

BOARD OF MAYOR AND ALDERMEN

November 4, 1998

7:30 PM

Mayor Wieczorek called the meeting to order.

The Clerk called the roll.

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

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

Absent: Aldermen Wihby and Shea

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

- A.** Conducted on October 21, 1998 approving the health and dental benefit package with regard to the teachers contract as approved by the Board of School Committee effective November 1, 1998.
(Vote: nine Aldermen in favor, five Aldermen no response.)
- B.** Conducted on October 21, 1998 approving a request from Russell Tanguay, Veterans Day Parade Coordinator that the insurance be waived the day of the parade Wednesday, November 11th.
(Vote: fourteen Aldermen in favor.)

Approve under Supervision of the Department of Highways

- C.** Bell Atlantic pole petition #922024.

Informational to be Received and Filed

- D.** Minutes of meetings of the Board of Fire Commissioners held on August 20, 1998 and September 18, 1998.
- E.** Minutes of a meeting of the MTA Commissioners held on September 29, 1998 and the Financial and Ridership Reports for the month of September, 1998.
- F.** Communication from Captain Harold Gulley, Jr. and Karyn Wheeler, Kettle Coordinator of The Salvation Army, seeking the Board's assistance in volunteering their time (as in year's past) with the Kettle Campaign.
- G.** Communication from Executive Councilor Normand submitting the agenda for the October 28, 1998 Executive Council meeting.

REFERRALS TO COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT

- I.** Communication from James E. Davenport, Principal of Hallsville School, advising of the dangerous intersection of Jewett and Merrill Streets and requesting that construction of sidewalks on Merrill Street be listed as a high priority in the CIP funding allocation.
- J.** Communication from Louis N. Vinios, LNV Manchester Trust, requesting the installation of a sidewalk on the south side of Valley Street at Union Street.

COMMITTEE ON FINANCE

- K.** Resolution:

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for Manchester Challenge Grant - Supplemental Funding.”

- L.** Resolution:

“Authorizing Additional Bonds, Notes or Lease Purchases in the amount of Two Million Sixty-Two Thousand and Five Hundred Dollars (\$2,062,500) for the FY99 School Lease Programs.”

COMMITTEE ON HUMAN RESOURCES/INSURANCE

- M.** Communication from Ron Johnson submitting revised By-Laws of the Non-Affiliated Employee’s Sick Leave Bank for the Board’s consideration.

REPORTS OF COMMITTEES

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

- N.** Recommending that a request from the Board of Assessors for authorization to issue Requests for Information relative to the revaluation process of the City, be granted and approved.

**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.**

- H.** Communication from Jennifer Shipe, Manager of Government Affairs, MediaOne, advising of certain programming and channel line-up changes as of November 17, 1998.

Alderman Thibault stated I’m a little concerned about the programming that has been scheduled or at least what we’ve got. The biggest concern that I have and the most complaints that I get is the fact that they don’t want to put EWTN on and I would like whoever to be aware of that.

This is the biggest complaint I have on this thing. Is that it seems that MediaOne does not want to put back EWTN on and I would like to see that they consider this very, very much before we vote on this and I'd like to table it until we get an answer on it.

Mayor Wiezorek stated before we do that, Alderman Girard did write a letter and I'm assuming this is what you're going to say.

Alderman Girard stated actually I had a question for the City Solicitor and it's along the line of what Alderman Thibault is asking because I believe Item H is just an informational piece, so whether we table it or not it's not going to affect what MediaOne's going to do. But, Mr. Clark, the Committee on Administration has asked that City staff begin to develop the RFP's necessary for the franchise agreements for cable services and I believe that one way we can address the EWTN concerns is through that RFP. I'm wondering what the status of that development is so that we can get underway.

Solicitor Clark replied it is being prepared. Attorney Arnold from our office and Attorney Mueller have been working on it.

Alderman Girard asked do you have any idea, Mr. Clark, when it will be completed for the Committee's review.

Solicitor Clark replied right off the top of my head tonight, I don't, but I will check and get back to you.

Alderman Girard stated certainly the EWTN issue is one that I have heard about loudly and often from people all over the City, not just the west side and I will continue to forward the petitions and whatnot that the folks have given me to bring to let the Board know how strongly the community feels about EWTN. But, I don't think tabling this item here at the Board where it's being referred to the Committee on Administration anyway is going to get us any further, but if Alderman Thibault would like to invite MediaOne to come to Committee on Administration and explain to us where we are in that process.

Mayor Wieczorek stated why don't we ask the Chairman.

Alderman Pariseau stated, your Honor, this item was discussed in Committee during the public hearings of the Administration Committee on cable television; that part of the negotiations for renewal of the contract would include the establishing of EWTN full-time, it's currently on a part-time basis and also there's also an item in the minutes of the Committee meetings relative to having MediaOne notify this Committee of potential changes in the lineup of channels for cable television and hopefully we'll address that at that time. Currently, it's part of...they can do

what they want now. But, I have received several complaints that they're removing Court TV and replacing it with a Food channel and people are upset over that.

Alderman Thibault stated I'm not going against what Alderman Girard is saying, I appreciate his comments also. The reason I say maybe if we tabled it, I think it will send a message to MediaOne that we want some answer on this before we go ahead and vote on it.

Mayor Wieczorek stated, Alderman, my recommendation would be that you refer it to that Committee, let them do what they have to because it has to come back to the Board as a report of the Committee.

