

BOARD OF MAYOR AND ALDERMEN

March 2, 1999

7:30 PM

Mayor Wieczorek called the meeting to order.

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

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

Absent: Alderman Pinard

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 February 19 & 20, 1999 authorizing the Public Works Director to seek RFQ's for the Custodial and Preventive Maintenance Services for cleaning and maintaining the City's 23 schools, School Administration Building, City Hall Plaza Complex, Library, and the West Side Library.

Informational to be Received and Filed

- C. Minutes of Manchester Transit Authority meetings held on November 6 & 24, 1998 and Financial and Ridership reports for the months of November 1998, December 1998 and January 1999.
- D. Communication from the Chief of Police advising the Board of a meeting held on February 17, 1999 regarding security of Manchester schools with interested parties noting a committee had been formed.
- E. Communication from the US Department of HUD submitting HUD's Annual Assessment report relative to the City's performance and progress in implementing the City's Consolidated Plan during program year 1997, ending June 30, 1998.

REFERRALS TO COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT

- G. Communication from David Bush, Assistant Airport Director, submitting the second amendment to the Hertz Rental Car Lease Agreement that adds 25,126 square feet to the leased premises affording space to expand and rebuild the rental car service and storage facilities.
- H. Communication from Attorney John Lassey, Wadleigh, Starr & Peters, requesting the

City pay closer attention to pedestrian safety on streets and sidewalks in the Downtown area after snow and ice storms.

- I.** Communication from Kimon Zachos, President of the Board of Trustees of The Currier Gallery of Art requesting the repavement of Heather Street.

COMMITTEE ON FINANCE

- J.** Resolutions:

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP Project 221999-HIV/AIDS Curriculum.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP Project 410499, NH Drug Task Force.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Two Thousand, Five Hundred (\$52,500) for 1999 Community Improvement Program - 831499 School Security Improvement Project.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- K.** Communication from Linda Garriott, Intown Manchester, seeking permission of various requests as outlined below for an arts and music event on Hanover Street in conjunction with the Downtown Farmers' Market and the Manchester Summer Concert Series to be held Thursdays on July 8, 15, 22, 29; August 5 & 19, 1999 from 6:00 to 10:00 PM:

- (a) closure of Hanover Street (between Chestnut and Pine Streets) from 5:00 to 11:00 PM;
- (b) a “No Parking” ban be placed in effect beginning at 3:00 PM; and
- (c) install banners on lighting hardware.

(Note: concurrent referral to Committee on Administration/Information Systems.)

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- M.** Recommending that the City adopt a policy regarding Departmental Legislative Activities with the State of New Hampshire as follows:
- 1) If a department is going to testify on a bill, whether in person or by letter, they should notify the members of the Board of Mayor and Aldermen via a one-page summary as soon as possible.
 - 2) Department representation at committee hearings or commission meetings should be limited.
- O.** Recommending that a request for permission to place a banner on Hanover Street, between Elm and Chestnut Streets for two weeks prior to April 24, 1999 announcing the 2nd Annual Candlelight Vigil of Remembrance & Hope be granted and approved.
- P.** Recommending that the City Clerk be instructed not to issue permits to any

vendors in the area of Riverfest (Elm Street to the east, Brook Street to the north, Granite Street to the south and the Merrimack River to the west) during the celebration scheduled for September 10, 11 & 12, 1999.

- Q.** Recommending that a request for a circus license by the Bektash Temple at JFK Coliseum from April 8-11, 1999 be granted and approved, subject to meeting all conditions set forth by the City Clerk, Fire, Police and Risk Management.
- R.** Recommending that a request for a carnival license from Ron Pappas for the annual Pappy's Pizza Spring Carnival be held from April 15-25, 1999 with all proceeds to benefit the Central High School Gridiron Club be granted and approved.

COMMITTEE ON COMMUNITY IMPROVEMENT

- S.** Recommending that requests for acceptance of funds for various projects be approved as follows:

An amending resolution allowing for the acceptance and expenditure of a Title 1 Planning Grant for Bakersville School in the amount of \$10,292 from the NH Department of Education.

An amending resolution and budget authorization allowing for the acceptance and expenditure of additional funds of \$4,950 from the NH Department of Education for the 1999 CIP 2219999 HIV/ AIDS Curriculum.

An amending resolution and budget authorization allowing for the acceptance and expenditure of additional funds of \$38,533 from the State of NH Department of Justice for the 1999 CIP 410499 NH Drug Task Force.

An amending resolution and budget authorization allowing for the acceptance and expenditure of additional funds of \$52,500 from Public Service of New Hampshire for the 1999 CIP Program 831499 School Security Improvement Project.

and for such purpose amending resolutions and budget authorizations have been submitted.

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

- B.** Communication from the Health Officer recognizing the exemplary work and excellence demonstrated by Lisa Hunter, RN, in the performance of her duties as a Manchester School Nurse.

Alderman Shea stated this is a comment relative to the Health Officer's recognition of Lisa Hunter, RN for exemplary work and excellence in performing her duties as a school nurse. As a school principal for 30 years, your Honor, I would say without equivocation that Manchester School nurses provide essential services to children and to staff members and to parents and perform at a superior level and are indispensable within our School community and I thank god for them.

Alderman Shea moved to receive and file the communication from the Health Officer.

Alderman Rivard duly seconded the motion. There being none opposed, the motion carried.

