

BOARD OF MAYOR AND ALDERMEN

July 7, 1998

7:30 PM

Mayor Wieczorek called the meeting to order.

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

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

Absent: Aldermen Wihby, Shea

Update relative to FIRST Place.

Mayor Wieczorek stated I don't know how many of you have followed what's gone on, but there's been an awful lot that has been going on with the various networks that have been producing some of the shows...the fact that they're moving along, if you look at the building you can see what's happening now with the entryway and I was there at their Science Fair...at the conclusion of the first week and it was a magnificent program. An awful lot of good things are going on and I invited Dia here to kind of bring everybody up-to-date as to where they are on FIRST Place.

Ms. Dia Stolnitz, Project Director, FIRST Place, stated Andrew Allen, President of First sends his regards as he's out-of-state noting he was sorry he could not be presented this evening. Our big news is that FIRST Place is open, Phase I. We opened the end of June, it's beautiful and we thank you all for your great support. Our inaugural summer program is First Discoveries Science Day Camps which was what the Mayor was speaking to. Last week was Space Odyssey, this week is Get a Clue, we have a six-week themed camp for 9 to 13 year olds, 170 campers are enrolled, four scholarships have been given to Manchester residents, 24 high school volunteer counselors are involved and we have participants from throughout New Hampshire with the majority coming from Manchester and we're planning our Grand "Public" Opening on September 12 & 13 in conjunction with Riverfest, so we can really help in the celebration of the City. We have reached agreements with SEE and the Manchester Historic Association, so they are now part of our building as we had always hoped and worked towards and FIRST has also created new office spaces utilizing 15,000 square feet with 25 new job positions created to date. We are on-target with our square footage requirements with the City and as I'm sure you've all seen we have a beautiful glass tower to show new activity in the building and it is already becoming a great symbol, we think, of rejuvenating a mill building to current and modern technological use. Of course, you will all be invited along with the public to our grand opening

events, but again if any of you would like an early tour please just call we love to give tours. I've given to each of you a FIRST Place kit so you can see much more information in detail and it also includes our FIRST Discovery Science Camp brochure so you can see the programs we have going and it also includes our programs to date announcing Riverfest as our opening date and some other public programs... we're planning a field trip to the Boston Museum of Science to see the big Robotics exhibit where we also have our teams on display showcasing their robots as well as some other technological events including a teen forum day at FIRST Place and a new program in partnership with United Technologies Corporation honoring teachers who have worked on the competition to create new curricula in the classroom. Very quickly, to bring you up-to-date on other FIRST activities...the Robotics Competition is growing and expanding around the country...1998 had 199 teams of engineers and students, we project 350 teams for next year. We have eight regional events planned for 1999 up from five this year with two events at Walt Disney World's Epcot Center as opposed to one this year and we're proud to report that NASA Aims is sponsoring a regional in California that will lead into us and Kennedy Space Center is also sponsoring a regional in Florida. The competition had a wonderful showcase exhibition on Capitol Hill and in your kit you will also see FIRST Havoc On The Hill brochure and that will give you all of the information about what went on there. Last thing, on the competition, our ESPN show is scheduled to air at the end of August. A new program that we have spoken to you about in conjunction with Leggo that is now well underway is the FIRST Junior Robotics Program, it's our new pilot out of FIRST Place, we've joined with Leggo Systems and Junior Achievement to make a new robotics competition for 9 to 14 year olds in middle and junior high schools around the country...FIRST Leggo League is a junior version of our competition and the junior achievement component is to work within the school systems on a technology-based design and building program. We conducted a pilot this May and June in all three Manchester junior high schools - Southside, Parkside, and Hillside...involving 90 kids in seventh and eighth grades, we have the program as one of our science camps out at FIRST Placed called Invention Challenge and the program is also highlighted at the Boston Museum of Science as part of the FIRST Robotics traveling exhibit and the national pilot is planned for the fall in 1998 in five cities nationwide. Manchester has been invited to be one of those pilots but has not yet been determined. To finish on Junior Robotics in the Fall of 1999 will be the formal national launch around the country. Again, it is out of FIRST Place and we will work to develop pilot, refine, and perfect that program and once that's happened using the great resources of Manchester will then share and distribute it nationally.

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.

Ratify and Confirm Poll Conducted

- A. Approving \$5,700 in FY1998 Contingency funds to ALPHA.

Minutes Accepted

- B. Minutes of meetings held February 24, 1998; March 3, 1998 (two meetings); March 16, 1998; March 23, 1998; March 31, 1998; April 7, 1998 (two meetings); April 21, 1998; April 22, 1998 (two meetings); April 28, 1998; and April 29, 1998.

Approve Under Supervision of the Department of Highways

- C. Bell Atlantic Pole Petition #920667

Informational to be Received and Filed

- D. Communication from Assistant Airport Director O'Neil submitting a copy of a letter from the NE Business Travelers Association regarding the many benefits associated with travel to and from northern New England via Manchester Airport.
- E. Copy of a communication from the City Clerk to potential participants advising of plans to submit a grant application to the National Endowment of the Humanities seeking to establish and initiate a formal Oral History Project for the City of Manchester.
- F. Communication from the Director of Planning advising that at a meeting of the Planning Board held on May 28, 1998, it was voted to support the planned improvements at the Manchester Airport.
- G. Communication from School Committee Member Herbert expressing his appreciation for the Board's recent support of his nomination to represent Ward 4 as a member of the Board of School Committee.
- H. Communication from Philip Croasdale submitting the Manchester Water Works Financial Statements, December 31, 1997 and 1998 and the Independent Auditor's Report and Report on Internal Control Structure.
- I. Communication from Manchester High School West expressing their gratitude for the City's assistance with the recent Community-Wide Day of Caring.
- J. Communication from Executive Councilor Normand submitting copies of agendas of the Governor and Council meetings held on June 10 & 24, 1998.
- K. Communication from Robert Gormley, Chairman, President and CEO of Citizens Bank, congratulating the Board of *Money Magazine's* recent designation of Manchester as one of America's "Best Places to Live".
- L. Communication from The Greater Manchester Clergy Association regarding recent

comments made by some Aldermen concerning the Gay Pride Parade held on June 20, 1998.

- M.** Communication from St. Anthony School expressing their gratitude to the City for allowing the closure of a portion of Silver Street on June 5, 1998 so as to allow students to enjoy Student Appreciation Day.
- N.** Copy of a communication from John Powers regarding a situation involving his daughter's enrollment in the Special Ed Program at Parkside Junior High.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- O.** Communication from the Manchester Police Athletic League seeking a permit to hold a Carnival/Sports Festival from August 27 to 30, 1998 at Moore Business Forms, 2060 Brown Avenue.
- Q.** Communication from MediaOne advising that all matters pertaining to Form of Lists be directed to the External Reporting Group, MediaOne, 6 Campanelli Drive, Andover, MA 01810.
- R.** Communication from Doris Sylvestre relative to EWTN programming on MediaOne.

COMMITTEE ON COMMUNITY IMPROVEMENT

- S.** Communication from Alderman Hirschmann requesting the City commit \$25,000 to cover needed steel doors and heating/ventilation for the School Fitness Center at Manchester High School West.
- T.** Communications from Assistant Airport Director Bush submitting a sublease for use of 6,600 square feet of the Ammon Center for a Custom's Facility, a revised amendment to the ground lease agreement for the Wiggins Airways General Aviation Facilities, and a notice of lease.
- U.** Proposed ordinance amendment submitted by the City Clerk:
 - “An Ordinance establishing procedures for the use of the Public Areas and Facilities Maintenance of City Hall Complex.”
- V.** Communication from the Chief Sanitary Engineer submitting Amendment No. 3 to the Londonderry/Manchester Intermunicipal Agreement for Sewer Service.

COMMITTEE ON FINANCE

- W.** Resolutions:
 - “Amending the 1998 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”
 - “Amending the 1998 Community Improvement Program, authorizing and appropriating funds for the 1998 CIP 2.10609 Children's Health Champion Community.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of \$111,390.62 for the 1998 CIP 410121 Operation Streetsweeper.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) for the 1998 Community Improvement Program 830899 City Hall Security/Audio Visual/Other.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000.00) for the 1999 Community Improvement Program 640399 City Historic Preservation Fund.”

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- X.** Communication from Muriel B. Allard, Alpha Bits Learning Center, Inc., on behalf of proprietors with businesses located on Allard Drive requesting the Police Department be authorized to block off Allard Drive during fireworks displays as it has become extremely dangerous on these occasions.
- Y.** Communication from B. Tessier suggesting traffic lights, yellow caution lights, or 4-way stop signs be installed at the intersection of Union and Merrimack Streets.

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- Z.** Recommending after due and careful consideration that a request from the President of the Assumption Church Parish Council for the placement of a banner across Hanover Street, between Chestnut and Elm Streets for the purpose of announcing *Greek Fest '98* on or about August 1, 1998, be granted and approved, subject to review and approval of the Risk Manager.
- AA.** Recommending that a request from The Way Home, Inc. to place a banner across Hanover Street for their annual 5-K Run/Walk scheduled for October 18, 1998, be granted and approved, subject to the review and approval of the Risk Manager.

COMMITTEE ON BILLS ON SECOND READING

- AB.** Recommending that Ordinance amendment:

“An Ordinance amending Chapter 35, Finance, of the Code of Ordinances of the City of Manchester, re-numbering and re-incorporating certain sections from the Code of Ordinances, Chapter 20 1/2, 1971 ed. as amended, and the Code of Ordinances, Sec. 35.095 through 35.107, 1996 ed. as amended, relating to the Procurement Code and enumerating the same within Chapter 35 of the Code of Ordinances as new Section numbers 35.050 - 35.063.”

ought to pass.