Alderman Thibault stated, okay, I have no problem with that, your Honor, and moved that Item H be referred to the Committee on Administration/Information Systems. Alderman Girard duly seconded the motion. Mayor Wieczorek called for a vote on the motion. There being none opposed, the motion carried.

Mayor Wieczorek had no nominations to present to the Board.

Presentation of final report from Yarger Decker Associates.

Mayor Wieczorek stated I have a number of things that they have. As you know, at the previous meeting Floyd Decker was here and explained a lot of what went into coming up with the study. Today, the updates that we have here are the summary of major recommendations, the new section for appeals process as requested by the Board of Mayor and Aldermen at the previous meeting...that was Section 12, revised compensation plan implementation cost summary, and a new appendix B4, ordinance for consideration presented in formal format was previously included in study recommendations package presented at the last BMA meeting and, Floyd, who's going to start with this, Frank.

Mr. Thomas stated thank you very much, your Honor. As you summarized additional information has been circulated to the full Board. I just wanted to state that if, in fact, the Board does favorably vote to accept the study tonight we'll be just starting an all together new area. We have a lot of work to do over the next year such as implementing the pay for performance standards, at least initially with the non-affiliated group. As mentioned the appeals process will continue for at least ninety days. When you're dealing with so many different classifications and positions there's bound to be a few errors, we wanted to make sure that we didn't close the door to somebody that has a just appeal that hasn't been addressed yet, but we did want to limit frivolous appeals or appeals of on-going nature. In addition looking down the road again if this study is approved we're going to have to start getting busy talking to the various bargaining

groups because obviously to make the plan a success we want to be able to bring in all the bargaining units and, of course, those will be long negotiations, but we want to proceed as fairly quickly as possible. Instead of wasting a lot of time I am going to turn it over to Floyd immediately to answer any questions that the Board may have and just kind of review what you've been handed out.

Mr. Decker stated, Mr. Mayor and Members of the Board, a couple of weeks ago we spent an incredible amount of time giving you a presentation on the overall content and recommendations of our report, so with your approval I'm going to give you a very, very quick summary of the information that we passed out to you tonight and leave the balance to the time to your questions and comments and concerns. Some of you had recommended that we prepare for you a summary of the major recommendations because of the voluminous nature of our final report and that's the first piece that you have in your packet which in very general terms outlines the recommendations that we made and the major findings and if you have any questions about those items I'd be glad to go into detail with you about them. As Mr. Thomas just mentioned to you I'd like to talk to you a little bit about some employees who may still have a concern that some of their concerns were not thoroughly addressed. In a study like this with approximately 1,800 to 2,000 individual employees there will always be those employees who feel that they were not placed in a paygrade sufficiently high enough for them. There will also be, on our part, with that many positions from time-to-time we will make a mistake. We will accidentally through out data base or just through oversight put a position in a class in which it does not belong. For example, not more than about eight days ago we found that we had one position in a class of Customer Service Representatives which in fact it was a Water Treatment Plant Operator, so we made that correction. But, Frank is right there will be employees who may come to you or who may go to their department head and feel that a mistake was made or that they need additional judgment on it. The piece that you have in your packet which is labeled Number 12, a single piece here...it has a section on appeals outlines the process we feel that the employee or yourselves or others could ask Frank Thomas and his project Oversight Committee to look at the appeal, consider information from you or from the employee or from us and then make a recommendation back to you concerning the nature of that appeal. We suggest that you do that for approximately ninety days and then, of course, it's important to recognize that this document is not something carved in granite. From time-to-time at any given month you may have before you or before the Human Resources/Insurance Committee may have before it recommended changes from department heads or employees. The process is designed so that continually occurs as it does now. So, at no time should anyone say that this document should be used to prevent change, it's there to reflect changes that occur in your organization on a regular and continuing basis. The cost summary is corrected to show you what we think estimated cost of implementing our recommendations since we made a few changes since the last time we were together. We're now estimating that cost to be approximately 2.87% of your existing pay cost. Our original estimate was 3% so we came in slightly over that. The next item in your packet is called present and proposed pay tables which looks like this and since we

appeared before you before we've been contacted by several employees or department heads asking us to take one last look at certain positions. We've done that, most of which, I think all of which had appealed at one time or another. We looked at it from a standpoint of where we thought was any merit in those changes, we have made a few changes, I think six to eight changes, those are reflected in this table which shows their current grade, minimum/maximum pay, and the proposed minimum and maximum pay that we're recommending for those classes or positions. And, finally, we had prepared some information on how to modify your existing personnel policy to make it consistent with the recommendations that we had proposed here and those are in this last ordinance document for your review. Mr. Mayor, I think with that I'd be glad to answer any questions or entertain any comments that anyone would like to make.

Alderman Girard stated inasmuch as we have just received this information tonight and I haven't had a chance to look at it, could you please briefly outline what the appeals process is and how it would work for that ninety day period you're recommending.

Mr. Decker stated we would suggest, Alderman, that first of all a member of the Board of Mayor and Aldermen, department head, division head, any employee who feels that they have one of the three following types of appeals should present that to the City's Human Resources Department for registering the appeal or noting that it had been received. That appeal then be given to Frank Thomas and his project Oversight Committee which regularly oversaw our activities and have the Oversight Committee look at it and determine the facts of the case.

Alderman Girard asked will you be consulted as part of this process.

Mr. Decker replied I've indicated to them that they could ask us for our reaction to that appeal and they could also look at those facts themselves and consider any information that you or the department heads may have about it and then have the employee appear before them or the department head appear before them to ask the questions and then make a recommendation back to you and perhaps you want to involve the Human Resources/Insurance Committee in that process, as well. The idea is with this process for ninety days is if there are legitimate concerns about the recommendation that it be presented to the Committee and to ourselves and to the Insurance Committee if you feel it's necessary so that you can get the facts in front of you about what that appeal is.