- F.** Communication from Thomas O'Rourke, MediaOne, advising that the City may request gross revenue payments to include the "fee on fee" noting such request must be made in writing by March 1, 1999.

Alderman Wihby asked is there someone who can explain what it is and second of all, March 1st is already past. You're sending us something that's got to be done by March 1st.

Mayor Wieczorek asked didn't we have a telephone poll.

Alderman Cashin replied there was no telephone poll that I'm aware of.

Alderman Wihby asked does that mean that it's too late as we've passed March 1st, if we wanted to do it or is it their way of playing more games. What is the "fee on fee", is that something that they would have to pay.

Mayor Wieczorek replied I would think it's a fee they would be paying.

Alderman Wihby asked is it something we would want do first, now that it's March 2nd.

Mayor Wieczorek stated I thought I had told somebody to take a telephone poll.

Alderman Wihby stated they didn't send it to us until February 15th and we didn't receive it until the 17th.

Alderman Thibault stated there are several things I read in the papers in the last week or so that say that as a city or town we don't have much control over that. The federal government, Congress and Senate, I guess has passed through that they can do just about anything they want and there's no that we can stop them. There's just no way we can stop them, as far as what I've read. We can hassle them all we want but we cannot control them.

Mayor Wieczorek stated Alderman Pariseau has said in your Committee you've had some dealings with the cable company.

Alderman Pariseau stated this has never been brought up and I guess this is why it's being referred to the Committee on Administration.

Mayor Wieczorek stated I think we ought to contact them right away.

Alderman Wihby asked can I suggest that we go ahead and pass this tonight subject to the Solicitor and Finance looking at it and if it makes sense to do it, then we do it. It sounds like it's

something that we will collect from them. If we're one day late, at least maybe they'll grant it to us.

Mayor Wieczorek stated I agree with you, so do you want to move.

Alderman Cashin stated according to the letter you're going to raise the bill if you do that.

Mayor Wieczorek stated Alderman Wihby indicated subject to the Finance Officer and the City Solicitor checking that.

Alderman Wihby asked isn't that money they're paying; that is what I'm trying to figure out, I can't figure out by the letter.

Mayor Wieczorek stated what they're saying basically is they will raise the rates but they will send the fee, increase the amount that they pay us; that is the way it looks to me.

Alderman Cashin stated I would like to table this and invite Tom O'Rourke in and find out what's going on here, this doesn't make any sense or send it to Committee.

Alderman Pariseau stated they can't expect a response in five days, the City Clerk received the communication on February 17th and I think they're kind of nery requesting that we respond by March 1st.

Alderman Thibault stated send it to Committee.

Mayor Wieczorek stated that is where it's going, but I think we should invite Mr. O'Rourke. I'll call him tomorrow...they didn't give us much notice on this.

Alderman Girard stated I would just as soon have this sent to Committee on Administration because the letter does say that through various case law that cities and towns can impose the franchise fee on the franchise fee, but what this letter also says is that the cable company will pass along to the consumer. So, we can assess the additional fee, but whatever that turns out to be is going to be a pass through to the cable user and if the motion on the floor to adopt this then I can't support it and would just as soon see it go through the Committee process, so we can get some definite answers.

Mayor Wieczorek stated I didn't get a second to have the City Solicitor...

Alderman Cashin interjected I moved to table it and invite Tom O'Rourke in to find out what's going on and you can still have your phone poll later, your Honor, we can take it off the table, but I don't want to act on this tonight.

Alderman Girard stated the Committee on Administration has been working on these issues.

Alderman Cashin stated I have no problem referring this to the Committee on Administration, but I don't want any votes at the Board level tonight.

Alderman Thibault asked does that tell us that they can, in fact, start charging the fee right now before we even act.

Alderman Wihby stated we don't even know what it says.

Alderman Shea stated what it says down below if someone were to read the last paragraph...*This letter is intended to provide notice that you may request your gross revenue payments to include the fee on the fee.* If you don't include it, it won't be included...that is what he's saying.

Mayor Wieczorek stated let this go to Committee.

Solicitor Clark stated the question I guess is can they add a line to the bill and add charges to it. As you know, we don't have any control over the rates. If they start raising their rates...this particular fee here reflects, I think, directly to the franchise fee and if we added a franchise fee they would pass it through. I was just talking with Mr. Clougherty and I think our recommendation to the Finance Department is that we probably audit their franchise fee anyway and find out what they've been paying us and what it built into it because our particular franchise agree with MediaOne calls from them to pay a four percent franchise fee on gross receipts not what they get from the customer, so we have to find out and make sure they're going that.

Mayor Wieczorek asked what would you recommend we do with this.

Solicitor Clark replied send it to Committee.

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

- L.** Recommending that the draft Building Code Ordinance be referred to public hearing on Monday, April 12, 1999 at 6:00 PM in the Aldermanic Chamber of City Hall.
- N.** Recommending that the revised draft Building Code Ordinance be referred to public hearing on Monday, April 12, 1999 at 6:00 PM in the Aldermanic Chamber of City Hall.

Alderman Hirschmann deferred to the Deputy Clerk who had requested that Items L & N be removed from the Consent Agenda.