COMMITTEE ON COMMUNITY IMPROVEMENT

- AD.** Recommending that a request allowing for the acceptance of grant funds by adding

the Parker Varney Technical Training Grant in the amount of \$6,830.00 from the Bean Foundation, and providing for tuition-based Summer School in the amount of \$42,837.60 be approved; and for such purpose an amending resolution and budget authorization have been submitted.

- AE.** Recommending that a request allowing for the acceptance and expenditure of funds in the amount of \$135,000 (US Environmental Protection Agency) by adding the 1998 CIP 2.10609 Children's Health Champion Community be approved; and for such purpose an amending resolution and budget authorization have been submitted.
- AF.** Recommending that a request allowing for the acceptance and expenditure of funds in the amount of \$111,390.62 (US Dept. of Justice) by adding the 1998 CIP 410121 Operation Streetsweeper be approved; and for such purpose an amending resolution and budget authorization have been submitted.
- AG.** Recommending that a request allowing for the acceptance and expenditure of a donation from the developers of the Mall of NH by adding the 1999 Community Improvement Program 640399 City Historic Preservation Fund - \$5,000.00 Other be approved; and for such purpose an amending resolution and budget authorization have been submitted.
- AH.** Recommending that the 1998 CIP be amended by increasing the 1998 CIP 830899 City Hall Security/Audio Visual/Other - \$7,500.00 Cash be approved; and for such purpose an amending resolution and budget authorization have been submitted.
- AI.** Recommending that a request for extension of various CIP projects as listed be approved.
- AJ.** Recommending that a petition for discontinuance of a portion of Cohas Avenue from from Bodwell Road to Pahray Lane as herein enclosed be referred to a road hearing to be scheduled at the next available date to be determined by the City Clerk.
- AK.** Recommending that a petition for discontinuance of two portions of O'Malley Street from South Elm Street to Trahan Street and from Brown Avenue to Ahern Street as herein enclosed be referred to a road hearing to be scheduled at the next available date to be determined by the City Clerk.
- AL.** Recommending that a petition for discontinuance of the southerly unused portion of Page Street as herein enclosed be referred to a road hearing to be scheduled at the next available date to be determined by the City Clerk.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- AM.** Advising that it has granted 30 permitted parking spaces in the Millyard area for area for Merrimack River Mills LLC.
- AN.** Recommending that a request from Linda Garriott, Intown Manchester for the Downtown Farmers' Market activities as enclosed herein be granted and approved, subject to review and approval of the Highway, Fire, Police, and Traffic Departments.
- AO.** Recommending that a request from Linda Garriott, Intown Manchester for the *Time Travelers* Thursday Night Cruise on Elm Street activities as enclosed herein be granted and approved, subject to review and approval of the Highway, Fire, Police, and Traffic Departments.

- AP.** Recommending that a request for 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 be granted and approved, subject to review and approval of the Police, Fire, and Highway Departments.
- AQ.** Recommending that a request for closure of North and Elm Streets and Webster and Elm Streets in conjunction with the American Red Cross "Frightmare on Elm Street III" on Saturday, October 17, 1998 from approximately 5:30 to 9:30 PM be granted and approved, subject to approval of the Police, Fire, and Highway Departments.
- AR.** 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 O'NEIL, DULY SECONDED BY ALDERMAN KLOCK, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- P.** Communication from Sandy Jenkins requesting a listing of companies that have purchased electronic mailing lists for \$500 in the years 1997 and 1998.

Alderman Cashin stated this is a communication from Sandy Jenkins in reference to selling some kind of a taxpayers list from the City of Manchester for \$500 and I'm not sure how that came about or if that was ever approved. I know we sell voter checklists during election time and I don't want to stop that and moved that no list be sold outside of the checklists without the express authority of this Board.

Mayor Wieczorek asked is Steve Tellier here or anyone from the Board of Assessors, nobody. I agree with you.

Alderman Thibault duly seconded the motion.

Solicitor Clark stated I understand what Alderman Cashin is asking but the courts have ruled that lists held in public record are public records and are available for purchase. If you have the lists in a computerized form they're available to purchase in that computerized form, if you have them in cards they can come in and make copies of it. I believe that the list that has been referenced here is the Assessors list of property owners and for this Board to take an action to say it can't be sold without your permission could be interpreted as being a violation of the Right-to-Know Law.

Alderman Cashin stated that may well be but I certainly don't feel that I want my name on a list, I get enough junk mail, I don't need any help and I'm sure that applies to a lot of people in town. Now, if we're doing something wrong with my motion, fine, let's vote on it. Vote it up,

vote it down, whatever you want to do and if we have to go to court, then let's go to court. I think we have an obligation to protect these names.

Mayor Wiczorek stated I just received something from the Motor Vehicle Department indicating if you wanted your name taken off the list that you could do that. Why would that be different from this.

Solicitor Clark stated I'm not sure which list you're referring to, your Honor.

Mayor Wiczorek stated everybody, I think, received a letter from the Motor Vehicle Department saying if you don't want to have your name sold to somebody write to them, tell them, and they won't sell your name.

Alderman Cashin stated in reference to this letter, your Honor, this person asked to have her name taken off and she was told it couldn't be done. This isn't right.

Solicitor Clark stated I don't think that is a letter that went out to everybody.

Mayor Wiczorek stated I think what we should do is refer this to the Solicitor's Office, have him check that with the Motor Vehicle Office to see why they can do it and we can't, something doesn't seem right here.

Alderman Cashin stated I'm willing to go along with that, so long as we do everything we can to protect that list, that is fine with me and moved to withdraw his original motion. Alderman Thibault duly withdrew his second to the motion.

Alderman Cashin moved that the communication from Ms. Jenkins be referred to the City Solicitor's Office for review and also be referred to the Committee on Administration/Information Systems. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

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

“Enacting a new §74 prohibiting repeated travel along Elm Street while it is congested by traffic.”

ought to pass as amended.

Alderman Rivard stated I believe this is an Ordinance that is going to address anti-cruising on Elm Street, is that correct, is this the anti-cruising ordinance. Okay. I just have a couple of questions. Traffic congested defined...that's rather vague, what does that mean “traffic

congested defined"...it states that the "Traffic Committee of the Board of Mayor and Aldermen shall determine those times during which Elm Street shall be designated as traffic congested." Are they going to do that every day, how is that going to work, who is going to decide that it's "traffic congested".

Alderman Clancy stated that hasn't been brought up before the Traffic Committee as yet, but I would assume the Police Department will more or less monitor this.

Alderman Rivard stated you're being asked to vote on this tonight and it hasn't gone before your Committee.

Alderman Clancy replied not yet.

Mayor Wieczorek stated this has already been to Committee, it's coming out of Bills on Second Reading.

Alderman Clancy stated it was on the last agenda and it was the Police Department who indicated they are going to monitor it.

Alderman Rivard asked what does it mean "traffic congested" when there's more than two cars on Elm Street, if you're seen there you're going to get arrested.

Chief Driscoll stated this was not a Police Department ordinance, we didn't come forward with this proposal but it would be a good tool for the City of Manchester just like every other ordinance on the books to be used at the appropriate time such as the Park Curfew Ordinance or any other ordinance. We have an ordinance against climbing fences that we use rarely, but works for us at certain times. Cruising is not a glamorous activity but rather some very, very dangerous that occurs down on Elm Street and there's probably not a single alderman that at one times hasn't called about activities in the late evening hours and early morning hours. To specifically answer your question, the Traffic/Public Safety Committee did not address the time, I made a recommendation from ten at night to two in the morning which is, I think, the appropriate time. I think it's a good ordinance, it's something that is needed, it's been a long-standing problem, and I would really hope that the Board supports it. It's not a Police Department ordinance, it's an ordinance that the community has asked for through its City Fathers.

Alderman Rivard stated it's your understanding that this law is going to be enforced from ten o'clock in the evening until two o'clock in the morning, is that fair.

Chief Driscoll stated that has to be voted on by Traffic/Public Safety noting that would be the recommendation of the Police Department. They have designated it as a high-traffic area and it meets the qualifications of the ordinance, signs have to be posted, and times have to be done.

Alderman Rivard stated cruising to me is when an automobile is moving on a public highway up and down, correct. It's not when they're stopped.

Chief Driscoll stated cruising to me is...the ordinance is identified as moving up and down the same street in a motor vehicle, specifically Elm Street.

Alderman Rivard stated so you don't think we have a problem when the cars are parked, you don't think that creates a problem. Well, what I'm saying is that we're not address that here, we're addressing cruising versus parking. My experience as a business owner on Elm Street for 30 plus years is that when they're moving they're not causing as much trouble as when they're parked. The parked motor vehicles are the ones that have created more of the problems in my end of town than the ones that are driving. The ones that are driving are a breath of fresh air, when I see them moving, the ones that are stopped are the ones that cause the problems.

Chief Driscoll stated I would agree with you that there are two specific very different issues.

Alderman Rivard moved to table the proposed anti-cruising ordinance. Alderman Pariseau stated he would second that motion.

Alderman Clancy stated it seems like between the hours of ten at night to two in the morning a bunch of youngsters come into the City of Manchester, congregate, cruise up and down Elm Street drag racing and stuff like that, we're trying to discourage people from coming to Manchester and is all inconveniences for Manchester noting we have to put a couple of patrolmen down there to move them along.

Alderman Rivard stated we put patrolmen down there now to move them along, so now we're going to tag them, but we haven't considered the parking problem which is where the confrontations take place where you park and curse at the people who are driving and stopped at red lights, they throw beer bottles, they assault, they fight, I've seen it personally. The parked vehicles create more of a problem...all you have to do is look at Hampton Beach, Ft.

Lauderdale...they've eliminated the parking, the parking is what causes the problem not the cruising. They cruise at Hampton Beach but they can't park. We need to put them together. I'm just asking that it be tabled until we can resolve the whole problem.