Alderman Girard stated I do have one more question, your Honor, I just don't know if it's appropriate at this time. But, once this study is adopted my guess is that the non-affiliated employees will see changes in their status immediately, January 1st, but we will have to negotiate with the City bargaining units to implement the study through the unionized employees. Do we have...has there been a strategy adopted to implement this throughout the City's employee base. It seems to me that if we do one group and we have trouble with the others we might be in the same place we are right now which is not a very good one.

Mr. Hobson stated we've received just this week some information from Mr. Decker because this came up at the Human Resources/Insurance Committee as well in terms of what would be the strategy, how would we approach trying to handle fourteen collective bargaining agreements that will be open in June and we received some information regarding that strategy from Mr. Decker this week and I think it's...

Alderman Girard interjected so we're not flying blind.

Mr. Hobson stated no. I think it's an excellent proposal from Mr. Decker and we'll get together with the Oversight Committee and that Oversight Committee by the way includes two Aldermen from the Human Resources Committee, as well.

Alderman Pariseau stated I just have one question, your Honor, because of a complaint that was addressed to me relative to the adoption of this proposal. Those currently employed by the City won't have a chance to reach the max in that labor grade, is that right.

Mr. Decker replied, Alderman, that is not correct. Any employee will have the opportunity to reach the maximum in the grade through the satisfactory performance over a period of time, is there something more specific you can tell me about that concern that they have. How would they not reach that maximum.

Alderman Pariseau stated say they've got another ten years to go for retirement, they're concern is that they've never...the way it's set up they will never reach the end of the line and it is geared to new hires.

Mr. Decker stated what that concern I think is about is that there are...first of all in our pay schedule there are 12 steps from the minimum to the maximum. Now, an employee who moves through those steps would do so on the basis of moving approximately 3% each year on the basis of satisfactory performance but every fifth year they'd move two steps because they'd get an extra step on their fifth and their tenth anniversary as longevity. So, that means that any employee...most employees will move through those steps within ten years. Now, there are some employees who feel, who have said this to us quite openly and perhaps some of this has gotten back to you that if an employee today is at the top of their pay rate and say they've been with the City for 20 years, but because we found that their rate of pay was sufficiently low that now they would fit back toward the beginning of the pay raise. They feel that they should be put immediately at the top of the pay range where they feel they should be there. If we did that for any employee we'd have to do it for them all and it would blow the top right off of the City budget and I've never know a client that could afford to do that. But, what they're trading is...they are trading at being at the top of their pay range for an increase now and the opportunity to grow even higher over a period of time; that's kind of complex and I have an overhead if you

want to see it but basically you have employees in different positions like some of them are about mid-way through their pay range now and we found the minimum rate of pay to be sufficiently low that maybe their back down toward the beginning of their range and they say geez, we'd like to be up in the mid part of our range again and in that case you'd be looking at a 15 or 20 percent increase for those employees and that very, very expensive to do it that way.

Alderman Thibault stated I have to agree with the Alderman again that we were just handed this tonight...I had a couple of questions tonight. I wanted to know, if believe I spoke to Mark Hobson about the Courier position which I brought up at the Board the last time and also I was concerned about the Tax Collector's position as to why she was classified as a 25 when all other departments were classified as 26's and I just wonder why this person certainly has as much responsibility as many other assistant director's of any department, why she would be singled out as a 25 rather than a 26 and like I say I didn't have a chance to take a look at what you gave us here tonight, but I was concerned about those two positions. The rest of it, I'm not too worried about.

Mr. Decker replied first of all there is another department head that is in pay grade 24, Ms. Porter's position of Tax Collector is in a 25, there are other department heads in 26's and above and the reason for that is we look at every job in the City whether it's a department head's job or the Courier's job. As we mentioned a couple three weeks ago on the basis of ten factors. So, for example, one supervises ten people, a very small department. On the other hand you have in that same pay grade the Assistant Water Works Director who is the number two position in a much larger department or you have a Police Captain or a Deputy Public Health Director who is the number two person in a much larger department. So, it would be like you said all department heads should be paid the same; that really doesn't factor out for us that way because then you would say that the Public Works Director or the Public Health Director should be paid the same as the Tax Collector and there are other factors involved in it such as the size of the department, the number of people they supervise, the degree of authority they have or the potential for exposing the City to liability. There's any number of factors that would cause one to be slightly higher than another. For example, some people say why is the City Solicitor paid higher than certain departments. Because you may rely on that City Solicitor's judgment and act on that judgment putting you and the taxpayers of Manchester at some liability if that City Solicitor's wrong. So, in the case of the City Solicitor you may be putting more confidence and more liability in relying on that judgment than say you would if...and not to pick on anybody in particular, but Jay Taylor, Economic Development Director or the Youth Service Director. So, the relationships are different in terms of different factors, that's why some of them are different pay grades. That is not to say and I think it really comes to some degree in a City like Manchester of status, some people feel that because they are a department head that they should be there. In the case of the Tax Collector, it was once said to me by someone well, maybe every...the lowest paid department head should be at least equal to the highest paid deputy, that's a policy judgment on your part. You could say to us...Floyd, we don't care about the

different factors, we think every department head should be paid the same and if that's what you want we'd do it, but we do think there's a difference of level of responsibility based on the kinds of operations they're engaged in and it really has nothing to do with their personal capabilities or who they are as a person but the scope and the nature and the complexity of the job. With regard to the Courier that had come up from you and some others. We looked at that again along with a related position to it and did move that up two pay grades.