Deputy Clerk Johnson stated the Clerk requested that Items L & N be pulled and taken together noting the first is a report of the Committee on Accounts regarding the Building Code

Ordinance. When it was presented to the Committee on Accounts they were recommending a public hearing which would be required with any new revenues. The Committee on Administration also looked at the same item and a revision was presented by the Building Department at that meeting and the recommendation of the Committee on Administration is to send the revised draft code to the public hearing. So, the Board would need to accept Item N which is Building Commissioner is now submitting and refer that to the public hearing...accept that report and reject Item L at this time because they are two different versions.

On motion of Alderman Hirschmann, duly seconded by Alderman Rivard, it was voted to receive and file Item L.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to accept, receive and adopt the report of the Committee on Administration (Item N).

4. Distribution of FY2000 CIP Budget with brief presentation by the Director of Planning.

Mayor Wieczorek stated what we are going to do is give you the budget and I'm going to have Mr. MacKenzie give you some of the timelines that we have for the budget, then you'll have an opportunity to take a look and then I'll accept a motion to refer it to CIP.

Mr. MacKenzie stated I was just going to briefly tour through the CIP to make sure people understood what the different tables meant and where the different funding sources are and what they're going to be used for and then review the CIP adoption process as we foresee it for this year. Leo Bernier is handing out both the booklets and a separate sheet with the CIP process on it. Just to review what is in here, there is a section in each booklet on CIP summary that gives a quick idea of what the total amount is and the total amount is just under \$9 million in this year's proposed CIP; funding sources...there's five general categories and they relate to the tables you will find...Federal, State, and other private funds total roughly \$13 million; Community Development Block Grant funds from HUD even though it is a federal source we specify that out in particular to meet some of their requirements and that's a little over \$3 million this year; City Cash this year is approximately \$2.5 million and comes out of the operating budget; General Obligation Bonds just under \$13 million total; and Enterprise programs which includes primarily Water Works, EPD, and also Parks & Recreation totals just under \$17 million. And, again, in the summary it is shown generally where those funds are going to in terms of health, education, public safety. If you'll turn to the section called Annual Budget you will see again that Table 1-1 and there's five different tables and relate to the five different funding sources...each funding source really has their own requirements and their own particulars which is why they are separated out into different tables. For each of the tables you'll see the project number for each proposed project, the administering department, project name...this year we have added more of a description as to what each project entails and then located is the Mayor's proposed fiscal year 2000 amount for each project. So, as I mentioned before Table 1-1 is the Federal, State & Other Funds and there are a range of other funds. Clearly, a large portion of

that as you'll see on page 2 of Table 1-1 is School Department grants...they go out to different portions and apply for grants. Table 1-2 is the Communication Development Block Grant and also includes a couple other somewhat smaller grants from the Department of Housing and Urban Development so you'll see on Table 1-2 a column for CDBG (Community Development Block Grant) the largest of portions of funds we get, the second column is ESG (Emergency Shelter Grants) totals \$78,000 which has been a reduction to the City this year, and then the HOME Funds which are specifically for housing totals a little over \$600,000. Table 1-3 City Cash is the amount under the City operating budget and includes several projects...many of them are departmental projects that are perhaps too small to come under General Obligation Bonds, but are capital projects. As you might guess the resurfacing even though it is a relatively large amount has not been considered a truly bondable project...it typically comes in under the CIP Cash portion. Table 1-4 General Obligations Bonds totals a little under \$13 million and each of the projects are listed and detailed descriptions are provided. And, finally, as I mentioned before Table 1-5 the Enterprise Projects including both the Parks & Recreation Enterprise portion...they have four projects this year; the EPD of the Highway Department and the Manchester Water Works. This year the Airport Authority did not have any specific projects...much of their funding for projects was in last year's CIP process. The next tab is the Multi-Year which gives an idea of the major projects the City sees down the road. When it comes to a final vote these are not projects that are either appropriated or authorized, it is used for planning process to recognize the big projects that are coming and try to plan for them so that there is no major impact on the tax rate. In the final last two tabs – CIP Policy was developed three or four years ago and then the Resolution is the last section, the formal resolution on the CIP that the Board would take and if it's amended that resolution would be amended and later on in a couple of months we will be providing more detailed start-up sheets on each of the projects that Finance uses to track and record and audit projects and those can be added in the back of this. So, that's a quick look at the projects and how the different sections of the CIP are put together. I did want to draw your attention to the CIP adoption process which is the single sheet that was handed out. As you may know, there are certain critical projects that we would like to get going for this summer construction season and in order to do that we would have to have some approvals in April in order to move ahead. We have identified some of those...we will be talking to other department heads to determine which projects are to be expedited, but clearly the School projects such as Memorial High School Improvements, a roof at Northwest School have to be expedited and we will be putting those particular projects on the fast track. To go through the budget process as we see it. Again, the first date was actually February 3rd. We held a hearing pursuant to HUD requirements in order to get citizen input on HUD-related activities; that hearing was held at the Neighborhood Resource Center on Lake Avenue and there was actually a very good turnout for that. March 2nd, today, the Mayor is proposing the budget and providing this to you which will be referred to public hearing on March 22nd and the Mayor will be bringing it to the CIP Committee for review. On March 16th, the next meeting we also will be bringing in the formal bond resolutions particularly those for expedited projects. The bond resolutions do have to come in and lay over on the table for a set amount of time. Mid-March the CIP Committee would meet on one or more occasions to

review the projects as they did last year. A public hearing would be held on March 22nd to review in a little bit more detail these projects and then offer the public the opportunity to comment. On March 29th the Finance Committee if they wish to review and consider the project...ultimately they will have to take an action on the CIP Program and we're hoping for a final action of the Board on April 6th, so that the bond resolutions could lay over until the next meeting of April 20th which is the date that we're hoping to get going on several of the projects in order to be into this summer construction season. At this point, that's all the comments I had on the CIP, I'd be happy to answer any questions and, of course, I'll be available during the rest of March to answer questions.

