BOARD OF MAYOR AND ALDERMEN

August 3, 1999 **7:30 PM**

Mayor Wieczorek called the meeting to order.

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

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

Absent: Aldermen Wihby and Klock

3. Presentation of $30,000 by the Oval Society for the Livingston Park Project.

Mr. Jim Craig stated I invited all of the other members of the Oval Society tonight, but I guess I'm the only one that showed up. Briefly, I wanted to thank you and Alderman Wihby and all of the other Aldermen for all their help with the track up at Livingston Park. As you know, I was up at Dartmouth College last week and I looked at the track that they have there and I talked to the Track Coach up there who has seen both tracks and she told me and I saw for myself that we have the finest running facility in the State now up at Livingston Park and that's due to your hard work and the Oval Society and the two Ron's over at Parks & Recreation. As you know, I have a check for the City of Manchester toward the surface of the track in the amount of $30,000 and we have money in a foundation put aside so that by the time the track needs resurfacing the money will be there for the City to do that job. So, I'd like to present you with that money.

Mayor Wieczorek stated I'd be very happy to accept that. Thank you very much. It's very nice. I don't know how many people have really been over to Livingston to see that track and what they've done to the facility. It is really an outstanding facility, so as you very eloquently stated it is probably the best track that we have here in the State and when you step on that surface, when you have your sneakers on it's almost like your sinking a little bit and say this is supposed to be a hard surface, but it seems to be easy on the feet. It's really a wonder thing. You ought to at least go over there and take a look at it. And, Jimmy, we really appreciate that and I think it's an effort by everybody, the City and the private sector, some other individuals like the Gatsas Family who donated $500,000 to really make this work and this is certainly a step in the right direction. Please accept our thanks on behalf of the City. Thank you.

4. Presentation of the City Hall Complex picture donated by Harvey Construction, Inc.

Mayor Wieczorek stated this is the picture right here. It was down in the lobby and as you know all of the construction that took place here for 18 months, this place was really a mess. But, this picture was taken by a photographer from Bow.

This is donated to the City from Harvey Construction and I think this individual, this photographer really captured it perfectly. This is a beautiful picture of City Hall taken in the evening and we're very pleased and proud to accept this from Harvey Construction and it will certainly occupy a very prominent place here in the City of Manchester.

Mayor Wieczorek stated, Alderman Girard, you had a statement you wanted to make.

Alderman Girard stated as members of the Board are aware last year I opened an internship for a high school from each of the City's public high schools. And, as the summer draws to an end, so does their internship and what I wanted to do is recognize each of them publicly and let you know where they're going this fall and to say that over the past year…it's sort of interesting because I learned an awful lot about the City in working with them to teach them about the City and to teach them about the City and to teach them about the role of an elected official and to help them come to an understanding of what it is we all have to do on a day-to-day basis either on the issues, the policies or dealing with constituents and the only thing I regret about the internship is that it wasn't quite long enough to squeeze in all of the things that we wanted to do and before they head off in the fall we're going to be finishing up the last project that we started which was we sat down and I said to them as an intern project…what I'd like to do with you is I'd like you to develop sort of the ideal school system, take what you like about school, take what you don't like about school and let's see if we can design a system that reflects a uniquely student point of view and during that process we had Mr. Brennan the Assistant Superintendent come over and visit with us for a little while to talk about their ideas and much to their surprise they learned that their ideas were not so far out-of-line as what Mr. Brennan thought and what was happening in other areas of the country, so it's my hope that before they take off that we'll get this thing wrapped up and make a presentation to the School Board. But, in any event, Matthew Lubelczyk is off to my alma mater Boston College at the end of this month, and Matthew is from Memorial High School. Helen Donington is off to UNH in the fall, Helen is from Central. And, Remi Francoeur has one more year in the Manchester public schools, so the report we put out will be real nice, he's my intern from West and he'll be a senior next year. They were a great group of people to work with, your Honor, and among the things I will miss in public office this internship and working with them will be high up on the list. So, thank you for the opportunity.

Mayor Wieczorek stated I think it's wonderful that you have the exposure to what is happening with elected officials and having an opportunity to interact with them and I know other elected officials have done this same thing and it has been a great experience, so hopefully it will be something that we will continue next year.

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.

Approve Under Supervision of the Department of Highways

A. Communication from Stephen Tierney, Utility Coordinator, requesting approval of sidewalk and curb petitions under the 50/50 Program subject to the availability of funds.