Alderman Thibault stated I also noticed if I'm right that in your study you use a geographical area of roughly 90 miles around, if I'm not mistaken give or take 90 to 100 miles perimeter.

Mr. Decker stated approximately a one-hour's driving time.

Alderman Thibault stated this includes the Boston market into the City of Manchester and I just wonder how that equates to Manchester. Having worked in Boston myself for several years I always found that the payscale in the Boston market or Providence and that area to be quite a bit higher than in Manchester and I wonder how this equates to these figures. If you could explain that a little bit.

Mr. Decker stated we have a feeling in our firm that you look at some public employees are not likely to leave Manchester if they were to change jobs at all. Others if you're anything like I am others may say that we have family here, we have friends, are roots are here, but we are looking at another job. We try to go as far as 60 miles or 90 miles. We might go within an hour's driving radius and commute or we might even move a little bit away as long as we knew we could come back home and visit our friends and family. Now, if you're willing to go as far as New York you're probably willing to go as far as New Orleans or San Francisco. Some of your department heads might do that, so you want to look at kind of competitively where are you regionally. So, for those jobs where you have people that are likely to make a move like City Planners, some of the more professional positions where they might make a move we try to consider some of the pay a little further away. For those that are unlikely to, to make that kind of a move we'd consider the local data a little bit more strongly. So, what we tried to do was to look at making sure that you are at least within the region among the second highest paid roughly in and around the second highest paid so that you are not serving as a training ground for people like with your Police officers I think you are in some danger of training Police officers here and having them go to Nashua or some of the other surrounding places and there is a cost to you of training a Police officer, I'm not sure that the cost is, but I'll bet is three to five thousand dollars just to get them ready, so then they go to Nashua and Nashua says to you thank you very much and you start all over again.

Alderman Thibault stated I understand that concept and that's a good point, very well taken, and that's one thing that I considered very heavily. But, I look into the other department heads such

as Water Works, or such as Highway, or whatever and I'm not picking any single one here, it seems to me that the Boston market is probably 20-25% higher than what we might be here.

Mr. Decker stated I'm not sure if it's that much higher, but it is considerably higher so I don't think you need to in every case or in many cases try to match the Boston market unless someone's commuting there and living here and driving there every day I think that you've got a whole different taxing situation there, you've got a whole different housing market, so I think that in many cases you might say to someone that if you want to commute to Boston good luck to you or if you want to move to Boston good.

Mayor Wieczorek asked, Floyd, did you say within an hour's driving time, is that it.

Mr. Decker replied that roughly is what I think the area that someone would go unless they were willing to go much further. Now, I've driven between Boston and Manchester many times and depending on the time of day it's between 45 minutes and an hour-and-a-half depending on the time of day.

Mayor Wieczorek stated I heard you mention ninety miles and I said if that's where you're going in one hour, I don't want to be in your car.

Mayor Wieczorek asked are there any other questions from anybody. There were none.

Mayor Wieczorek stated I did talk to the Human Resources Director today and my understanding is that there's an awful lot of work that has to be done to implement this program. So, under normal circumstances I wouldn't suspend the rules to try to get it done, but where they need the time to get it done by January 1st, I'm going to look at the suspension of the rules. So, if the Board so desires to adopt the recommendations a motion would be in order to adopt the recommendations of the Yarger Decker position and classification and compensation study for the City of Manchester as presented in the final report with updates as presented to the Board November 3rd such recommendations to begin implementation January 3, 1999.

Alderman Girard so moved to adopt the recommendations of the Yarger Decker position and classification and compensation study for the City of Manchester as presented in the final report with updates as presented to the Board November 3rd such recommendations to begin implementation January 3, 1999.. Alderman Sysyn duly seconded the motion.

Alderman Thibault asked, your Honor, at that point will we still have time to question some of the...

Mayor Wieczorek replied what Floyd was saying if I heard him correctly is that there is an appeal process of ninety days.

Alderman Sysyn stated I just wanted to thank Floyd Decker for all the work he's done and the effort that he's put into this and I also want to thank Mark Hobson and Frank Thomas of the Oversight Committee...a lot of work, they took their time, they answered our questions, thank you very much.

Mayor Wieczorek stated that's said very well, Madame Chairman of the Human Resources Committee.

Alderman Hirschmann asked can I ask a technical question probably of Mark Hobson. One of the positions on here is an elected position that being the Welfare Commissioner. Now, that being an elected position wouldn't it be that that person wouldn't get that until the next cycle. You're not going to give an elected official an increase, are you. Technically, if this grade change happened wouldn't it go onto the next elected official, it wouldn't happen with this person.

Mr. Hobson stated I'm going to back off from giving you a one hundred percent answer but my response is that the position is in the City's classification system. Whether the position is elected or not.

Alderman Hirschmann stated I know that elected officials can't give themselves a raise and they shouldn't be giving other elected officials a raise.

Mayor Wieczorek stated she's not giving herself a raise, she doesn't vote on this.

Mr. Hobson stated the Mayor's salary obviously is set by the Charter and is not part of the classification system, but that position is in the classification system.

Alderman O'Neil commented I don't know if there is anyone on this Board who has spoken to Floyd more than I have and I just want to thank him for his time and I wish all of our studies and consulting work went this easy. Well done.