Alderman Wihby asked are there any programs we funded last year that we're not funding this year, major programs like Fun In The Sun or Child & Family Services or something like that.

Mr. MacKenzie replied at this point the Mayor has submitted a policy issue to talk about non-profit entities, but the Mayor has included those at the present time in the program. There's no agencies that I'm aware of that are not being funded that were funded last year.

Alderman Thibault asked has there been anything set aside for the Brown School possible renovations.

Mayor Wieczorek stated, Alderman, if you could wait until this is going to go to the CIP Committee so that they can review this. You just got it tonight and you've got to take a look at it to see what's in there, what's not.

Alderman Thibault stated I just wanted to make sure I didn't miss anything here because I didn't see it here.

Alderman Girard asked would it be possible for the Board and if not the Board at least the CIP Committee members to receive a list of the funding requests that the City received for the CIP funds and would it also be possible to have some kind of a spreadsheet developed that showed what was allocated to these various organizations last year and what you're proposing this year as it would be helpful to have all of those three pieces of information together in one place, so that we could get a sense of the priorities that are out there.

Mayor Wieczorek replied we were going to give you something regarding the requests. Can we accommodate the other two, I don't see why we can't.

Mr. MacKenzie stated we were going to put together a summary sheet listing all the requests that came in...not all of the requests were funded. A summary sheet including the description of each of those whether they were funded or not. The FY99 funding and the proposed funding; that will be probably a 50 page report or so. We also have a couple other informational items. We have the priority sheets of each department that came in and we can make copies of that if

you'd like. The actual backup material is rather voluminous and would take longer to provide in terms of copying.

Alderman Girard stated I think that summary sheet on the priorities would be very helpful.

Alderman Shea stated like Alderman Thibault I am concerned about Prout's Park I did receive \$10,000 for a consultant study last year and we had various meetings and I think everyone has a letter explaining how the citizens around Prout's Park have been involved...Debbie Cote has written a letter and sent a copy to you, your Honor, as well as to Alderman Reiniger in charge of the CIP Committee and I think that when we do hire consultants for work, I think we should follow through. I don't think that citizens should get involved, have meetings, and then the City decide when they make up a CIP budget not to include them. So, I am going to suggest that number 510100 be amended, your Honor, at CIP meetings.

Mayor Wieczorek stated, Alderman, why don't you just take a look at what it's in this one.

Alderman Shea interjected I want to make sure that the members of the Board are aware of it, that's all and I'm making my thoughts known, but I have studied this, your Honor.

Alderman Rivard asked when will we have an opportunity to express our concerns about particular CIP projects that are not listed here. If tonight is not the appropriate time when will we have the opportunity to share our concerns that are projects are not listed here and the ones that are listed here are not funded properly.

Mayor Wieczorek replied it is going to the CIP Committee.

Alderman Rivard stated I'm not on the CIP Committee.

Mayor Wieczorek stated you can go to the CIP Committee if there is something in particular that you have to say, I'm sure the Committee will give it consideration because that report is going to have to come back into the full Board for discussion.

Alderman Girard the question I forget in reviewing the material that came with the agenda there seems to be categories of items in there where "suggested" projects may be done with the money. In the information that Mr. MacKenzie will be passing along to us can we have a little bit better idea exactly what the funds are intended for in those areas where they are kind of lumped together.

Mayor Wieczorek stated the one I'm thinking of that you're probably referring to is the Police Department...whether we're going to put the addition on or build a new building.

Alderman Girard stated that wasn't the one I was referring to. There are projects like School Capital Improvement, there are projects like...there are general categories of planning money, Riverfront development...there are a lot of vague categories out there...

Mayor Wieczorek stated there are not a lot, there are some.

Alderman Girard stated there are enough to ask about.

Mayor Wieczorek stated I will ask you to then either contact Mr. MacKenzie or go to the CIP Committee.

Alderman Girard stated I am on the CIP Committee, so I'm sure I'll be there.

Mayor Wieczorek asked then why are you asking all of these questions.

Alderman Girard stated my question is whether or not the information that we've asked for will be provided, will answer those questions so that we don't spend hours at a Committee meeting asking for these particular details.

Mayor Wieczorek stated I think Mr. MacKenzie will give you what you requested and then you can bring it to the CIP Committee and you can discuss it.

Alderman Girard stated to Alderman Rivard I think the Finance Committee would be the place that he'd want to bring up his projects and suggest amendments to the CIP.

Mayor Wieczorek stated he could also bring it to the CIP Committee and it could then be included in the CIP Committee recommendation and then there will be another opportunity when it comes to the full Board.

Alderman O'Neil stated just reviewing your major initiatives and I applaud you for your efforts with School facilities and parks, but a concern that I have is with regard to four categories: school improvements, high school facility improvements, public safety improvements as well as improved parks. Do we have adequate staff to see that these are carried out and I just throw it out tonight for consideration by you and by Bob. I know I worked with Alderman Wihby last year with regard to Livingston Park and I'm not sure that Parks & Rec has the numbers of people needed to carry out these projects or they might need some help from some other departments...we're committing an awful lot of money and I think we just need to get a better bang for our buck, so I just ask you to consider that both with our buildings and with our parks that we have the proper staff to see that they projects are carried out.