B. Bell Atlantic Pole Petition #921370

C. Teleport Communications Group of NH Police Petition #070799

Informational to be Received and Filed

D. Communication from the Library Director submitting a copy of a letter from Odyssey House commending the Library staff.

E. Copies of minutes of a Police Commission meeting held on July 7, 1999.

F. Copies of minutes of an MTA meeting held on May 25, 1999 and the Financial and Ridership Reports for the month of May, 1999.

G. Communication from David Deziel submitting his resignation as a member of the Heritage Commission due to personal and professional commitments.

H. Communication from Linda Gagne, Chairperson of the St. Anthony School Student Appreciation Day Committee expressing their gratitude to the City for the closure of a portion of Silver Street on June 4, 1999 for their Student Appreciation Day.

I. Copy of a communication from Marcia Rusch submitting a copy of the FY2000 Hillsborough County Budget as adopted by the Hillsborough County Legislative Delegation on June 24 & 29, 1999, and a copy of such minutes.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

K. Communication from C. Michael Armstrong, Chairman of the Board of AT&T submitting an application for transfer of control of the existing cable television franchise with MediaOne.

L. Communication from Georgie Reagan seeking authorization for the placement of a banner on Hanover Street one week in advance of November 3, 1999, February 5, 2000, and May 16, 2000 in conjunction with Big Band Music events to be held at The Palace Theatre.

COMMITTEE ON COMMUNITY IMPROVEMENT

N. Communication from the Public Works Administrator seeking to amend the Library's CIP project for skylight repair to include the cost of implementing the Energy Efficiency Measures.

O. Communication from Board of Directors of the Mammoth Hollow Condo Owners Association requesting the installation of sidewalks along a portion of So. Mammoth Road - south of Bodwell Road and north of Sheffield/Corning Roads.

P. Petition to discontinue a portion of Loring Street west of Faltin Drive by Attorney William Quinn on behalf of Donovan Spring Co., Inc.

COMMITTEE ON FINANCE

R. Bond Resolution:

"Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Sixty Thousand One Hundred Sixty-eight Dollars ($660,168.00) for the FY2000 School District Lease Programs (Portable classrooms at Hillside and Southside Middle Schools)."

COMMITTEE ON HUMAN RESOURCES/INSURANCE

S. Communication from the Human Resources Director relative to the payment structure of temporary/seasonal employees and part-time employees which was not addressed in the Yarger Decker and McDonald project.

T. Communication from the President of the Manchester Association of Fire Supervisors (Local 3820) relative to overtime practices for their members which was addressed in the Yarger Decker Study.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

U. Recommending that the Board of Mayor and Aldermen consider a $300 fee for rezoning petitions and that such be referred to public hearing on August 23, 1999 at 7:00 PM in the Aldermanic Chambers of City Hall in conjunction with the proposed Zoning Ordinance update.

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

V. Recommending that a request by the Assumption Greek Orthodox Church for the placement of a banner across Hanover Street, between Chestnut and Elm Streets, announcing GreekFest '99 from approximately August 1 to 22, 1999 be granted and approved subject to meeting all conditions set forth by the City Clerk, Fire, Police and Risk Management.

W. Recommending that a request by OGBE Communications, on behalf of Healthsource NH for the temporary placement of a 60-foot banner across Elm Street on August 12, 1999 marking the start of the 7th Annual Healthsource Corporate Road Race be granted and approved subject to meeting all conditions set forth by the City Clerk, Fire, Police and Risk Management.

COMMITTEE ON BILLS ON SECOND READING

X. Recommending that a proposed Zoning Ordinance update, as enclosed herein, be referred to public hearing on August 23, 1999 at 7:00 PM in the Aldermanic Chambers of City Hall.

Y. Recommending that a rezoning petition submitted by Attorney Casinghino on behalf of Howard Brodsky and Eileen Donovan for parcels of land located on South Willow Street in the area of Harvey Road be referred to public hearing on August 23, 1999 at 7:00 PM in the Aldermanic Chambers of City Hall.

COMMITTEE ON COMMUNITY IMPROVEMENT

Z. Recommending that the Derryfield School Conservation Easement be accepted and approved, subject to the review and approval of the City Solicitor.

COMMITTEE ON JOINT SCHOOL BUILDINGS

AA. Advising that it has accepted the attached NORESCO July '99 Progress Report and is submitting same to the Board for informational purposes.