Mr. Decker stated, Mr. Mayor, I'd like to say one thing too that we do quite a few of these studies and I think it's important for all of you to know that during this entire study I've never seen a place where's there's been less effort on the part of the people to try to influence our judgment. Everyone worked with us in a very highly professional manner and we appreciated that very much.

Mayor Wieczorek stated I had a whole list of people here that have been involved in this and maybe this would be the appropriate time to do it since Alderman O'Neil you're recognizing Floyd and Alderman Sysyn is recognizing other people. Why don't we recognize all of those

members of the Compensation and Classification Plan Oversight Committee whose efforts were critical in the successful completion of the project and that would be Frank Thomas from the Highway Department, the Chairman; Alderman Klock, Alderman Pinard; Sophia Plentzas, the School Department representing the Manchester Educational Sport Association; Jean Brassard the Fire Department representing the International Association of Firefighters; Michael Roche, Water Works representing the International Steel Workers Union; Michael Rockwell, Highway Department representing the American Federation of State, Council, and Municipal Employees; Stephen Tierney, Highway Department representing the Non-Affiliated Employees; Diane Prew, Information Systems; Regis Lemaire, Office of Youth Services; Fred Testa, Aviation; Fred Rusczek, Health Department; Sean Thomas, Mayor's Office; Mark Driscoll, Police Department; Mark Hobson, Human Resources. I would also like to recognize the efforts of the Human Resources/Insurance Committee including Aldermen Mary Sysyn, William Shea and Daniel O'Neil. Finally, I would like to thank Mr. Floyd Decker and Yarger Decker and Associates, all of these parties have done an outstanding job working together to support this effort. So, it is a collaborative effort here with a lot of people that have been involved to bring us to this point and this is a very important step for this City to take.

Mayor Wieczorek called for a vote on the motion. The motion carried with Alderman Pariseau duly recorded as abstaining on the advice of counsel and Alderman Hirschmann duly recorded in opposition.

On motion of Alderman Rivard, duly seconded by Alderman Sysyn, it was voted to suspend the rules and place this Ordinance on its third and final reading without referral to the Committee on Bills on Second Reading and without referral to the Committee on Accounts, Enrollment and Revenue Administration.

“An Ordinance Amending Chapter 33. Personnel Policy of the Code of Ordinances of the City of Manchester.”

Alderman Clancy moved that the Ordinance be read by title only. Alderman Pinard duly seconded the motion. The motion carried with Alderman Pariseau duly recorded as abstaining at the advice of counsel and Alderman Hirschmann duly recorded in opposition.

This Ordinance having had its final reading by title only, Alderman O'Neil moved on passing same to be Ordained. Alderman Sysyn duly seconded the motion. The motion carried with Alderman Pariseau duly recorded as abstaining at the advice of counsel, and Alderman Hirschmann duly recorded in opposition.

Mayor Wieczorek stated let me congratulate everybody, this is really a very difficult task that was done and I'm very pleased to see that we finally, finally have a classification system. Thank you all very much.

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

Mayor Wiezorek called the meeting back to order.

OTHER BUSINESS

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

Resolution:

“Amending the 1999 Community Improvement Program authorizing and appropriating funds for Manchester Challenge Grant - Supplemental Funding.”

ought to pass and Bond Resolution:

“Authorizing Additional Bonds, Notes or Lease Purchases in the amount of Two Million Sixty-Two Thousand and Five Hundred Dollars (\$2,062,500) for the FY99 School Lease Programs.”

ought to pass and layover.

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

Communication from Raymond E. Pinard advising that the MDC Board of Directors has unanimously voted to authorize prepayment of an approximate \$326,596.22 loan balance for Five-Forty North Associates allowing these funds to supplement existing MDC assets for use in future economic development projects.

Alderman Girard moved to approve MDC keeping funds. Alderman Klock duly seconded the motion.

Alderman Thibault asked what exactly is this.

Mr. Taylor stated in 1983 the City applied for and received an Urban Development Action Grant better known as UDAG to help in the financing of the renovation of the first building in the Millyard - 540 North Commercial Street which is one building south of the building with the clock tower on the roof; that \$500,000 UDAG money was approved for the City; that money was loaned to the developer, in this case John Madden of 540 North Associates...

Alderman Thibault interjected all right, Jay, I understand now, I just couldn’t think where this was coming from, I was on the Board then.

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

Ordinances:

“An Ordinance Establishing various City Departments”
“Establishing A Board of Assessors”
“Establishing A Building Department”
“Establishing A Department of Aviation”
“Establishing A Manchester Economic Development Office”
“Establishing An Elderly Services Department”
“Establishing A Finance Department”
“Establishing A Fire Department”
“Establishing A Health Department”
“Establishing A Highway Department”
“Establishing A Human Resources Department”
“Establishing An Information Systems Department”
“Establishing A Library Department”
“Establishing An Office of the City Clerk”
“Establishing An Office of the City Solicitor”
“Establishing An Office of the Tax Collector”
“Establishing An Office of Youth Services”
“Establishing A Department of Parks Recreation and Cemetery”
“Establishing A Planning and Community Development Department”
“Establishing A Police Department”
“Establishing A Department of Public Building Services”
“Establishing A Traffic Department”
“Establishing A Water Works Department”
“Establishing A Department of Welfare”

On motion of Alderman O’Neil, duly seconded by Alderman Girard, it was voted that the Ordinances be read by titles only, and it was so done.

These Ordinances having had their second readings by titles only, Alderman O’Neil moved on passing same to be Enrolled. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

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

Mayor Wiczorek called the meeting back to order.