Mayor Wieczorek stated there will be more opportunities to do that as we go through the process.

Alderman Reiniger stated in response to some of the questions that have come up, I'm currently the Chairman of the CIP Committee...I think what I would request is if everybody has a project that they'd like to have the Committee consider get as much information as possible to the members of the Committee. I think our first meeting will be March 15th. I know in past years, we'd be walking into the room and someone would come up and say jeez, I need \$20,000 for this park...well, that's not the time to do it. If we can have everyone get the information ahead of the meeting, in writing preferably that would be the best thing.

5. Appropriating Resolution:

“A Resolution Approving the Community Improvement Program for 2000, Raising and Appropriating Monies Therefor and Authorizing Implementation of Said Program.”

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

Alderman Wihby, moved that the Appropriating Resolution be referred to public hearing on Monday, March 22, 1999 at 6:00 PM, City Hall Aldermanic Chambers; and further that it be referred to the Committees on Community Improvement and Finance. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Mayor Wieczorek presented the following nomination:

Airport Authority:

Alice Monchamp to succeed herself, term to expire March 1, 2002.

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

7. Nomination by the Planning Board of Alderman Henry Thibault to fill the unexpired term of A. Joseph Dionne to the Southern New Hampshire Planning Commission, term expiring June 30, 2000.

On motion of Alderman Wihby, duly seconded by Alderman Hirschmann, it was voted to confirm the nomination of Alderman Henry Thibault to fill the unexpired term of A. Joseph Dionne to the Southern New Hampshire Planning Commission, term expiring June 30, 2000.

8. Confirmation of the nomination of Stephen Clayman to succeed himself as a member of the Building Board of Appeals, term to expire January 1, 2002.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Stephen Clayman to succeed himself as a member of the Building Board of Appeals, term to expire January 1, 2002.

- 9.** Confirmation of the nomination of Charles Goodwin to succeed himself as a member of the Heritage Commission, term to expire January 1, 2002.

On motion of Alderman Wihby, duly seconded by Alderman Hirschmann, it was voted to confirm the nomination of Charles Goodwin to succeed himself as a member of the Heritage commission, term to expire January 1, 2002.

- 10.** Confirmation of the nomination of Richard Thorner to succeed himself as a member of the Heritage Commission, term to expire January 1, 2002.

On motion of Aldermen Reiniger, duly seconded by Alderman Girard, it was voted to confirm the nomination of Richard Thorner to succeed himself as a member of the Heritage Commission, term to expire January 1, 2002.

- 11.** Confirmation of the nomination of Jenny Stephen to succeed herself as a member of the Personnel Appeals Board, term to expire March, 2002.

On motion of Alderman Rivard, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Jenny Stephen to succeed herself as a member of the Personnel Appeals Board, term to expire March, 2002.

On motion of Aldermen Thibault, duly seconded by Alderman Pariseau, 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

- 14.** A report of the Committee on Finance was presented, recommending that Resolutions:

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP Project 221999-HIV/AIDS Curriculum.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP Project 410499, NH Drug Task Force.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Two Thousand, Five Hundred (\$52,500) for 1999 Community Improvement Program - 831499 School Security Improvement Project.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

ought to pass and be enrolled.

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

- 15.** Communication from Deputy Clerk Johnson recommending that the Board of Mayor and Aldermen order a public hearing to consider adoption of RSA 162-G Acquisition, Development and Disposal of Industrial Land and Facilities, to be held in the Aldermanic Chamber on Monday, March 29, 1999 at 7:00 PM, and concurrently refer the proposed adoption to the Committee on Bills on Second Reading for ordinance preparation and technical review.

Alderman Wihby stated we will be here on March 22nd for the CIP budget public hearing, can't we do them both the same evening.

Deputy Clerk Johnson stated we tried to time this in accordance with State law where it does require a three-week posting, it's not typical and we timed this to fit into all of the time schedules for advertising and so forth. I would have to go back and research all of that to make sure you meet all of the requirements.

On motion of Alderman Pariseau, duly seconded by Alderman Thibault, it was voted to order a public hearing to consider adoption of RSA 162-G Acquisition, Development and Disposal of Industrial Land and Facilities, to be held in the Aldermanic Chamber on Monday, March 29, 1999 at 7:00 PM, and concurrently refer the proposed adoption to the Committee on Bills on Second Reading for ordinance preparation and technical review.

- 16.** Communication from the Board of School Committee advising that they have declared the Brown School building surplus to their needs and are returning same to the City.

Alderman Thibault moved to accept the Brown School as a City property and refer communication to the Committee on Community Improvement for further consideration. Alderman Cashin duly seconded the motion.

Alderman Girard stated it seems to me with all of the concerns that the School Department has had about space with the search for perhaps a facility to house an alternative school, with the search perhaps for a facility to rehouse or relocate the Chandler kids, I don't there are different possibilities that they're trying to tease out and figure out what the best way to go is...I wonder if we are not premature in declaring this building surplus to the School Department's needs without having come to resolution on other of those issues and I would hate to see us foreclose the possibility that that building might be rehabilitated for the purpose it was intended, that being school...before the School Department has made the determination on what to do with the either the Chandler kids or the alternative school. So, I don't know if you can answer that, your Honor.