Alderman Reiniger stated I'm opposed to tabling because we need to move on this now, this is the time of year. If we table this it's going to go into the fall and this won't get done. This came forward because of merchants and mainly residents because I think some of the people forget

that the Downtown is also a neighborhood just like other neighborhoods with a lot of residents on Elm Street. I've had a lot of calls from people on Blodget Street, Prospect, Market who are fed up with the rowdy teenagers and the yelling and the noise and the kids and a lot of these people aren't from Manchester and this isn't like cruising was in the 1950's, I think the Chief can attest to that or whenever the 60's.

Chief Driscoll stated it certainly detracts from the Downtown area, people that come there for a good reason in the evening are going to be...traditionally have left the City because of that and the people we see cruising on Elm Street aren't our local people, they're from Pepperrell, Massachusetts, Weare or far away from here and we're trying to do something about it.

Alderman O'Neil stated I don't disagree with anything that's said by the Alderman in favor of this ordinance but I agree with Alderman Rivard that the bigger problem is the kids parked, not the kids driving and it seems that that aspect is missing from this ordinance.

Mayor Wieczorek stated you can always put an addition on or pass another ordinance, but I think right now since we're not going to be meeting again until August that I think we get this on the books now that it will at least give the Police Department some enforcement authority, right. So, my recommendation is that we pass and go ahead.

Alderman Pariseau stated we don't have a clear cut definition of "congested" and I don't know what Alderman Reiniger meant about the merchants being upset, who's open at ten o'clock Downtown and I think we ought to have specific times before we enact an ordinance. The way it is, it's up to the Committee to determine, so I suspect that the Police Department...every time they feel there's a congestion on Elm Street will call the Committee, I don't know how that is going to work. It leaves it up to the Committee to determine what congested, not the Police Department.

Alderman Reiniger stated it's not really complicated. The Committee would decide based on the recommendations of the Police Department and the merchants and Intown Manchester, McQuade's whoever comes forward and then that recommendation would come to the full Board, so we'd all look at it carefully and it's not very complicated. But, the other thing is the merchants, you're right, they're not open at these hours, but what's going on is that there is a lot of vandalism, graffiti, broken glass...I've had complaints from The Merrimack Restaurant, McQuade's, from Lala's Hungarian Pastry Shop, from Lemay's...all over...linked to the cruising. It's not all the cruising with regard to the parking it is my understanding that the Police have tried that approach in the past and for whatever reason they pulled back on that and maybe the Chief can address that, but we should look at it again for sure. Sometime in the past, I don't know how many years ago there were signs put up that prohibited parking on Elm Street in certain areas and for whatever reason that was repealed and I don't know if you know why.

Chief Driscoll stated that's true and I'm not sure if I know all of the details of that, but the merchants themselves wanted the signs taken down. It said something like "No parking, standing, or stopping"...

Alderman Girard stated while I will agree with my colleagues regarding their concerns with parking I'd just like to add that I don't think there would be as many people parking Downtown between those hours if the cruising didn't exist, the cruising being the attraction that draws people to the area, causes them to park and engage in the activity with the cars going by. I think if we stop the cruising the parking problem itself just might be taken care of and if it's not we can come back and address it later. That having been said, your Honor, I might have a question for the Chief. Chief, the *Union Leader* article that Derek Rose, I believe, wrote regarding what takes place on Elm Street during the cruising I found it to be rather shocking to be honest with you and I was just wondering why it is that the department needs another tool to take care of it because it seems that a lot of that behavior in and of itself would be something that could already be handled by the department.

Chief Driscoll stated our attempt is to discourage people from out-of-town such as Auburn, Candia, and Raymond from coming into Manchester.

Alderman Girard stated so, Chief, it's your opinion then that this is the type of ordinance that is needed to prevent people from coming because you do not believe that strict enforcement of noise ordinances and motor vehicle ordinances and things like that are enough of a deterrent.

Chief Driscoll stated I would say that this is another tool to make the Downtown area a more pleasant place for people to come to.

Alderman Girard asked do you anticipate aggressive enforcement of this and the other ordinances that could help tame that area.

Mayor Wiczorek interjected the Clerk just informed me that this still has to come back to be enrolled and ordained at the next meeting, so you can still, right up to the last minute, make an amendment to this, so my recommendation is that we pass here what we have tonight, move it along, and then still work at it.

Alderman Pariseau asked, your Honor, just one comment. It's just ridiculous, I think, that here we spend six million dollars to make Elm Street pedestrian friendly and then apparently that didn't work, so somebody in their wisdom comes up with an ordinance to eliminate cruising. Why didn't we try the cruising ordinance prior to spending the six million dollars.

Mayor Wiczorek replied, I don't think it was just a question of preventing people from cruising and that's why Elm Street was done. When you talk about making it pedestrian friendly they're

talking about the additional parking spaces that were created on the street and hopefully enabling people to get across the street without running like kangaroos which is something that I hope the Police Department will enforce in the crosswalks as they do in other cities such as Concord.

Alderman Pinard stated I went to Atlanta a few weeks back and Atlanta is big and they have their problems but they do have a cruising, they have signs all over the place downtown and recommended that the Chief call the Atlanta Police Department and find out how they run their cruising in Atlanta.

Chief Driscoll stated I can tell you that over the past few years we have reach out to many different law enforcement agencies noting this ordinance is the best of all of them, I think, to meet the needs of the City of Manchester. It has been presented...if you remember a couple of years ago...the Police Department didn't support it because of the way it was drafted. Now, we do support this one, we think it's enforceable, we think it's a good tool for the Police Department and a good tool for the City of Manchester.

Alderman Clancy moved to accept, receive, and adopt the report of the Committee on Bills on Second Reading. Alderman Pinard duly seconded the motion.

Alderman Pariseau interjected you have a motion to table, your Honor, does that take precedence.

Mayor Wieczorek replied I didn't accept that motion, Alderman.

Alderman Cashin stated it is my understanding that it will lay on the table for thirty days because we don't meet for thirty days and then will have to be enrolled and that will give everybody an opportunity, if they have a problem with it, to let us know.

Alderman Sysyn commented that Elm Street is better than it was for the six million dollars you're talking about.

Mayor Wieczorek called for a vote on the motion to accept the report. The motion carried with Aldermen Rivard and Pariseau 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.

AS. Warrant for Collection of Sewer Charges in the amount of \$132,064.19.

The Clerk noted a listing of abatements totaling \$3,446.87 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 to fill the vacancy of Edward J. Mendoza as a Commissioner of the Manchester Transit Authority, term to expire May, 2001.

Donald H. Pomeroy

Cynthia A. Vaal

A roll call was taken with votes cast as follows:

Alderman Girard voted for Donald H. Pomeroy
Alderman Rivard voted for Cynthia A. Vaal
Alderman Pariseau voted for Cynthia A. Vaal
Alderman Cashin voted for Donald H. Pomeroy
Alderman Thibault voted for Donald H. Pomeroy
Alderman Hirschmann voted for Donald H. Pomeroy
Alderman Klock voted for Cynthia A. Vaal
Alderman Reiniger voted for Cynthia A. Vaal
Alderman Sysyn voted for Donald H. Pomeroy
Alderman Clancy voted for Cynthia A. Vaal
Alderman Pinard voted for Cynthia A. Vaal
Alderman O'Neil voted for Donald H. Pomeroy

Mayor Wieczorek stated we'll congratulate Cindy Vaal.

Alderman Girard moved that the Board cast one unanimous ballot for Cindy Vaal. Alderman O'Neil duly seconded the motion. There being none opposed, the motion carried.

Confirmation of the nomination of Brian McHugh to succeed himself as a member of the Board of Registrars, term to expire May 1, 2001.

On motion of Alderman Clancy, duly seconded by Alderman Reiniger, it was voted to confirm the nomination of Brian McHugh to succeed himself as a member of the Board of Registrars, term to expire May 1, 2001.

Confirmation of the Planning Board nomination of Raymond E. Closson to succeed himself as a member of the Southern New Hampshire Planning Commission, term to expire June 30, 2002.

On motion of Alderman Cashin, duly seconded by Alderman Thibault, it was voted to confirm the Planning Board nomination of Raymond E. Closson to succeed himself as a member of the Southern New Hampshire Planning Commission, term to expire June 30, 2002.

Mayor Wieczorek nominated Leon LaFreniere to succeed Armand Gaudreault as the Building Regulations Director adding this is the first appointment that the Mayor has made of a department head under the new Charter noting we went through the regular process as outlined in the new Charter which is to post it, interview the people with the process, and to return and

make a nomination. I might also add that I received a number of letters in regard to Mr. LaFreniere's professionalism as a member of the Building Department as the Acting Building Commissioner and I'm very proud and pleased to nominate him.

Alderman Pariseau moved to suspend the rules and confirm Mr. LaFreniere to succeed Armand Gaudreault as the Building Regulations Director.

Mayor Wieczorek stated usually I'm opposed to this but tonight, I think this has been going on for a long time and I think maybe if we can get this put to bed this would be the end of it.

Alderman Pinard duly seconded the motion.

Alderman Cashin asked where's his residency right now, where's he living.

Mayor Wieczorek replied he lives in Concord, I believe. Would you like Leon to address that.

Alderman Cashin stated I spoke to him earlier and I told him how I felt that if you're going to be a department head here in the City of Manchester I'd like to have you living here in the City of Manchester and I know that there are a few that live out now, but I don't think we ought to continue this and if I'm going to vote for him I want to have some indication if he's going to be living in Manchester or not.

Mayor Wieczorek stated I think he'll tell you that he and I also had the same conversation.

Alderman Girard stated some time ago I sent a consolidation proposal to this Board which was referred to your office and the Building Department was part of that proposal. I was wondering whether or not you had had an opportunity to review that or any other proposals regarding the potential consolidation of that department and I wonder how a permanent filling of the current vacancy would affect any potential consolidation proposals.