A report of the Committee on Accounts, Enrollment and Revenue Administration advising that, Ordinances:

“An Ordinance Establishing various City Departments”
“Establishing A Board of Assessors”
“Establishing A Building Department”
“Establishing A Department of Aviation”
“Establishing A Manchester Economic Development Office”
“Establishing An Elderly Services Department”
“Establishing A Finance Department”

“Establishing A Fire Department”
“Establishing A Health Department”
“Establishing A Highway Department”
“Establishing A Human Resources Department”
“Establishing An Information Systems Department”
“Establishing A Library Department”
“Establishing An Office of the City Clerk”
“Establishing An Office of the City Solicitor”
“Establishing An Office of the Tax Collector”
“Establishing An Office of Youth Services”
“Establishing A Department of Parks Recreation and Cemetery”
“Establishing A Planning and Community Development Department”
“Establishing A Police Department”
“Establishing A Department of Public Building Services”
“Establishing A Traffic Department”
“Establishing A Water Works Department”
“Establishing A Department of Welfare”

were properly enrolled.

Alderman O’Neil moved that the Board accept, receive and adopt the report. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Resolution:

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for Manchester Challenge Grant - Supplemental Funding.”

On motion of Alderman Thibault, duly seconded by Alderman Klock, it was voted that the Resolution be read by title only, and it was so done.

On motion of Alderman Girard, duly seconded by Clancy, it was voted that the resolution pass and be enrolled.

Ordinances:

“An Ordinance Establishing various City Departments”
“Establishing A Board of Assessors”
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“Establishing A Police Department”
“Establishing A Department of Public Building Services”
“Establishing A Traffic Department”
“Establishing A Water Works Department”
“Establishing A Department of Welfare”

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

These Ordinances having had their third readings by titles only, Alderman Clancy moved on passing same to be Ordained. Alderman Klock duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEM

Minutes of meetings held August 4, 1998 (two meetings); August 18, 1998; and September 1, 1998 (three meetings).

This item remained on the table.

NEW BUSINESS

Alderman Thibault stated in view of the vote that the people gave to the City of Manchester yesterday in the Civic Center arena, I think that this Board should really look at this carefully and make sure that we all agree as to what is the best site for this thing. This is a major step for this City, your Honor, and I believe that the Board of Mayor and Aldermen should take the time here to look and make sure that we put it at the right place, that's all I have to say.

Mayor Wiczorek stated I think you made a very sensible remark, I don't think things have been cast in concrete, but at least now the group that is getting together to evaluate things will have an opportunity to put together a schedule that they will be bringing to us at our meeting on the 17th.

Alderman Pariseau stated I have correspondence that I drew up over the weekend for the members of the Board and I'd like to read it into the record.

Dear Colleagues:

Recent events and news articles from *The Union Leader* regarding the management of the Manchester School Department cause me to write this letter. I think I can safely speak for a majority of this Board and say that we are outraged and dismayed by the inflammatory statements made by Superintendent Tanguay and several members of the School Board following the October 27 meetings.

This Board has actively tried to work to resolve the problems that face our School Department. Despite our best efforts, the Superintendent continues to mismanage our

public schools while keeping a cavalier attitude towards the real problems facing the future of education in Manchester.

In the past, I have been criticized for making unfounded statements about the mismanagement of the School District. In order to avoid this criticism again, I would like lay out my case:

1. Mr. Tanguay knowingly overspent the School Department's FY98 appropriation by a minimum of \$1.4 million.
2. Mr. Tanguay knowingly mislead the Committee on Finance at the May 13, 1998 (page 33) meeting of that committee by stating that, "I do not believe that the School Department has a deficit or if they do, it is very small. That is all I have to say."
3. Contrary to the Right-to-Know Laws of the State of New Hampshire, Mr. Tanguay held secret, closed door meetings of a majority of the Board of School Committee.
4. Mr. Tanguay knowingly forged the signature of the Chairman of the Athletics Committee on the May 27, 1998 committee agenda.
5. Mr. Tanguay withheld proper payments to the Manchester Parks, Recreation & Cemetery Department for athletic facility charges.
6. Mr. Tanguay has willingly refused to comply with the full implementation of the HTE financial system and continues to insist on establishing a new, separate system for the Department -- he has recently stated that contrary to the agreements we made at the October 27 meeting that he would seek to pay for a new financial software system and new computers for the administration; rather than spending the approximately \$100,000 on books, supplies or other necessary items.
7. Mr. Tanguay failed to submit a budget to the Mayor before the appropriate deadline.
8. Mr. Tanguay, against the advice of the Manchester Transit Authority, changed all the bus routes two weeks before the opening of school and caused great havoc in the lives of our children and their parents. More recently, I have read that since then, the Superintendent has refused to pay the MTA what the School Department owes them.

In consideration of the above information, the fact that the previous Superintendent was held to a much higher set of standards than Mr. Tanguay and was forced to resign his post, and knowing that this problem has gone far too long, I make the following motion:

That the Board of Mayor and Aldermen take a vote of no confidence on Mr. Tanguay's performance and send him a message that the Board of Mayor and Aldermen, on behalf of the citizens of Manchester, will no longer tolerate his mismanagement of our Schools.

Respectfully,

s/Robert J. Pariseau
Alderman 9

Mayor Wiezorek asked is that in the form of a motion.

Alderman Pariseau replied yes, Sir, and moved that the Board of Mayor and Aldermen take a vote of no confidence on Mr. Tanguay's performance and send him a message that the Board of Mayor and Aldermen, on behalf of the citizens of Manchester, will no longer tolerate his mismanagement of our Schools. Alderman Girard duly seconded the motion.

