going to reduce the.

Mayor Wiczorek interjected you can't just take that and say you are going to use it here or here, you can't do that, it is designated money.

Mr. Clougherty stated we looked at that option, that was one of the suggestions that the school department.

Alderman Hirschmann stated it was suppose to be part of the fund balance wasn't it.

Mr. Clougherty responded part of the problem that you have is that the whole Medicaid was budgeted as a general fund revenue this year and if you were to move it you would cause tax problems according to DRA (Department of Revenue Administration).

Alderman Hirschmann stated you recommended moving it to school.

Mr. Clougherty stated they had recommended looking at moving it as an option that they wanted us to consider. We've looked at that and that doesn't work.

Alderman Wihby stated if Alderman Hirschmann recalled they were saying that the Medicaid money wasn't in the general fund, that somehow somebody messed up and it wasn't there, they thought it was still there sitting somewhere, but that was not the case, the money was in the general fund, and it was used toward fund balance if there is anything left over.

Mayor Wiczorek asked if there was a motion.

Alderman Wihby stated he would just as soon wait, maybe something would happen by the end of next week. They would vote today and not know what it was going to cost them or would use some of the \$450,000 that they could be using towards offsetting the decrease that they were going to have, or the insufficient funding for school, why not wait another week and maybe something happens, if they voted today it was dead.

Alderman Cashin stated he was well aware that if he made a motion tonight that he had about as much of a chance in passing it as a snowball in hell. However, are we prepared tonight to say that by the 26th we will make a decision one way or another as to whether we can or cannot fund these early retirements.

Mayor Wiczorek asked if they would have the information.

Mr. Clougherty responded yeah, he would expect they would be able to pull it together by then for next week's budget hearings they should have that.

Mayor Wiczorek stated that did not leave them a lot of time, he knew that.

Alderman Cashin stated that leaves they two days and that may kill it anyway, perhaps they should ask somebody.

Ellen Healy of the Manchester Education Association commented that she did not know what they would do, she was not retiring; that they have until the 28th to put their name in.

Alderman Cashin stated if the Board informed them on the 26th that they were going to do it, did that give them sufficient time to get to Concord and do what they have to do with the paperwork.

Ms. Healy responded she did not think that was enough time stating we had hoped to get the state retirement board at the MEA office to hand all of the retirees paperwork. Many people have already gone to the state to submit their paperwork and as a result they are only taking individual appointments in Concord they won't come to Manchester to handle the paperwork any longer. We have to get this information out I just found this out today, and we have to let the retirees know that they have to call Concord for an appointment. Can they do this between the 26th and 28th of May, she doubted it, because each individual appointment takes a couple of hours.

Alderman Wihby asked if there was some retirees that are going to get stuck in the middle of this that are going to have to retire or can they pull this back in the next week knowing that they are not going to have this package..

Ms. Healy responded they have stated this right through that if this doesn't go through they can rescind their name, and the school department has agreed to that as well.

Alderman Cashin stated if we don't do this tonight it is a dead issue, not wanting to put words in her mouth.

Ms. Healy stated that was her assumption, she could understand where the mayor was coming from with the funding issue, to be honest I don't know that the \$450,000 would do it. You do need more money in that account to fund the early retirement plan. I can't say otherwise because it wouldn't be truthful.

General discussion followed with regards to coming back on the 26th where Alderman Wihby noted he would rather wait till they had information and Ms. Healy stating she would come back on the 26th, it was that these people wanted to know.

Alderman Cashin stated his understanding was that if they did not do something this evening that it was going to be a dead issue anyway because if they don't hear until the 26th they can't get their paperwork in to retire

Ms. Healy stated they had to make an appointment in Concord, she did not think they could get an appointment in Concord in two days. She noted that some people had have had appointments for several weeks already.

Alderman Thibault asked Mr. Clougherty, do you know for sure that by the 26th you will have these figures and we will know better where we are at.

Mr. Clougherty responded that the process would be that they would have to contact the school department get some numbers from them and work with them but we would try to have something tomorrow night for you if we could. Mr. Hobson was trying to talk with Janelle now to see if there is some way they could do those calculations as soon as possible. If you want us to try and do that we will make every effort to try and get you some information tomorrow night. In response to further comment he stated that the numbers were not in the Finance Department they will be in Personnel and School and they would try to pull that together and facilitate it and get you some information tomorrow, or at the earliest possible date.

Alderman Cashin stated this was not something that just came up tonight, he would have expected that they would have already had those figures.

Mr. Clougherty responded they may have alderman, but I'm not going to speak for school I would like to talk to them and get that number for them and we will provide it soon.

Alderman Cashin asked that he try to get them for tomorrow.

Mr. Clougherty responded yes I will, if you ask me to I'll do that.

Alderman Wihby stated on top of that along with getting the number he thought they should make sure that administration is still in gear with this, because my understanding was with the deficit they weren't really supporting this anymore, cause they know there is a deficit, so I would like to have a letter from them stating they still though it was a good idea.