AB. Advising that it has accepted the enclosed project summaries and contractor's reports for July relative to Northwest Elementary School, the Henry J. McLaughlin, Jr. Middle School, Jr. High School Tech. Ed., Parkside Junior High School Addition, Memorial High School Science Lab and Other Improvements, ADA Accessibility/School Elevators, and Central & West Heat & Ventilation Improvements and is submitting same to the Board for informational purposes.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

AC. Recommending that a request from the North Eastern Institute of Whole Health, Inc. for signage for their facility to be placed at various locations throughout the City be denied.

AD. Recommending that certain regulations governing standing, stopping and parking, be adopted and put into effect when duly advertised.

SPECIAL COMMITTEE ON THE CIVIC CENTER

AE. Advising that the Committee has approved the process whereby change orders will be handled by the Construction Manager for the Manchester Civic Center, a copy of which is attached hereto for informational purposes.

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

J. Communication from the Finance Officer submitting a copy of the Transition Plan adopted by the Board of School Committee at a special meeting held on July 8, 1999.

Alderman Girard stated in the information that we received as a supplement to the agenda the Finance Officer makes reference to an Interim Treasurer that is going to be appointed over at the School Department and my guess is that that Interim Treasurer will become a permanent Treasurer and my understanding from the Superintendent both privately and publicly was that as a result of this court decision, he was not going to be moving in this upcoming budget to establish his own Treasurer and start adding to the administration at the School Department, rather he was going to work within the current system and transition, I thought, at a more gradual pace, so I would like to ask you, your Honor, or the Finance Officer whether or not this Interim Treasurer is going to be a permanent position and, if so, what other administrative additions are we going to see at the School Department.

Mayor Wieczorek noted this is a referral to the Committee.

Alderman Girard stated I know.

Mayor Wieczorek stated, Kevin, you can address it, but it would be something that would be addressed at the Committee level.

Mr. Clougherty stated the court finding allows the School District to hire a Treasurer to carry out those functions and they have opted to an Interim Treasurer at this point with an eye going to a permanent Treasury function. Whether the person that serves as the Interim grows into that position will be up to the School Board, but right now there is an Interim Treasurer and we are working closely with her and we would expect to work with her over the course of the next year to make the transition.

Alderman Girard stated, Mr. Clougherty, I understand that the court decision allows the School Administration to appoint a Treasurer. My concern is my understanding is that the representations to this Board were that they would not be hiring a Treasurer or any additional staff in light of the court decision and it seems that those representations are not being honored here.

Mr. Clougherty stated the Transition Plan that was put together is a plan that's been endorsed by the School Board and that's the direction that they want to head in based on the ruling and we're certainly going to accommodate them in that regard.

Alderman Girard stated that seems to be a shift from what this Board was told by the Administration during the budget and I will oppose the referral and I'll oppose the transfer.

Mayor Wieczorek stated at the Committee meeting of which you are a member you will have an opportunity then to certainly ask all of the questions you want.

Alderman Pariseau moved that the communication from the Finance Officer be referred to the Committee on Accounts, Enrollment and Revenue Administration. Alderman Thibault duly seconded the motion. The motion carried with Alderman Girard duly recorded in opposition.

M. Communication from the Director of Planning submitting suggestions relative to a feasibility study for a Senior Center.

Alderman Shea stated I would like to take this opportunity to compliment the members of the Senior Committee who garnered together 1,000 petitions for a Senior Center. I'd like to publicly compliment Irene Robie, Lucille Bako, Alice Wallace, Mike Lopez, Alice Kelly, and my wife Irene Shea for their efforts in obtaining petition signatures.

Alderman Shea moved that the communication be referred to the Committee on Community Improvement. Alderman Pariseau duly seconded the motion. Mayor Wieczorek called for a vote on the motion. There being none opposed, the motion carried.

Q. Communication from the President of the Easter Seals seeking reimbursement of $127,000 for a one-time, out-of-pocket costs incurred for the rental to the School District, and further that a gift of $90,000, spread out over three years, for improvements to the building that will expand their senior services and child care be given consideration.

Alderman Shea stated my understanding is that the School Department, right now, pay upwards to rent that facility of approximately $199,000 and also that they have paid expenses, as well, and moved to receive and file this request.

Mayor Wieczorek stated this is just a referral to the Committee on Finance, you don't want it to go to Finance.

Alderman Shea replied no, I would rather it be received and filed.

Alderman Pariseau duly seconded the motion.