Alderman Girard stated during the budget I brought up time and again and have since that fiscal '98 there was a fully-budgeted reorganization of the Special Services Department within the School Department to try to manage escalating Special Education costs. With no good reason, although four different ones given to me on four different occasions by the Superintendent the School Board and the School Administration decided not to implement that reorganization of Special Services, so we'll never know whether or not it would have had the intended effect and I think that plays into several of the items that Alderman Pariseau has raised and I know since they're trying to cop a lot of the overrun off on Special Ed it is all the more poignant that the public be reminded and that this Board be reminded that they fully-funded a reorganization in a fully-funded budget and it was not done.

Alderman O'Neil stated, your Honor, you chaired a committee last week that I thought was going to correct any wrongs and set us forward and I just think this is so wrong, at this time. I thought we had put it behind us and we were moving on and I commend the work that the committee did. I think this is sending a wrong message to our School system, I really do.

Alderman Cashin stated first, your Honor, if I'm not mistaken the Board of School Committee had a vote of confidence for Mr. Tanguay and I believe it was 10 or 12 to 2 or whatever it was, so he does have a vote of confidence with the Committee and he's not hired by this Board, he's hire by the School Committee. For this to come out here, the Alderman from Ward 9 has, I guess, to bring out anything he wants but in 30 years I've never seen anything like this...

Alderman Pariseau interjected it hasn't been this bad.

Alderman Cashin stated this is your opinion, Alderman, you have a right to your opinion and that's fine, but I have a right to mine. We had a meeting last winter sometime, we talked about the HTE system, he told you how bad it was that he couldn't get any information off it, that there was going to be problems, so he told us all this. Number one, I don't believe he's lied and for anyone to say that I'm not going to accept that. He has taken on a task that first he walked into, he didn't have a lot to do with the budget that was already made for him when he walked into it. He had a new system that he had problems with, he told us about it, and I'm not pointing fingers at anyone, but to blame Mr. Tanguay for all of this to me is just not right. This Board shouldn't be doing this. I think Alderman O'Neil hit it on the head he said we set up a committee, we had a meeting, we discussed it with the School Board, we thought that we had put this behind us and that's where it should be. To bring it up again this evening I think is

counterproductive and I just think that the Alderman from Ward 9 has made a very serious mistake, in my opinion.

Alderman Girard stated in the last week when I was speaking with various City officials regarding the state of the fiscal '99 budget I was told and I don't know if it was rightly or wrongly and I don't know if it's been corrected, but I was told that it appears that the School Department is on track to overspend fiscal '99 and I wanted to know whether or not there was any objective evidence to that and there were three reasons why I ask that. First, during the budget process Mr. Tanguay said that if he was given an adequately funded budget he would not overspend it and as we know the School Administration does not feel that this budget is adequate. Secondly, I read sometime ago in the newspaper that Mr. Tanguay said he did not intend to overspend fiscal 1999's budget and intention is not a commitment. And, third, during the meetings that you had with the Special Committee Mr. Tanguay said that unless he got the financial software and the computer system to the tune of \$800,000 that he was looking for he would not be responsible for any overspending because he had been denied the tools he said he needed to manage. So, I think it's pretty critical, given those three points as background that we know where the School Department's budget is and whether or not they are in danger of going into deficit in fiscal '99. I realize your oversight committee, your Honor, is going to continue to meet on a periodic basis to review the finances but was the information I was given at the time accurate because my understanding was they've already hired more teachers than the budget will allow and I was given a rather large number, I think if I recall correctly there was a projection of about a \$2 million deficit at the end of fiscal '99 and I'd like to know whether or not that information is accurate or has been corrected.

Mayor Wieczorek stated I can't answer that question right now, but I think a lot of this information will be developed as a result of the oversight committee that is going to be meeting on a fairly regular basis. The idea of the oversight committee was not to give any indication that we have no confidence in the Finance Committee of the School Board because that is a pretty good committee that is put together. but, I think that since...as Aldermen here we have a responsibility...everybody here to the bottom line to make sure that it's there. Since we have taken corrective action to correct a couple of the items from last year's budget: that is, the deficit and the lease purchases that were made, I said it would be a good idea first to monitor that to make sure that we don't have a repetition of that in '99, that was the purpose of putting that committee together.

Alderman Girard stated the other thing that concerns me though is in solving the problem for today and the agreement that has come up, we have pushed a number of costs into the future, we pushed those lease payments which we're going to absolve in a special line item, we're going to absolve the School Board of responsibility on, the Superintendent said in the newspaper article the very next day that he intended to get the financial system he wanted anyway whether he was going to get it through the lease or not...there seems to be a contempt within the administration

for the bottom line and that concerns me and as you know I opposed that agreement because I did not believe that it held the administration accountable for the problem that it created. Mr. Bernard as Alderman Pariseau alluded to was forced to resign because there was a \$250,000 deficit that he did not address with the School Board because he was confident that he was going to be able to make it up. Well, now we have as Alderman Pariseau has highlighted rather a grievous transgressions and we are responsible for the deficit, ultimately, the taxpayers of Manchester saw their tax rate increase go up another 1.74% this year because of the damage that that deficit did to the fund balance carryovers from fiscal '98 to fiscal '99. At what point is somebody responsible and accountable. I realize that we do not hire the Superintendent, but I think Alderman Pariseau's purpose is to put him on notice that we're watching and we're not happy with what's happened to date and we're going to continue to be unhappy and become more unhappy if this type of attitude and this type of performance continue. So, we're all ready in the next budget obligating the taxpayer's to these leases, we're not only going to absolve them of the leases, your Honor, we're going to payoff the rest of the debt and I don't know where that's going to come from, maybe it will come from the additional money that the State's giving us from the surplus that they sent back to the cities and towns, but I'd hate to see that money get all eaten up fixing financial problems which are only going to get bigger going into the future unless the management is addressed.