Mayor Wieczorek stated there is going to have to be a head of the Building Department, so no matter what you do, what you do with consolidation there is still going to have to be a head of the department. I thought about it, looked at it, and maybe we'll still be making some proposals in the future, but we still need to have him as the head of the department.

Alderman Girard stated I agree, your Honor, that there is going to need to be somebody in charge of whatever the Building Department may look like after a consolidation, but I think history being a teacher you know there have been problems when people if you recall the consolidation of Parks & Rec and Cemetery when the vacancy of the Cemetery Director was filled with the department head and then that department was consolidated I'm sure you'll recall the difficulties that were had with two different department heads. I just really wonder whether

or not we're limiting the possibilities here, you may not need a department head position overseeing the Building Department's operation, however, consolidation comes out. I have a tremendous amount of respect for Mr. LaFreniere, I've worked with him in the past and I think he would do an excellent job but I'm afraid I cannot support either his candidacy or any candidacy until I'm satisfied that every possible consolidation option with that department and others have been evaluated.

Mayor Wieczorek reiterated that I did look at that and think about it and there's still going to have to be a head of the Building Department, so regardless.

Alderman Cashin asked could Leon answer my question as to what his plans are as far as residency goes.

Mr. LaFreniere replied it is my goal to live in the community and I am working towards that goal and I commit to do that in six months as you had requested. I don't think I can do that, I don't think that it's fair to request that I do that under the circumstances. I will state before this Board and in public forum that it is my intention to do that, however, it will be irresponsible of me, I believe, to commit to a timeframe and then have to come back before this Board to explain why I could not make that timeframe a reality when there are so many variables in my personal life at this point that requires that that remain open.

Alderman Cashin stated, Leon, you're saying that eventually you'll be living in Manchester, is that what you're telling me.

Mr. LaFreniere replied that is my goal.

Alderman Cashin stated that's good enough for me, that's all I want. Thank you very much.

Mayor Wieczorek called for a vote on the motion to suspend the rules and confirm the nomination. The motion carried with Alderman Girard duly recorded in opposition.

Mayor Wieczorek made the following nomination:

Planning Board:

William R. Trombly to succeed Pauline Guay, term to expire May 1, 2001.

As per rules of the Board, Mayor Wieczorek advised that the nomination was to layover until the next meeting.

Introduction by Alderman Hirschmann of B. J. Perry, Jr., a 16-year old sophomore at Manchester High School West who will be interning during the 1998/99 school year.

Alderman Hirschmann introduced B. J. Perry, III noting he'll be my intern for the 1998/99 school year and is a Sophomore at West High School and is interested in politics and he told everyone that his future goal is to possibly be Congressman for our District and he's got good ambitions and is a very good student and am pleased to have him learn throughout the year.

Mayor Wieczorek interjected he's also a very good worker and congratulated B. J.

Communication from Messrs. Clark, Clougherty, and Taylor wishing to address the Board in order to present the proposed purchase and sale agreement between the City and UNH; and further seeking authorization that the Mayor execute same on behalf of the City.

Mayor Wieczorek stated we are going to present what we can in public session and then we're going to have to go into non-public session. But, what we're going to do is ask the Board to adjourn to the back room so that we don't have to move everybody out of this room.

Alderman Cashin asked could we table this, your Honor, and go through the rest of the agenda and come back to it.

Mayor Wieczorek replied we have people here from the University System, so I would rather take that on now.

Alderman Reiniger stated, your Honor, recently the City has retained the services of a real estate law expert to assist in this process. As it happens, this attorney is at the McLane Law Firm where I work and upon talking with Tom Clark it was suggested that the best thing to avoid the appearance of any type of unfairness would be for me not to participate in this debate or vote.

Mr. Taylor stated in the interest of time as I know you're all anxious to go watch the All Star Game we'll try to be brief but I thought the first order of business here might be from the Dean of UNHM who is going to talk to you a little bit about what their plans are and what you might

expect to see down in the Mill building, so without further adieu I'd like to introduce Dean Carol Lacroix, Dean of the University of New Hampshire at Manchester.

Dean Lacroix stated let me just say that you do more business in ten minutes than we do in ten years at the University, I really applaud you. What I've passed out to you is a mission statement and an academic plan which really is what our trustees insisted we have before they would agree to this purchase and sale agreement and what they said to us is you have to let us know who you are and where you're going and what I'd like to do is focus on the bottom part of this page which simply presents our academic plan for the next ten years. What we want to do is increase our transfer opportunities for students in the Manchester area so those students that for financial reasons need to live at home for the first one or two years of a college education, we want to make it much more possible for them to then transfer to Durham, Keene, or Plymouth or other universities for their advanced academic work. We haven't done as well as we need to in that area, so that's a curriculum emphasis that we want to put together. The second item is probably the most important because as you know the land at Hackett Hill was purchased with an eye on having a campus of ten or twelve thousand students. My forefathers, I think, were having some dreams in terms of that ever being a realization, so we stepped back and said what's a reasonable number of students for us to have at UNH Manchester. Right now, we have approximately 1,300. We anticipate with this move that within the next few years we could increase those numbers to a maximum of anywhere from 2,200 to 2,450 and we feel that that's a good size and not only do we have our academic programs available to the residents of Manchester, but there are some very fine private schools in the City as well and we think that this works well for us and for our colleagues in this City. What we want to do is take our existing degree programs and taper them to the needs of the Manchester community and then also make major investments in our library and our academic computing. Given the fact that we have had two facilities we don't know where we're going to be permanently we've really not made the investments we need to in terms of computer instruction or the library resources for our students and community members. We want to look at new ways of offering our academic programs so that the students that start can finish in a much more shorter period of time than the traditional two semesters per year. We want to strengthen our relationships with the Durham campus. For too long Manchester I think has tried to be a smaller version of the Durham campus and it really hasn't worked well. What we really want to is take advantage of our location and the urban environment and really become a unique force within the University and something very distinctive and not simply smaller than the Durham version of higher education and then lastly and quite honestly one of the more important ventures is to really become better neighbors and to strengthen our relationships with the Manchester community. I've had conversations already with Mark Hobson and other people in this room about some ventures that I think we can put together so that the University and the schools can be much better partners and much better neighbors. So, I will entertain any questions that you might have in regard to that. If not, I'll pass over the agenda to Jay Taylor.

Mayor Wieczorek asked are there any questions from the Board as to the direction that the University is taking or what they plan on doing.

Alderman O'Neil asked, Dean, you're very comfortable with the parking arrangements that's been made.

Dean Lacroix replied absolutely and what we've done is to put something together that I think will meet our needs, but also allow us to be good neighbors in the Millyard.

Mayor Wieczorek stated last week I was in Durham with Jay Taylor and Kevin Clougherty and we met with the Finance Committee of the Board of University Trustees, spoke to them in the morning and spoke to the full Board in the afternoon and the Board did vote unanimously to go ahead and proceed with the project. So, Carol, I want to thank you there are a lot of people that we have to thank, there are a lot of people who have worked very hard to bring it to this point. Jay, is there anything else here that we have in public session.

Mr. Taylor stated just briefly I'd like to run through...I'm not going to go through the purchase and sale agreement in any great detail because you've all had it and I assume you've all read it, but essentially this is the same project that we brought to you several months ago, we've just put it in legal form. Basically, what we are proposing to do is acquire the property owned by the University of New Hampshire on Hackett Hill in two transactions. The first transaction being approximately 822 acres and the access road that leads from Hackett Hill Road up to the top of the hill, the second transaction in two years out being French Hall and 8.5 acres of land adjoining French Hall. The University then in turn buys the University Center Building in the Millyard and we, the City agrees to lease them 192 parking spaces at the current prevailing rate in the Millyard and that is essentially the project. Kevin will talk about the actual numbers in a little more detail later on, but we have with us Peter Roche who is involved in putting this purchase and sale agreement together and, of course, Tom Clark is available as well if there are technical questions with respect to the agreement itself, I'd entertain them at this time.

Alderman O'Neil stated, Jay, my only concern is the parking end of it and I've heard some discussion about doing some things with Commercial Street, some different types of parking and the streets not wide enough. Are we going to do...create parking that's not really a normal standard for...that we would use in other sections of the City.

Mr. Taylor replied the issue with regard to Commercial Street and the potential for creating additional diagonal parking spaces on Commercial Street is not related to any of the parking that we're talking about for the University of New Hampshire. Essentially, what we're talking about for UNH is 92 spaces in the Bedford Street Parking Lot which are currently available and then another 100 spaces around the perimeter of the existing Arms Parking Lot. So, we're not depending upon Commercial Street for any of this parking other than what might occur

randomly. So, this has nothing to do with Commercial Street, they're two separate issues and they're not tied together at all.

Alderman Hirschmann commented that a few of my constituents have expressed interest in rezoning their parcels to match up with the future of this parcel being industrial and I would ask that they be considered when this all changes.

Mr. Taylor stated I think that is a legitimate concern of the abutter in question because I have spoken with her myself and I know Bob MacKenzie has as well and I think the best way to resolve that issue might be to consider that rezoning in connection with the proposed new Zoning Ordinance for the entire City. Hackett Hill will probably be rezoned to a category which does not exist at this time in the current Zoning Ordinance. So, I think we should be able to look at that whole area in light of what we're proposing to do with Hackett Hill and I'm not guaranteeing that we can do something, I think it makes sense at least to look at it and try to deal with that problem. I don't expect to see heavy industrial, no.

Alderman Hirschmann stated I think if you can get another airport business center off the ground up in the northwest corridor it would be a big success. So I'm endorsing this project, your Honor.

Alderman Cashin stated my understanding was that this was going to be industrial, right.