Alderman Thibault stated why don't we ask them to be here.

Alderman Wihby stated he wanted to know from them whether they think it's the right idea still knowing that there is a deficit.

Alderman Cashin stated he agreed with Alderman Wihby, he did not know whether they were supporting it or whether they aren't. The question before this Board as far as I'm concerned is the School Board gave their word that they would enter into an agreement with early retirement for the teachers. Now they come to this Board for the funding, that's where it lies. We have a letter here asking us to meet quarterly so we can have better communications and get along better. We have got to do something here. You can't just either kill the thing or pass it.

Mayor Wieczorek asked if he wished to make a motion.

Alderman Cashin replied I would move tonight to fund it but I know I don't have the votes here and why go through the formality, he did not want to grandstand because he knew the votes weren't there. Alderman Cashin stated now tomorrow night if we can get some information, and find out how much we are going to need, there's possibly some place we can look to find the funding, there's rooms and meals tax and there's a few dollars kicking around if we have to really look at it.

Mr. Hobson stated that neither the City Finance...the school office and the MEA I believe has detailed information about these retirees in terms of who they are and we can get the salary information etc. We don't have that information. It's never been shared with us, it's not a bad thing it just is. But tomorrow if we are asked Finance and Human Resources can work with the MEA and also with the school office to see if we can pool some data for you to use as part of your judgment process for tomorrow evening, we can commit to that your honor, if we are directed to do that.

Alderman Thibault stated he would like them to do that and also ask School to be here so that we can know exactly where it is at and give these people some answer tomorrow night for sure.

Alderman Shea stated if we believe that the concept is correct but we don't believe we have the funding...I'm just throwing this out as a comment...wouldn't it be possible for us to have like a prototype maybe take a few cases if possible and allow that to play out and see how well that may work. In other words rather than saying if we can fund 31 but if there is enough money after those that plan on retiring decide to retire on some kind of a seniority basis we could say that those people at the top of the ledger who have devoted 25, 35, 40 years and would like to retire early maybe we could have 3, 4 or 5 of those people in that particular pool so as to at least show that we approve of the concept even though we can't implement the entire concept.

Mayor Wiczorek stated I don't think we can do that because as I said I think what you are doing is you are setting a policy here that anybody that takes early retirement you are going to be paying for the health insurance for three years.

Alderman Shea stated yes but wouldn't those people at the top of the pay scale, if they are replaced by...

Mayor Wiczorek interjected that no you gave us that argument before about how much we are going to save. I have been around here now, this is my 9th year and I have yet to really see all of those savings you talk about.

Alderman Shea stated we haven't really done this before. We haven't had an early retirement policy.

Mayor Wiczorek stated no, we didn't have an early retirement policy, but we had a policy where teachers were going to be retiring we were going to be bringing teachers in at a lower rate, it doesn't quite work that way.

Alderman Shea stated it can work that way if we get some kind of insurance from the school department.

Alderman Thibault moved to have Finance, Human Resources, and School Department be here tomorrow night, with whatever figures they can give. Alderman Pariseau seconded the motion. Mr. Hobson asked Ms. Healy are we aware at this moment what teachers would be interested in retiring regardless of the proposal. In other words, let's just say we have 30 names on the table. And let's say that we tried to work out some kind of prototype with x amount of people. Do we have an idea of how many people would retire regardless of the proposal, if it were the current package or the proposed package, do we know that.

Ms. Healy responded not really but I could give you a guesstimate, and that's about six people that are definitely. These are people that I have spoken with and have told me that they are retiring regardless.

Mr. Hobson stated part of our responsibility is that we would have to cover those folks who would go out no matter what.

Ms. Healy stated also remember there are those who have retired prior to the end of school in June.

Mr. Hobson stated that have to be covered by that \$450,000.

Ms. Healy stated these people have to be covered as well.

Alderman Wihby asked if we knew that number.

Ms. Healy stated 3 or 4.

Mr. Hobson stated they could get that information tomorrow morning.

Ms. Healy stated she had a list and could give them all the data they need and would be happy to give it to them. She thought they had been given this information and apologize that they did not have it otherwise she would have been more than happy to give it to them herself.

Alderman Wihby stated that was the problem they did not get the information over here, they were expected to vote on something that they did not know what it does.

Mayor Wiczorek called for a vote on the motion to have the School administration, Finance and HR there tomorrow evening. The motion carried.

Ms. Healy asked if they met tomorrow evening will they be prepared to take a vote on the package itself. Members concurred.

Alderman Girard asked if they would be able to do that in Finance Committee.

Discussion ensued where it was noted that they could recess the present meeting, or take it up at finance committee level and report out to the Board's next meeting.

Mayor Wieczorek suggested they recess and take the item up at a continued meeting of the Board tomorrow.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to recess the meeting until the next evening following the Finance Committee.

A True Record. Attest.

City Clerk