Mayor Wieczorek replied I can't, but if the motion on the floor fails then you can make a motion to refer it back to the School Department.

Alderman Thibault stated I have been, at length, talking to the School Department about this building since I've been on this Board and they have completely disallowed any way that they could turn this into a school again. The renovations that would have to be made there, your Honor, in order to make it a school again is just astronomical and that's why they've decided to finally let it go and that's all I can say on it because I'm going according to their recommendation that they feel that there is no way financially that they could rehabilitate that building into a school.

Alderman Klock asked are there any plans for the school building now.

Mayor Wieczorek replied no, what they're doing is giving it to the City...once the School Department has no use for it then they give it to the City and the City can do whatever they want with it.

Alderman Sysyn stated weren't they going to do a West Side Library or move it into that building.

Alderman Thibault stated that's a possibility, but nothing is in concrete at this point.

Mayor Wieczorek stated all they are saying is that it is a surplus building...here City, take it, and that's what we're doing.

Alderman Thibault stated in turn if we want to do something, we can bring it back later.

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

17. Resolutions:

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP Project 221999-HIV/AIDS Curriculum.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP Project 410499, NH Drug Task Force.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Two Thousand, Five Hundred (\$52,500) for 1999 Community Improvement Program - 831499 School Security Improvement Project.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

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

On motion of Alderman Sysyn, duly seconded by Alderman Klock, it was voted that the Resolutions pass and be enrolled.

NEW BUSINESS

Mayor Wieczorek stated this is a letter I received here tonight and I would like to read it into the record:

Dear Mayor Wieczorek:

It is with an overwhelming sense of sadness and gratitude that I submit this letter of resignation from the post of Airport Director for the City of Manchester, effective April 3, 1999. I've accepted the position as Director of the Philadelphia International Airport, effective April 5, 1999.

I must say that in my seven and a half years as Airport Director I worked with as professional a set of department directors as I've ever seen in any city of any size...they worked tirelessly to improve how the City functions. Today and in the future citizens of Manchester will reap the benefits of that professionalism and dedication.

Mayor Wieczorek interjected I'm even embarrassed to read this next paragraph:

To you, Mayor, I tip my hat in thanks as both one of your department heads and as a resident of the City. When I came here in August of 1991, I came to a City that was depressed that had bordered up storefronts on Elm Street and at night rush hours produced very little traffic as very few people were working. Through your tireless efforts and long-term vision the City has become one bustling with activity and optimism. Under your leadership we at the Manchester Airport were able to turn a sleepy little community airport into the fastest growing airport in the United States. Businesses have grown and jobs have followed. I am proud to have been a small part of revitalization of the City of Manchester. You will always remain a part of me and my wife Cappy and we will always call Manchester home.

I wish you and the Board of Alderman continued success in making Manchester truly a desirable place in which to live, work and visit.

Mayor Wieczorek stated Fred is here and Cappy...Fred, it has been a pleasure working with you. You have been a very devoted and dedicated Director who always had the interest of the City of Manchester at heart and I'm sad to receive this letter and have to report this to the Board. However, as I told you today don't look back, try to look ahead and when opportunities arise you have to take advantage of those opportunities. If you had not done the kind of a job that you have done here in the City of Manchester, believe me, nobody in this country would be looking for Fred Testa, but the fact that you have put the City of Manchester on the map by the efforts that you have made personally and professionally people are now interested in saying well, look we've got a bigger airport than the City of Manchester and we would like to have Fred Testa be here running our Airport. So, Fred, you're going to leave and I'm sorry to see you leave but you certainly leave with the utmost respect from me and I'm sure from the citizens of Manchester. You've done just an outstanding job and whenever you need a reference you can be sure that you'll get the best reference you can from me.

Alderman Girard stated it is with regret that I move to accept Mr. Testa's resignation and in doing so I would like to congratulate him on being appointed Director to Philadelphia, certainly one of this nation's major airports and would like to echo your sentiments of Fred and Cappy you will be sorely missed and I am not anxious to see you go, but I hope you will at least stick around long enough to help choose your successor because the continued success of the Airport...which we owe in large part to your skills and your commitment is, of course, critical to the future success of the City. So, it is with regret, your Honor, that I move to accept his resignation and well wishes, as well.

Alderman Wihby asked are they still going to live in Ward 1, they're not moving out of the ward are they.

Alderman O'Neil duly seconded the motion.

Mayor Wieczorek warned, I am going to veto it and called for a vote on the motion.