Mr. Taylor stated it won't be industrial in my view at least, it won't be industrial in the strict sense of the word, it won't be an industrial park. It will be a business park, it may be more than...you might find some office uses, you might find some corporate headquarters kinds of uses in addition to light manufacturing. Most of the land on the property does not lend itself to large one-story buildings. So, it will be nothing like any of the clear industrial parks that we have today. At least this is my vision of what I hope to see there, but more along the lines of a business/research park which may have a series of uses not all of which would be manufacturing. I don't envision retail, I don't envision shopping centers, but I do envision possibly some related office/data processing/research/development kinds of uses which don't fall into the strict category of manufacturing.

Alderman Cashin stated I thought when we went after this we went after this because we were in dire need of industrial land, isn't that why we went after it.

Mr. Taylor replied we're in dire need of business development land including industrial, that is correct and in doing the Master Plan study for that area we probably will be able to identify some areas which are appropriate for purely industrial and some which are not which could be used for other related business and development activities. But, clearly we are in dire need of business land period. Whether it be industrial or...for example, we have no large areas where we

could build a corporate headquarters type facility today. We have nothing in that area, at all. So, I envision this as a combination.

Alderman Girard asked, Mr. Taylor, would this be similar in any way to the City of Manchester Airpark or is there another facility in or around Manchester that would match your vision of what this would be.

Mr. Taylor replied we have nothing existing that I would see up on the hill. The best example, I guess, that I could give you of what I might want to see up there is there is a facility on the southend of East Industrial Park Drive across from the Raytheon plant which is Burndy Corporation, they have a regional headquarters there in addition to a warehouse distribution operation. I think that is entirely appropriate for this location even though it is not in the strict sense of the word an industrial property, but it certainly fits in with the traffic patterns of an industrial park...people come in in the morning and leave at night just the same as they do in a manufacturing plant...this is typically high paying jobs, relatively high value buildings which produce high tax rates and I think it's the kind of thing we certainly ought to try to go after.

Alderman O'Neil stated, Jay, within the past year we lost a business called Felton Brush and if I recall at the time the owner made the statement that if this deal that was a done deal he probably would have ended up there. Are you telling me now that we wouldn't have encouraged Felton Brush to go up to Hackett Hill.

Mr. Taylor replied not at all. What I'm saying is that we are going to continue to lose those kinds of companies if we don't have some resource and what I'm saying is that there may be portions of the property which are ideal for manufacturing and there may be portions which are not ideal for manufacturing and we need to find out, identify those so that we can separate the two. We are probably going to lose two or three more if we don't come up with some resource to place them because these companies are expanding and unless they can find a site in Manchester which many of them would prefer to do, they're going to go outside of the City.

Alderman O'Neil stated we're not excluding the manufacturing businesses.

Mr. Taylor replied no, absolutely not.

Mr. Clougherty stated I'd like to give some numbers in terms of what we're dealing with. The Board will recall because you've got two public entities we have to deal with appraised values. The appraised value of the property at Hackett Hill is \$7.2 million and that's comprised of a couple of different parcels. One, is 156 acres of developable land and that value is \$1.9 million. There are 666 undevelopable acres and that value is at approximately \$400,000. There is also some existing infrastructure in the form of roads and the water tower which equate to about \$3 million. So, the total of all of that taken in combination is \$5.3 million. There is also French

Hall which sits on about 8.5 acres which is a building that is currently being used for educational purposes and within two years the plan here is to go into a second phase where the City would acquire that portion of the assets on the hill over there. But, in the meantime it would allow the University to transition from the Hackett Hill campus to Downtown and that's valued at roughly \$1.8 million and that brings you to the \$7.2 million. The other property that is involved is University Center and that's appraised at \$2.6 million. The issue we have there is that the mortgages and notes outstanding on the properties total roughly \$3.7 million, so the trick here is to try and make sure that the City's approach here is to minimize as much as possible our exposure on some of those notes. How we do that and the way that the City acquires that property has some tax implications for some of the partners and I think we need to go into executive session to discuss that aspect of the arrangement so that the Board is familiar with the original deal on the University...why we are where we are and what the options might be moving forward on that property. But, those are the general parameters that we explained to you at the last meeting and that business deal has not changed since we talked the last time.

Alderman Cashin moved to enter Non-Public Session under the provisions of RSA 91:A3II(d). Alderman Thibault duly seconded the motion. A roll call vote was taken. Alderman Cashin, Thibault, Hirschmann, Klock, Sysyn, Clancy, Pinard, O'Neil, Girard, Rivard and Pariseau voted yea. Alderman Wihby and Shea were absent. The motion carried.

Members exited the room and met in non-public session with the Finance Officer, Counsel and Deputy City Clerk present.

Discussion ensued relative to proposed costs, options and methods of negotiation for acquisition of the University Center property. The Finance Officer provided detailed figures through overhead projection.

On motion of Alderman Pariseau, duly seconded by Alderman Cashin, it was voted to re-enter public session.

Mayor Wieczorek called the public session back to order.

The Deputy Clerk advised that if the Board desired, a motion was in order to authorize the Finance Officer and City Solicitor to proceed with negotiations with owners of the University Center for acquisition of the property on behalf of the City with a report to be made to the Board.

Alderman Hirschmann moved to so authorize the Finance Officer and the City Solicitor to proceed with negotiations with owners of the University Center for acquisition of the property on behalf of the City and report back to the Board of Mayor and Aldermen. Alderman Thibault

duly seconded the motion. The motion carried with Aldermen Reiniger and Sysyn duly recorded as abstaining.

Alderman Pariseau moved to authorize the Mayor to execute the proposed purchase and sale agreement between the City and the University of New Hampshire on behalf of the City. Alderman Pinard duly seconded the motion. The motion carried with Alderman Reiniger and Sysyn duly recorded as abstaining.

Mayor Wieczorek stated I want to express my thanks to Carol Lacroix the Dean of the University of Manchester and, Carol, I wish you would express our thanks to President Leitzel at the University, Chancellor Farrell, and Brad Perry and Ken Discovery, the folks on our side of course who worked very hard Tom Clark and Kevin Clougherty and Jay Taylor and the bond counsel's we've had. They've done a tremendous job, this has not been an easy package to put together and a lot of people worked very hard to bring it to this point, so I want to express my thanks to everybody, I think this is what I call a win/win situation for everybody. We've got the University System right there in the Manchester Millyard where we want them and we're going to hopefully have some industrial land/commercial land that we can develop and that is the last large parcel in the City of Manchester. So, I want to thank everybody that participated in it, it's a great day for the City.

Mayor Wieczorek advised that a Resolution needed to be introduced.

Resolution:

“Amending the 1998 and 1999 Community Improvement Programs, authorizing and appropriating funds in the amount of Thirty Seven Million Six Hundred Sixty Two Thousand Two Hundred and Fifty Dollars (\$37,662,250.00) for certain Airport Projects.”

On motion of Alderman Girard, duly seconded by Alderman Clancy, it was voted to read the Resolution by title only, and it was so done.

Alderman Girard moved that the Resolution be referred to the Committee on Finance. Alderman O'Neil duly seconded the motion. There being none recorded in opposition, the motion carried.

On motion of Alderman Clancy, duly seconded by Alderman Klock, 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 Resolutions:

Amending the 1998 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds for the 1998 CIP 2.10609 Children’s Health Champion Community.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of \$111,390.62 for the 1998 CIP 410121 Operation Streetsweeper.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) for the 1998 Community Improvement Program 830899 City Hall Security/Audio Visual/Other.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000.00) for the 1999 Community Improvement Program 640399 City Historic Preservation Fund.”

“Amending the 1998 and 1999 Community Improvement Programs, authorizing and appropriating funds in the amount of Thirty Seven Million Six Hundred Sixty Two Thousand Two Fifty Dollars (\$37,662,250.00) for certain Airport Projects.”

ought to pass and be Enrolled.

Alderman Reiniger moved to accept, receive and adopt the report of the Committee. Alderman Pariseau duly seconded the motion. The motion carried with Alderman O’Neil, Rivard, Cashin, Thibault and Clancy recorded in opposition to the airport resolution portion of the report.

A report of the Committee on Human Resources/Insurance was presented advising that it had approved consideration of changes to the City’s Contributory Retirement System for the city and recommended that same be referred to the Committee on Bills on Second Reading for technical review of questions to be placed on the November ballot.

On motion of Alderman O’Neil, duly seconded by Alderman Sysyn, it was voted to accept, receive, and adopt the report.

Deputy Clerk Johnson advised that the Committee on Human Resources had met this evening and because the Board is on a monthly schedule at this time it was requested that another report be presented.

A second report of the Committee on Human Resources/Insurance was presented recommending that overtime for exempt employees continue as previously approved by the Committee on Human Resources/Insurance pending final outcome of the Yarger Decker and Associates Classification and Compensation study subject to department heads working with the Human Resources Director regarding some of the higher grades involved, working with the Fair Labor Standards act; and secondly that US Cellular be allowed to distribute informational materials for city employees with payroll checks.

Alderman O'Neil commented that they had hoped that Yarger Decker might be implemented by this point but it hasn't, so we agreed to go along with continuing to pay some of that overtime to some of the high-salaried employees, but are requesting the department heads to start heading in the direction of trying to pay lesser grade employees that overtime in case Yarger Decker might drag out a year or so. Alderman O'Neil noted that they have some employees Grades 28 getting overtime now.

Alderman Hirschmann asked didn't we implement a policy that no exempt employees would get overtime.