Alderman Rivard stated the oversight committee, I thought was a great idea, I think they did a great job, they worked to adopt some resolutions that I think are going to address some of the problems that we're speaking about here. If we're going to work together as a team and do what I think is in the best interest in the City of Manchester, the taxpayers, the students which are the most important thing here I'm going to have a difficult time...I don't think we should be fighting with each other. We should be trying to work together and push the ball in the same direction. I know that there are some concerns about trust and accountability but I think that we're going in the right direction and I have a difficult time sending a message like this to the School Department who is supposed to be our counterpart, be part of our team and I don't know this is a difficult thing for me to swallow right now. I know that we've had some problems, but I know we're moving in the right direction and I'm sure that you're going to keep an eye on it and keep us posted and we're going to resolve it and I know he knows he's got a problem. I think that he's well-aware of it.

Alderman Thibault stated I'd have to agree with Alderman Rivard that in view of the fact that you have set up a new committee to look into these problems, I think is more than sufficient enough to get to the root of this problem. Not having been here last year and knowing part of the background of some of these problems probably, some of the new Aldermen that were not on the Board at that point; that is why I appreciate the fact that you have put a new committee to look into these problems and to say that there's not enough blame to go around here, I think there's enough blame to go around and if I'm not mistaken I got the idea that a lot of this deficit came from the Special Education side of some of the students that have come into our system

and if this is the case I'm very happy with the fact that you and your special committee are going to be keeping tabs on that and keeping us informed that maybe in some cases maybe we've even underfunded the School budget, if that's the case. and, if they can prove that I think I'd have to agree with Alderman Rivard that the fact that you're looking into it I'm happy about that and I'd like to hear more information on that.

Mayor Wiczorek stated, Alderman, one of the resolutions called for a certified copy of what caused the deficit from the accountants, so that's one of the items that is going to be coming.

Alderman Girard stated I just have two final comments here. If Special Ed is the cause of this deficit, this only brings me back to the reorganization of the Special Services Division of their department that was not enacted and the other point I want to make is that I don't take my comments here lightly at all. I have a father who's a principal in the system and I'm aware that there could be repercussions for him professionally by the fact that I've taken this stand, okay, but I feel strongly enough about what I've seen not only with my own eyes over there, but what I've heard from others in this department that I wanted to support Alderman Pariseau.

Alderman Hirschmann stated I'm not going to get deep into the whole thing, Item 8 really concerned me...on behalf of the mother's in Ward 12 and probably throughout the City that's the one item that I got the most calls on, I know you talked about the deficit all fall, but these bus routes being changed by the Superintendent left first grade children on Front Street on a main drag when they should have been in front of their home, they wouldn't pick up the child in front of their home, they revised all these bus schedules, they put a lot of children in peril. We're talking about public safety, we're talking about common sense, and he went against the advice of the Transit Authority. Some of the points that Mr. Pariseau brings up in these allegations are very true and seemingly this man...

Alderman Pariseau interjected not some of them, Alderman, all of them are true.

Alderman Hirschmann stated the one I don't know about is his forging someone's signature, but if that is true that is something that should be brought to court, you don't forge anyone's signature. But, to say...I respect Mr. Pariseau and I respect the School Administration trying to do their job to a degree but what happened this year, your Honor, the deficit has been difficult on everybody: the taxpayers for one because the taxes are going up, the Aldermen haven't been able to deal with it, the School Board hasn't been able to deal with it and I think what this brings to light is integrity and probably even his capacity to perform the role of administrator when he's not taking the advice and he's not paying the bills of the buses, the Transit Authority's not getting paid, I spoke to the Chairman of the Transit Authority yesterday...why aren't the bills for the buses being paid by the School District.

Mayor Wieczorek stated I spoke to the Superintendent today, he says they are going to be paying.

Alderman Hirschmann stated I think he owes an apology to the mother's...he created a lot of phone calls to a lot of School Board and Aldermen's homes and a lot of mother's were upset. It may seem small and trivial to people, but there was a lot of heated moments this fall over changing those bus routes. I don't know if the School Board just lets him make changes like that.

Mayor Wieczorek called for a vote on the motion.

A roll call vote was taken at the request of Alderman Cashin. Aldermen Cashin, Thibault, sysyn, Clancy, O'Neil and Rivard voted nay. Aldermen Hirschmann, Klock, Reiniger, Pinard, Girard and pariseau voted yea. Alderman Wihby and Shea were absent. Mayor Wieczorek voted yea and the motion carried.

Alderman Hirschmann stated with regard to the allegation of the forgery, shouldn't the Police Chief be investigating this. Did this really happen.

Mayor Wieczorek replied it did happen, but I think the School Board had taken care of that at their meeting.

Alderman Hirschmann asked how did they take care of it, it's okay to forge the signature.

Mayor Wieczorek replied it isn't okay to forge the signature, but it's their responsibility to deal with that situation.

Alderman Hirschmann commented so it went under some rug and it's all solved.

Mayor Wieczorek stated it's solved.

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

A True Record. Attest.

City Clerk