Mr. Testa stated this has probably been the most satisfying seven and a half years I've ever spent in my life, I want you all to know that. Working with the department heads has been extremely pleasurable for me. Working with guys like Tom and Kevin and Mark. It wasn't easy for me today to tell the Mayor because this has been a really good experience for me, even the troubles we've had and the times you and I have had with each other...yelling at each other or whatever have been good times. We've managed to straighten out some things that needed to be straightened out, some of you have shown me how to do things a little bit easier and I think that together we've put together an airport that you all can be proud of. We've got a group...anecdotally St. John's Halifax, the Director came down two weeks ago to take a look at how we've done things and they've got an airport that's just as big as ours in 1994 when we broke the new terminal, 750,000 passengers. He brought his plans with him and the staff we put together sat with him for two hours and showed him all of the things that were wrong and what

he should do to right them. He called up yesterday and talked to Brian and he's bringing his whole Board down...himself, the design team and I think the city mayor also from Halifax to come down and take a look. He ripped up all of the plans and he wants to build a smaller version of Manchester's airport. He's chartered a plane and they're bringing everybody down Friday to sit down with staff and I think that kind of thing...Washington/Dulles Airport brought their director, their planning director, a group of four down last week to look at how we do things and how come we can get things done as fast as we can and they are taking some of our plans that we've done and just copying them. We sent them all of the plans and I think you all could be proud of that fact and it's not only from myself and my staff, but it's all of you you have put up with me for the past seven and a half years and I say that very...with much gratitude. I said to Cappy, I'm sure the City will miss Cappy more than they'll miss me. Cappy and I both have had tremendous experience living here. I love living here, I love the people, and at noontime today I talked to my wife and I wasn't sure of taking the job, although it had been offered and it was a lot of soul searching that we did and I want you to know that we will always call Manchester home and thank you very much for everything.

Alderman Wihby stated even with that speech, I'm not going to second it.

Mayor Wieczorek stated I'm sorry but we're not going to be able to do anything with it tonight, it doesn't appear as though we have any kind of a majority going here, so maybe we could take it up at a subsequent meeting.

Alderman Wihby stated my feeling is if he just decided today then we put all of our faith in you today to keep him here.

Mayor Wieczorek stated it's a sad day for us Fred, but I wish you the best and I know I speak for everybody here on the Board and the City, we all certainly wish you the best and maybe at the next meeting when you're not here we will take a vote and do the appropriate thing.

Mayor Wieczorek stated one thing I forgot was that the Conservation Commission was here, but if you'll just indulge us in about five minutes they would like to explain what's going on with conservation, so Jane Beaulieu, will speak.

Ms. Beaulieu stated thank you for the time, your Honor and Board of Aldermen, we will be just a few minutes. It's been, I think probably about nine years since the Conservation Commission presented any information to the Mayor and Board of Aldermen, who we are, what we do and I'm going to read State Statute NH RSA 36-A provides "for an establishment of a municipal conservation commission." City statutes reads "the establishment of a conservation commission shall be for the declared purpose of developing, protecting and promoting the natural resources of the City for promoting an awareness of conservation practices and policies throughout the City and for protecting the watershed resources of the City." We have been working with many of the City departments, department heads over the last few years and have developed a very

good working relationship with many of the City departments. Highway Department is assisting us with the Dorrs Pond Project. Kathleen Brown another Commissioner is going to speak for a minute on the Dorrs Pond Project.

Ms. Brown stated this is one small example of one of the things we do. We helped a local citizens group write a grant proposal and they were awarded the grant and we're in the process of designing improvements to clean up Dorrs Pond and while it's EPA money, something called the Section 319 grant, I think we have an information packet but at any rate this is a good example where we're helping a citizens group and working with some City departments, so it turned out to be a lot more complicated than we thought, but we're hoping if this goes well...this was a learning one for us...we're hoping if this goes well we can do similar projects and I think you can read the one-page summary in your informational packets.

Ms. Beaulieu stated Kathleen helped write and spent lots and lots of hours putting together this grant and we received \$82,000 to work on Dorrs Pond. We are working more and more with the Planning Department. We work on commercial and residential development plans securing conservation easements...there's been probably in the past six months there's been a little more conversation about conservation easements. Please contact myself if you have any questions on what an easement is. It is a great tool for land protection and, of course, if we protect lands we're also protecting wildlife habitats. The Conservation Commission is also working with the Parks & Rec Department. We are involved with the Tree Committee, we are looking to plant more trees and maintain the city trees that we do have. We work with DES, EPA and also the NH Land and Community Heritage Commission. We meet every first and third Thursday of each month at City Hall. The first meeting is open to the public with the second meeting being our working session. This year we hope to have prime wetlands designated, complete a natural resources inventory, implement riverbank restoration plans, continue addressing major pond pollution problems, educate the public, work with local schools and colleges and recruit volunteers. We have very qualified City residents that serve as members of the Commission. There are two engineers, a soil scientist, a geologist, a non-point source expert, a projects coordinator, and we are working to ensure clean air and water and safe wildlife habitats for future generations. Citizens can become involved with our efforts by writing to the Commission in care of the City Clerk's Office, One City hall Plaza, Manchester. I wish to thank the Mayor and Board of Aldermen for this time and to thank our Conservation Commissioners: Kathleen Brown, Joanne McLaughlin, Todd Connors, Eric Skoglund, Mark Gross, and Jack Rice for volunteering and for making a difference. Thank you.

Alderman Reiniger asked does the Commission or the staff have any knowledge or expertise in Brownfields legislation.

Ms. Beaulieu replied not at all.

Ms. McLaughlin stated I am currently working on a Brownfields grant. I work for the NH Coastal program and we recently received a \$200,000 grant and we're working for the coastal communities to improve some undeveloped or abandoned properties to get them back on the economic development track.

Alderman Reiniger asked do you think this is an area that the City of Manchester should be exploring more vigorously.

Ms. McLaughlin replied I do. I think Manchester would be a prime project, I'm sure there are any number of properties perceived to be contaminated and are not currently on the tax rolls and this would certainly help them become more productive properties.