Mr. Hobson addressed the Board stating what we proposed and what the Board approved was that the overtime for the exempt positions that were brought to your attention, some of which had been receiving overtime for years actually, that they would continue to receive overtime through the end of fiscal year 1998 or the approval of the Yarger Decker and Associates proposal that would amend those positions to either no longer receive overtime or they would be changed to exempt or non-exempt status. What we discussed tonight at the committee is that the Yarger Decker proposal is still not before the Board, and a number of department heads brought that to our attention that the Board had made a vote of either July 1 or when Yarger Decker proposal was approved. Since it is not approved what we discussed at the committee is that we would continue with the status quo, however, the fair labor standard act list from the consultant would be available in the next week or two and that his office was directed by the Committee to begin working with those department heads that have some of these issues in question to prepare for a speedy transition of whether these positions will remain on an exempt status or a non-exempt status. What we cannot do by law is take a position and say okay, if a position is grade 25 and therefore earns x amount of dollars than that position is considered exempt, or all positions above it are exempt from the law. It cannot just be salary or pay grade, it has to be multiple factors and that's what's in the Fair Labor Standards Act, which is coming to us but still not received. So we are just trying to prepare the Board for the fact that the July 1 deadline has gone by and that we need to take corrective action, so we are asking to remain status quo, then we will take the report, we will begin to work with the department heads, and we will report back to the Human Resources Committee next month as to what is happening and what we are doing.

Alderman O'Neil stated that we did discuss that we need to be careful with the Fair Labor Standards Act, but we did also say that we could direct the department that somebody at a certain grade that that job could be done by a position at a lower grade.

Mr. Hobson stated that was correct.

Alderman O'Neil commented so that is a way around it if we want within the law.

Mr. Hobson stated yes, they were just trying to be careful with the law and making sure, trying to keep the Board informed and making sure that they were going accurately along this path.

Alderman Clancy asked Mr. Hobson if some of the employees would still be on an extended work wee.

Mr. Hobson asked after the study.

Alderman Clancy stated some employees actually work 35 hours and get paid for 40.

Mr. Hobson stated that there were a number of positions all throughout the City that are non-affiliated positions where they are working t his extended work week. The Yarger Decker Study, the proposal he believed, will be to bring all city employees over a period of time to 40 hours so the standard work week that Mr. Decker will propose to us will be a 40 hour work week for all employees.

Alderman O'Neil moved to accept, receive and adopt the report. Alderman Clancy seconded the motion. The motion carried with none recorded in opposition.

- 15.** Communication from the City Clerk seeking authorization to issue requests for proposals in lieu of sealed bids for the purchase of microfilming services.

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to approve the requested authorization.

- 16.** Communication from the Director of Planning submitting a resolution expanding the Central Business Service District Program.

Mayor Wiczorek noted that a substitute resolution and mapping had been distributed.

Resolution

“Continuation and expansion of the Central Business Service District.”

On motion of Alderman Reiniger, duly seconded by Alderman Cashin, it was voted to read the substituted resolution by title only, and it was so done.

Alderman Rivard asked what types of money did they receive from the Central Business Service District, how much did they raise by assessing people from this district.

Mr. MacKenzie, Planning Director, addressed the Board stating that it was a special assessment proposed for the next fiscal year at 79 cents per thousand of assessed evaluation.

Alderman Rivard asked what that would generate for the In Town Manchester.

Mr. Richard Davis, In-Town Manchester, responded it would generate about \$216,000.

Alderman Rivard asked how much of an increase it would be, what they had generated last year.

Mr. Davis responded this year on the basis of a smaller district they had wanted to generate about 160,000 they wanted to generate about 173,500, and wound up generating about 168,000. Because of a phenomenon of what he called shrinkage which is really the devaluation of certain properties that is still going on within the downtown district.

Alderman Rivard noted that according to the letter the devaluation only impacted them about \$6,500. Mr. Davis concurred.

Alderman Rivard asked what this money was used for. How many staff did he have.

Mr. Davis responded they had three staff. We spend about half our budget on staff.

Alderman Pariseau asked Mr. Davis, with the payment of \$216,000 less your salaries for the people, what goes back to the Highway Department for their extra services, your garbage pick up, and all this other stuff, or are the people outside of the downtown district subsidizing the Central Business District in that vain.

Mr. Davis responded no, it was really the opposite. What the property owners in the downtown district have chosen to do is to ask the city to increase their assessment by an amount of 79 cents per thousand dollars of assessed value. That allows them to spend that money through this contract the city has with In Town, my organization, but it allows them to spend that additional amount that they raise and to put that entirely into the downtown district, in other words they are paying themselves, its kind of a bootstrap effort, for that additional effort they are making downtown, they are not asking the city to subsidize that additional effort that they do downtown.

Alderman Pariseau asked about the tree planting, graffiti, rubbish pick up 3 times a week.

Mr. Davis said yes they did, we don't pay for any of that through the intown assessment.

Alderman Pariseau responded no, the taxpayers do, that's what I mean by subsidizing the central business district. You guys have your garbage picked up three times day, and the people in my area are lucky if they get it once a week. So the advantage could be, could we extend that through Brown Avenue, it just doesn't seem fair that again with the facade improvements and all this other stuff, tree removal and replacement, tree management, graffiti abatement, and sidewalk reconstruction for that expense is imposed on our taxpayers and to expand the Central Business District just means our taxpayers, Ward 9 and other than Ward 3, are going to subsidize more sidewalk reconstruction projects in the Central Business District, and I don't think it's fair that we don't get this in Ward 9 or Ward 8 or 10.

Mayor Wiczorek stated wasn't it the whole idea to revitalize the downtown area.

Alderman Pariseau asked just how much are we going to charge the taxpayers for downtown redevelopment, its foolish, and they don't pay their fair share in property taxes. I probably pay more taxes than the Rice Building on Elm Street if that's still there.

Alderman Rivard stated he wished to respond, he did not know if he had the good fortune to be a property owner on Elm Street, on the corner of Elm and Granite Street for several years, I don't receive garbage pick up at all, never mind three times a week. I just got my tax bill the other day and it looks to me like I'm paying \$14,000 this year for taxes on that property with not too may services and I'm concerned about the taxes that just went up and now another tax of 79 cents on a thousand dollars or \$79 on a 100,000; that there are a lot of business people that I talk to who are contributing because they don't have time to get involved and go to the meetings they have at 4 o'clock in the afternoon, anyhow. I'm just suggesting that last year this Board decided that downtown stopped on Central Street when they did the Elm Street improvement, and now because of the tax devaluation, it's going to extend down Elm Street he guessed to Bradlees and all over the place to make up a loss here so I'm not sure where downtown is and I'm not sure that this is a good deal for most of the business people.

Mr. MacKenzie stated he wanted to discuss the issues of investment in the downtown, he knew it always came up as an issue. The downtown is an area for the entire city, people all come to the fireworks, they come to City Hall. When it comes to investments in the downtown, we have tried to make sure the investments to the extent possible are not property taxpayer funded, that they are either state or federal funds that we acquire. All the improvements you talked about, including the facade improvement program, the street trees, the Elm Street reconstruction, all of those projects have been paid for funds other than property taxpayers, that comes through funding from projects like the CDBG program, special tree street program, the facade

improvements was actually a payback from federal funds from the Center of NH project. So to the extent possible we do try to invest grants that we apply for.

Alderman Pariseau stated if we didn't cater to the Central Business District we could take that CDBG monies and apply it to Ward 5, Ward 9, Ward 8 and wherever, but no we are tying up that money, taking care of one section of the city, that is what I mean by subsidizing. We're not getting the sidewalk on Calef Road, but they are getting one on Madeline Road or they are getting one on Granite Street and Elm or Stark Street.

Mr. MacKenzie stated that they did try to make sure that the CDBG funds as you know can only be used for low and moderate income areas, actually a good portion of those funds will be used in your ward in the Elmwood Gardens area for the street improvements. It can only be used in certain eligible areas in the city. We do try to make sure that all of those eligible areas do get a portion of those funds. We recognize there are all parts of the City and try to make sure the funds are stretched as far as they go throughout the City.

Alderman Pariseau stated he just personally felt it was a rip off. A way to put money other peoples pocket at the expense of the John Q Public taxpayer.

Alderman Girard stated he wanted to make a point, while people are talking about things like multiple trash pick up in the downtown, it wasn't too long ago that the downtown was getting trash pick up six times a week and that was long before In-Town Manchester existed. So if they are down to three times a week in this district then there have actually been cutbacks and those are services that existed long before In Town and if In Town ever goes by the boards I'm sure they will exist afterward. But while we are talking about economic development and tax base and the need to develop the tax base so that we can provide property tax relief and take care of things like schools and roads and buildings that we have a problem with. There is a little statistic that I learned once upon a time, and that is in your average normal city, the value of the property of your downtown area should be about 25 to 30 percent of your tax base. If you were to take the current In Town Manchester district, it amounts to less than 5 percent. And as Mr. Davis and Mr. MacKenzie have pointed out the value of the property in the downtown despite the upturn in the economy continues to decline. So we as a City can either try to continue to work to redevelop the area to improve the values so that all of the taxpayers benefit, or we can continue to let it slide without any effort and continue to have all of the property taxpayers pay for the services and pay for the decay and pay higher taxes because the tax base in the area is not what it should be, not what it could be and certainly isn't what it once was. So these programs which are by and large funded by the private sector, and the 79 cents per thousand that they assess themselves I think are well worth it if they can start turning the tide on some of these things. There is an awful lot that wouldn't be happening downtown without In-Town Manchester, so street trees, trash pick up all that was done before In Town it will be done after In Town, because downtown is like any other neighborhood only everyone uses it.

Alderman Reiniger stated the legislation in the state that authorized Central Business Service Districts was implemented precisely to allow businesses in these districts to tax themselves more to provide themselves with more services, precisely so the entire community wouldn't have to subsidize that area, so that's why this is a good thing.

Alderman Pariseau interjected, and was corrected by the Mayor.

Alderman Reiniger stated that the people in this district are paying for it themselves so others in the city don't have to. They wouldn't have had to put in this legislation if communities would have been willing on their own to subsidize downtown's, but because they haven't been historically the state put in this legislation which we've taken advantage of and In Town has been such a success that businesses around the borders of the old boundary line have been champing at the bit to be incorporated so they could take advantage of the facade improvement program and other services. Alderman Reiniger noted that they had been given the New Hampshire Business Review talking about Manchester as the number one city and there is a quote from Mark Stebbins, a local developer and construction expert, who said that "I think the citizenship of Manchester isn't concerned enough to make sure the politicians do something about making a better downtown... that goes into transportation, parking, spending more of its resources on downtown." The truth is we have been very generous, this Board has, but clearly we have to do a lot more because clearly it has been pointed out if you let the downtown go it directly impacts the taxes that homeowners pay throughout the city, so the better the downtown does the less of a burden each homeowner has to bear. This has been proven time and again throughout the city time and again through the country.