Alderman Reiniger asked does the application come from the municipality or does it come from a private landowner.

Ms. McLaughlin replied you can do it as a municipality. Actually, the City of Concord right now has a pilot program that they're running.

Mayor Wieczorek stated we thank you very much for your report.

Mayor Wieczorek stated there are a few more items of new business before we get going into non-public session.

Communication from the City Clerk requesting a transfer in the amount of \$15,000 from the City Clerk's budget to the City Hall Restoration Fund.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to approve the \$10,000 transfer as requested.

Communication from the Chief of Police requesting to place an order with this year's State bid of Police vehicles.

Mayor Wieczorek stated if you remember last year, there was a timeline they had to meet and we voted to allow them to get 12 new cars because we were approaching the deadline, well, we're in that same situation again and the deadline is tomorrow and they're looking for eight cars.

Alderman Wihby moved to approve the request of the Chief of Police. Alderman Cashin duly seconded the motion.

Alderman Cashin asked how come we're in the same position again, your Honor, what happened.

Mayor Wieczorek replied Chief Driscoll is right here.

Alderman Hirschmann interjected this wasn't suppose to happen again.

Mayor Wieczorek stated the question is why are we in this situation again like we were last year.

Chief Driscoll replied it is the cycle in which you are allowed to order cars that pertains the way our CIP budget unfolds. We could miss this deadline and we would not be able to order cars till the fall and would not receive them until a year from now.

Alderman Cashin asked why couldn't this have come to us a month ago.

Chief Driscoll replied we're just putting our budget plans together and so forth, we didn't realize that the date was tomorrow actually until today. We've been talking with the Mayor's Office about ordering cars and approached them and thought this is good for the City, we can buy cars now at a cheaper rate than we'll be able to buy them in the next bid cycle. It worked last year and it allowed us to receive the equipment earlier at a cheaper price and we thought it was a good idea again this year.

Alderman Cashin stated what I'm getting at is are we going to go through this every year at the last minute we are going to have to vote on whatever the amount is...\$194,000, almost \$200,000. It seems to me we ought to have a little bit more time to at least look into this, we went through the same thing last year, I guess I'm being critical, I don't mean to be, but I don't like to vote on this.

Chief Driscoll stated I certainly understand this and I don't mean to bring it to you at the last minute, we have historically come to the Board with a request for someplace between 12, 10, 8 cars and that's about our replacement schedule every year. When they did that study that it what they had recommended, it's just a timing thing. When CIP comes out if we don't order the cars now it will be almost 12 months before we will be able to receive them...all of the cars will be over 100,000 miles.

Alderman Cashin stated, Mark, I understand that. I don't understand why we couldn't have received this at least thirty (30) days so at least we would have had some time to look at it and probably ask where the cars are going to be transferred to...tonight, you come in asking for \$194,000 whereas normally it probably would have been referred to one of the Committees to look at/evaluate.

Chief Driscoll stated I apologize for that, it's just we tried to get it together as soon as we could as we did our budget.

Alderman Cashin stated next year I would appreciate it if it would go through the process.

Chief Driscoll stated so noted, Sir.

Mayor Wieczorek stated I agree but in fairness to the Chief he waits until he gets our budget numbers so he'll know what's going on but, Mark, maybe if you could push it up about six weeks knowing that we're always going to have that spring cycle and the fall cycle we'd do a little better if we gave them a little bit more notice and referred to a Committee.

Alderman Girard asked what fiscal year are these funds coming out of.

Chief Driscoll replied year 2000.

Alderman Girard stated the one we haven't appropriated yet. Your Honor, with all due respect the Chief came to us last year and made this request and it was a fluke last year, it was something they got caught off guard by, we went for it as a one-time thing...

Alderman Wihby stated that's not true.

Alderman Girard stated my recollection could be incorrect, however, I remembered it as a one-time thing where they got caught short and they didn't expect the bids to come out and here we are again in the very same position and while I understand what the Chief's trying to do and buying them before the State bid prices change it's jumping our budget cycle and frankly I would just as soon see him buy the cars from Fiscal 2000's appropriation after Fiscal 2000 has been passed, so that we don't keep coming in like this year-after-year-after-year trying to buy something with an appropriation that won't be made for another three months.

Mayor Wieczorek stated I think the point has been made.

Alderman Wihby stated that's an inaccurate statement. When they came in front of us last year what they said was they had just found out that they were able to buy these cars, they could buy them early and they could save some money for the City, that is why they came forward last year not because it was a fluke and they didn't know about it. They knew, they had just learned about it, it made sense to do it and we went along with it. We should have known at the time we're going to have to go along with it every year either that or we'll double up on his cars this year, we'll order them 20 and then they'll come back in the normal process. But, he knew last year that they had just found out they could save money and that's why they came forward to us.

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

A report from the Director of Information Systems on the Y2K activities.

Alderman Wihby moved to refer the Y2K report to the Committee on Administration/Information Systems. Alderman Hirschmann duly seconded the report. There being none opposed the motion carried.

Alderman Hirschmann moved to nomination Eugene Boisvert to succeed himself as a member of the Manchester Transit Authority, term to expire May 2004. Alderman Thibault duly seconded the motion.

Alderman Pariseau moved to close nominations. Alderman Rivard duly seconded the motion. There being none opposed, the motion carried.

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

Mayor Wieczorek called the meeting back to order.

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

A True Record. Attest.

City Clerk