Alderman Reiniger moved to adopt the resolution. Alderman Girard seconded the motion.

Alderman O'Neil asked if there was any survey done of the businesses that would be in the expanded zone, and if so what were the results.

Mr. Davis stated they held a public hearing on June 4 which we invited all of the property owners in the expansion district to come. We had nearly a dozen show up. We had no negative comments at that time and any other comments that I've received in writing I've responded to, so we did solicit their input at that time. I did and have surveyed the property owners in the entire district as to the kinds of services and the quality of services that they want to receive and we really should update that this year.

Alderman O'Neil asked if the Alderman from Ward three supported the proposal tonight.

Alderman Reiniger stated enthusiastically.

Alderman Hirschmann stated one of his questions was going to be about a public hearing, he thought when something like this is done that abutters need to be notified, people that were in the proposed district need to be notified and they had a public hearing and invited these people in a formal notice, and out of all these only 12 showed up. I noticed the Bradlee building, staples lot buildings, Channel Nine, Fire Insurance building and professional space was in there. He didn't know what they would do for people way out, the district was getting spread out and he didn't know what they were going to do thought he knew they were anxious to get the extra \$212,000.

Mr. Davis stated his board had the ability to go one of two ways to try to increase revenues in this district. One was to raise the existing rate, 79 cents per thousand to something else. Last year, actually fiscal year 1996 they chose not to do that they chose to expand so the challenge was to try to expand in a way that brought in the business districts that wanted to be included in this new district. And to balance that off with our ability to provide services and to also offer them the benefits such as the building improvement program. And to do that in a way that doesn't overstress our capabilities, so what they saw was a compromise between those people that wanted to come into the district and our ability to take care of them and offer and provide those services and benefits to them. We think this is the best compromise that we could come up with.

Alderman Hirschmann stated so you are going to perform street sweeping details down in the Allen Bradlee parking lot.

Mr. Davis responded yes, I intend to go down to Auburn and that is one of the streets that I want to pay more attention to.

Alderman Cashin stated he was in an outlying district so he had no vested interest in Elm Street other than the fact that if we continue the way we are going now we are going to pick up the tab for it anyway because the more we loose downtown the greater it's going to cost the rest of the wards in the city and I think we have to realize that. Personally, I think you've done a great job. To expand, I don't know if that is a good idea or a bad idea, you're the professional, you're recommending it and it's okay with me. What happens if someone within the expanded area doesn't want to participate, do they have the option or are they forced to do it.

Mr. Davis stated actually we hope that we would have heard from them by now. We haven't heard many negative comments and I have tried to respond to those that I have heard, and I have only heard one. What I have tried to remind the property owners is that we are in only a three year mission. Our mission is set up to be limited in scope and we are two years into that mission right now. So I've asked the property owners in the new district to bear with us for this one year to try to get all of the benefits and services that they can from this district in the year to come, and we are do for a complete and thorough review by you, the Board of Mayor and Aldermen,

as we complete fiscal year 1999. At that point if we have not done our job, and we have not provided those services and benefits we said we were going to, we really need to be taken out of existence, because we will not have done what the property owners wanted to have done. So I guess I simply opened that up for the property owners in this new district to think through what they can receive from us during the next year and they will have an opportunity to evaluate it and even to terminate it at the end of the year to come.

Alderman Thibault stated he wished to commend Mr. Davis for the job they have done and if many of you on the Board have not taken the time to walk Elm Street and look at the difference that the facades have made downtown you are seeing a much cleaner and better atmosphere for anyone that comes downtown. Like

Alderman Cashin says, if we don't bear some of that cost now we are certainly going to bear some of that cost down the road in each one of the wards, so I would like to commend Mr. Davis for a job well done.

Mayor Wiczorek advised he had a motion on the floor that the resolution as substituted be adopted. The motion carried with Alderman Rivard recorded as abstaining. Aldermen Pariseau, O'Neil and Hirschmann were recorded in opposition.

- 17.** Communication from the Director of Public Building Services recommending that the City enter into a one-year contract with Boise-Cascade with an option to renew for one year for stockless office supplies.

On motion of Alderman Rivard, duly seconded by Alderman Hirschmann it was voted to approve the recommendation.

- 18.** Communication from Joanne Smogor, Executive Director of Makin' It Happen, seeking the Board's support and departmental participation for a city-wide Youth Talent Show, scheduled for May 1999.

Alderman Thibault moved to approve the request. Alderman Klock duly seconded the motion. The motion carried with none recorded in opposition.

19. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district into an area currently zoned I-3 (General Industrial) on portions of two lots on the east side of South Willow Street and south of Huse Road
(Map 852 - Lots 28 and 28-1).”

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

This Ordinance having had its second reading by title only, Alderman Reiniger moved on passing same to be Enrolled. Alderman O’Neil duly seconded the motion. There being none opposed the motion carried.

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

Mayor Wieczorek called the meeting back to order.

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

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district into an area currently zoned I-3 (General Industrial) on portions of two lots on the east side of South Willow Street and south of Huse Road
(Map 852 - Lots 28 and 28-1).”

was properly Enrolled.

On motion of Alderman Sysyn, duly seconded by Alderman Hirschmann, it was voted to accept, receive, and adopt the report of the Committee. Alderman O’Neil indicated he was opposed but withdrew his opposition.

Mayor Wieczorek called a brief recess.

Mayor Wieczorek called the meeting back to order.

Mayor Wieczorek advised that the airport related resolutions would be removed from item 23 and taken separately.

23. Bond Resolutions

On motion of Alderman Pariseau, duly seconded by Alderman O'Neil, it was voted to dispense with reading the resolutions by titles only.

Mayor Wieczorek requested the Deputy Clerk to address the airport resolutions.

Deputy Clerk Johnson advised that language changes were required to the airport bond resolutions to replace Municipal Finance Act language with Revenue Bond Act language. She noted that this change would remove liability of the taxpayers to make good on the bonds, placing it under the airport revenues and related insurances. Deputy Clerk Johnson stated a motion would be in order to amend the airport bond resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Thirty Five Million Dollars (\$35,000,000) for the 1999 CIP 730499 Airport Parking Garage.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Dollars (\$2,000,000) for the 1999 CIP 730799 Site Acquisition & Stead Aviation Relocation.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the 1999 CIP 730899 Relocate Kelley Ave.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Ten Million Dollars (\$10,000,000) for the 1999 CIP 731199 Program/ Construction Management.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Fifteen Million Dollars (\$15,000,000) for the 1999 CIP 731299 Property Acquisition.”

by replacing language in Section 2. referring to RSA 33:7a with RSA 33:B and deleting present language in Section 4. and replacing it with the following:

“SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and is hereby appropriated and, that notwithstanding any provisions of the Resolution to the contrary any bonds or notes authorized by the resolution shall not constitute a pledge of the full faith and credit of the City, but shall be payable solely from revenues that may be pledged by the City, to their repayment through the operation of the Manchester Airport, as shall be more fully set forth in an airport revenue bond trust or security agreement or resolution to be adopted by the City on or before the issuance of any bonds or notes authorized by the resolution, in accordance with the provisions of the Municipal Revenue Bond Act, the terms of which shall be determined at the discretion of the Finance Officer.

In response to question from Alderman Cashin, Deputy Clerk Johnson advised that the intent was to amend the resolution to remove liability to the taxpayer providing language relating to revenue bonds, and that no amounts were being changed at this point.

Alderman Reiniger so moved to amend Section 2 and Section 4 as outlined by the Clerk.

Alderman Sysyn duly seconded the motion. The motion carried with Alderman O'Neil duly recorded in opposition.

Deputy Clerk Johnson advised that the request was made to amend the resolutions to amounts as follows:

Airport Parking Garage from \$35,000,000. to \$47,805,000.
Site Acquisition & Stead Aviation Relocation from \$2,000,000. to \$2,240,000.
Relocate Kelley Ave. from \$1,500,000. to \$1,680,000.
Program/Construction Management from \$10,000,000. to \$11,945,000.
Property Acquisition from \$15,000,000. to \$22,100,000.

Alderman Klock so moved to amend the resolutions by increasing same to the new amounts outlined by the Clerk. Alderman Reiniger duly seconded the motion. A roll call vote was taken. Alderman Klock, Reiniger, Sysyn, Pinard, Girard, Pariseau and Hirschmann voted yea. Alderman Clancy, O'Neil, Rivard, Cashin, and Thibault voted nay. Alderman Wihby and Shea were absent. The motion carried.

Deputy Clerk Johnson advised with regard to Resolution:

“Making Technical Adjustments in Certain Resolutions of the Board of Mayor and Aldermen Authorizing Bonds, Notes or Lease Purchases in Connection with the Manchester Airport.”

A motion was in order to amend this resolution by deleting the second section of the Resolution referring to “June Resolutions” and changing language in the third paragraph to reflect removal of such resolutions. Deputy Clerk Johnson noted that these were being removed because they had not passed in June, they were the ones appearing on tonight's agenda and the language for the revenue bonds had been inserted via the amendment that just passed.

Alderman Klock moved to amend the resolution by deleting sections as referred to by the Clerk. Alderman Pinard duly seconded the motion. There being none opposed the motion carried.

Alderman Reiniger moved to table the Airport Resolutions. Alderman Klock duly seconded the motion. There being none opposed, the motion carried.

Mayor Wieczorek advised that they would now address the balance of the resolutions presented in item 23, the readings previously having been dispensed with.

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Thousand Dollars (\$100,000) for the 1999 CIP 221799 Dental Van.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Twenty Five Thousand Dollars (\$625,000) for the 1999 CIP 420299 Somerville Street Station Renovations.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Twenty Five Thousand Dollars (\$125,000) for the 1999 CIP 420399 Fire Station Generators.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Nine Hundred Thousand Dollars (\$2,900,000) for the 1999 CIP 650599 UNH Land Acquisition.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Fifty Thousand Dollars (\$450,000) for the 1999 CIP 710199 Bridge Rehabilitation Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Five Thousand Dollars (\$105,000) for the 1999 CIP 710299 TIP Improvement Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Dollars (\$1,000,000) for the 1999 CIP 710899 Annual Right of Way Reconstruction.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thousand Dollars (\$200,000) for the 1999 CIP 710999 Annual Parking Facilities Improvement Program.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million Two Hundred Fifteen Thousand Dollars (\$3,215,000) for the 1999 CIP 740299 Manchester Water Works.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 1999 CIP 760199 CSO Projects.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Thousand Dollars (\$300,000) for the 1999 CIP 760299 Design Crystal Lake/Mammoth Road Sewers.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Thousand Dollars (\$100,000) for the 1999 CIP 760399 Sewer Infrastructure Rehab.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the 1999 CIP 820799 Computer Upgrade.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Forty Thousand Dollars (\$440,000) for the 1999 CIP 820899 Land Management/Mapping/GIS System.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Sixty Five Thousand Dollars (\$665,000) for the 1999 CIP 820999 Motorized Equipment Replacement.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thousand Dollars (\$200,000) for the 1999 CIP 830999 Special Needs Educational Facility.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Ninety Thousand Dollars (\$190,000) for the 1999 CIP 831099 Police Building Expansion Design - Phase III.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Thousand Dollars (\$100,000) for the 1999 CIP 831199 Pine Grove Cemetery Improvements.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million Dollars (\$3,000,000) for the 1999 CIP 831299 School Energy Efficiency and Other Improvements.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Two Hundred Thousand Dollars (\$2,200,000) for the 1999 CIP 831399 Parkside Middle School Improvements.”

Alderman Reiniger moved that the balance of the Bond Resolutions pass and be Enrolled.

Alderman Sysyn duly seconded the motion. There being none opposed the motion carried.

24. Bond Refinancing Resolution:

“Authorizing Bonds in the amount of Fifty Million Dollars (\$50,000,000) for refunding certain Outstanding Obligations of the City.”

On motion of Alderman Hirschmann, duly seconded by Alderman Thibault, it was voted to read the resolution by title only.

Alderman Klock moved to table the resolution. Alderman Thibault seconded the motion.

Discussion ensued where it was noted that the Airport would save money through the refinancing. Mr. Clougherty advised if the window was open still, the savings could be substantial in the \$3 to \$5 million range.

Alderman Cashin questioned if this had to do with the expansion and what would happen to the funds saved.

Mr. Clougherty advised that it would not be a balance in the bond that could be spent on another project, it would be a matter of less payment on the bond. Mayor Wiczorek noted that it was not unlike refinancing your home.

In response to further question, Mr. Clougherty advised that he could not say whether the window for this market was open now, it had been, but he could not tell them what a month from now would bring for sure.

Aldermen Klock and Thibault withdrew the motion to table.

Alderman Hirschmann moved that the Bond Refinancing Resolution pass and be Enrolled.

Alderman Thibault duly seconded the motion. There being none opposed the motion carried.

25. Resolutions

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds for the 1998 CIP 2.10609 Children’s Health Champion Community.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of \$111,390.62 for the 1998 CIP 410121 Operation Streetsweeper.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) for the 1998 Community Improvement Program 830899 City Hall Security/Audio Visual/Other.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000.00) for the 1999 Community Improvement Program 640399 City Historic Preservation Fund.”

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

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

Deputy Clerk Johnson advised that there was an additional resolution which was to be presented for Enrollment based on the report of the Committee on Finance. The Clerk read the resolution by title as follows:

“Amending the 1998 and 1999 Community Improvement Programs, authorizing and appropriating funds in the amount of Thirty Seven Million Six Hundred Sixty Two Thousand Two Fifty Dollars (\$37,662,250.00) for certain Airport Projects.”

On motion of Alderman Klock, duly seconded by Alderman Reiniger, it was voted to table the resolution.

26. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district into an area currently zoned I-3 (General Industrial) on portions of two lots on the east side of South Willow Street and south of Huse Road (Map 852 - Lots 28 and 28-1).”

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

This Ordinance having had its third and final reading by title only, Alderman Sysyn moved on passing same to be Ordained. Alderman Pariseau duly seconded the motion. The motion carried with Alderman Cashin duly recorded in opposition.

27. Ratification of agreement between the Manchester Water Works and the United Steelworkers of America, AFL-CIO-CLC, under Rule 26 in accordance with the memorandum of agreement and cost calculations presented on June 2, 1998.

On motion of Alderman O'Neil, duly seconded by Alderman Thibault, it was voted to ratify the agreement between Manchester Water Works and the United Steelworkers of America, AFL-CIO-CLC as presented on June 2, 1998.

NEW BUSINESS

Mayor Wieczorek stated he had a press conference today to greet the Marine Engineering Battalion that came here from Baltimore that are working over at West High School. They were in there today with their heavy equipment taking out stumps, grading and leveling and doing the site work. I wanted to express my appreciation to them for saving the City somewhere in the neighborhood of \$75,000 to \$100,000 by their offer. It is very timely that we have a proclamation that we issued for National Employer Support of the Guard and Reserve Week, this is coming right with what these folks are doing because these are reservists from the Marines.

Mayor Wieczorek read the proclamation as follows:

WHEREAS, all around the world we face challenges that have taken on new and dangerous dimensions; and

WHEREAS, the National Guard and Reserve plays a vital role in the response of America's armed forces; through this broad spectrum of challenges to our national security, and are an indispensable of our effort to promote peace and democratic values; and

WHEREAS, while most Americans understand the strategic and military value of our National Guard and Reserve forces too often we fail to recognize or acknowledge the important contributions of their civilian employers; and

WHEREAS, when called upon to share their greatest resource these employers subordinate their own interest for the good of our country, even when they may incur financial hardship, and organizational disruption; and

WHEREAS, the willingness by employers to place our nation's well being above their own, makes it possible for our National Guard and Reserve to provide mission ready and accessible forces to help preserve our freedom and protect our national interest; and

WHEREAS, setting aside at this time to honor the sacrifice of our community's employers, we express our heartfelt appreciation to these patriots for employing our citizen soldiers and allowing them to serve and keep America strong, secure and free;

THEREFORE, I, Raymond J. Wiczorek, Mayor of the City of Manchester, New Hampshire, do hereby proclaim July 6th to the 13th, 1998 as National Employers Support of the Guard and Reserve Week and encourage all citizens to join me in expressing our thanks to the civilian employers of the members of our National Guard and Reserve for their extraordinary sacrifices on behalf of our nation.

Mayor Wiczorek noted that there was a communication from the Finance Officer that was being distributed to members. Mayor Wiczorek stated he had notification from the Finance Officer, preliminary indication, indicating that the School Department will be overspending their appropriations. This is merely notice to us, we don't know exactly what it is going to be yet, there are a couple of different figures that I mentioned, this was just putting us on notice that they will continue to work to see how close they can come to resolving the issue. There will be something more forthcoming.

Alderman Pariseau asked we don't have an amount.

Mayor Wiczorek responded no we don't, it is going to change, right now it was between a half and a million and a half we don't know.

Alderman Reiniger introduced an ordinance:

“An Ordinance Amending Chapter 130, General Offenses, of the Code of Ordinances by inserting a new Section 130.13.”

Alderman Reiniger advised that this ordinance addressed a small plaza in the millyard near Jillians Restaurant. He noted that Alderman O'Neil and the Police Department had discussed with him the problems that the restaurant had been having with skateboarders harrassing customers and causing damage to the structure. Alderman Reiniger stated that Solicitor Clark has proposed this amendment to enable the police to help Jillian's keep out the skateboarders there.

Alderman Reiniger moved to refer the ordinance to the Committee on Bills on Second Reading. Alderman Pariseau duly seconded the motion.

Alderman Rivard stated he wanted to move to amend it to add Elm Street, because every day he sees by the Center of NH the skateboarders riding on the rails etc.

Mayor Wiczorek advised that there was an ordinance on the books.

Alderman Rivard asked if they did just certain sections of town, why did they need to do this one if it was on the books.

Deputy Clerk Johnson noted that there was an ordinance on the books for the Elm Street area.

Alderman Rivard commented that he hoped they enforce this one better than the one on Elm Street.

Alderman Girard asked that the Board send a letter to the Chief asking that he enforce the skateboard ordinances we currently have on the books. Alderman Girard noted that the Board passed an ordinance several years ago at the police department's request to help with the problem on Elm Street and apparently it is not enforced. So could the Board send a letter asking the Chief to enforce the ordinance downtown.

Mayor Wieczorek called for a vote on the motion to refer the item to the Committee on Bills on Second Reading and requested a letter be sent to the Police Chief. The motion carried.

Alderman Thibault noted that the skateboard problems are all over noting problems on Putnam Street where kids go down the hill, someone was going to get killed it should be enforced throughout the City.

Mayor Wieczorek noted that they had recently looked at a skateboard park and he wished they could come up with a plot of land, an area where kids could do skateboarding.

Alderman Pinard stated that Sunday, July 19, at Massabesic Lake there would be the second annual band concert with the Bedford Rotary Band. He noted that all were invited to attend. Alderman Pinard stated that the Manchester Housing Authority had stated they could not have a bus driver for that Sunday unless somebody comes up with an idea to bring the elderly there, that is the way it stands.

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

A True Record. Attest.

City Clerk