Alderman Hirschmann stated I had concerns with the item and I think all of the Aldermen do. When you get a request that large you would want to see some expenses…what did they pay for $80,000, if we were even going to consider it. But, the $47,000 that pertained to the fire system for the school, I thought we may have some…we're placing our children in that school, we should have some liability on that piece, wouldn't you think.

Mayor Wieczorek replied I spoke to the School Superintendent about this yesterday and he and I will get together on this particular issue.

Alderman Hirschmann interjected we could refer it to the Mayor's Office.

Mayor Wieczorek stated it's very difficult to be making capital contributions to any organization especially multi-year contributions because then we'd be getting a request from everybody and we'd cease to be a City government, we'd become The United Way and that's really not the intention here even though everybody certainly does a good job, but if you would like to refer this to my office.

Alderman Hirschmann moved that the communication be referred to the Mayor Office. Alderman Thibault duly seconded the motion.

Mayor Wieczorek stated there is a motion on the floor now to receive and file, so unless that motion is withdrawn…

Alderman Shea indicated he would not withdraw his motion. We have given Easter Seals money for the rental, it's not our problem in terms of their expenses that have cropped up in terms of their rental. In other words, they agreed to rent that particular property to the City, we've rented it over several years and I think that anyone that rents they're responsible for what improvements have to be made and the rent tends to go up every year and I know that we have made repairs in checking with the School Department in terms of making adjustments for the students and so forth, so I don't see why we have to continuously subsidize improvements to a building that belongs to them and they're getting money…in a sense what are they doing with the rental money, that's a large amount of money.

Mayor Wieczorek called for a vote on the motion to receive and file. The motion carried with Aldermen Hirschmann and Girard duly recorded in opposition.

Alderman Girard stated I did try to get recognized before the vote, but I just want to explain why I am opposing this. I agree that the capital contribution is a bit beyond the pail and that is not something that I support, but in reading Mr. Gammon's letter, it appears to me and while I'm sympathetic to what Alderman Shea is saying about rent and its uses, it appears to me that Easter Seals' efforts to accommodate the City's needs have caused them to incur unforeseen expenses and to that end if they're helping us, your Honor, has resulted in their incurring significant expense that they otherwise would not have incurred then I don't know that we should necessarily reject the request out-of-hand, perhaps it needs to be looked at in greater detail to understand whether or not it's a legitimate request and maybe legitimate is the wrong word, but I don't think it's fair to not entertain the needs of an agency that did not have to step forward and help us the way that Easter Seals did and they took us out of a terrible position with the Chandler School kids.

Mayor Wieczorek stated we've already voted.

Deputy Clerk Johnson noted that an addendum to the agenda had been forwarded containing a Resolution, and requested the item be addressed at this time.

Resolution:

"Authorizing the Finance Officer to effect a transfer of One Hundred Twenty Five Thousand Dollars ($125,000) from line item 0898 (Special Projects) in Human Resources to Contingency."

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted that the Resolution be read by title only, and it was so done.

Alderman O'Neil moved that the Resolution be referred to the Committee on Finance. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

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

Mayor Wieczorek called the meeting back to order.

OTHER BUSINESS

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

"Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Sixty Thousand One Hundred Sixty-eight Dollars ($660,168.00) for the FY2000 School District Lease Programs (Portable classrooms at Hillside and Southside Middle Schools)."

ought to pass and layover, and further recommends, that Resolution:

"Authorizing the Finance Officer to effect a transfer of One Hundred Twenty Five Thousand Dollars ($125,000) from line item 0898 (Special Projects) in Human Resources to Contingency."

ought to pass and be Enrolled.

Alderman Clancy moved to accept, receive and adopt the report of the Committee on Finance. Alderman Pinard duly seconded the motion. The motion carried with Alderman Girard duly recorded in opposition.

6. Mayor Wieczorek made the following nominations:

Conduct Board:
Jacquelyn M. Domaingue to succeed Michael Netkovick, term to expire October 1, 2001.

Conservation Commission:
Jennifer Fox to succeed Mark Gross, term to expire August 1, 2000.
Joanne McLaughlin to succeed herself, term to expire August 1, 2002.
Eric Skoglund to succeed himself, term to expire August 1, 2002.

Police Commission:
James A. McDonald, Sr. to succeed himself, term to expire September 15, 2002.
Gilbert A. Vaal to succeed himself, term to expire September 15, 2002.

Mayor Wieczorek stated under the rules of the Board these nominations would layover until the next meeting of the Board and your consideration would be appreciated.

Mayor Wieczorek advised the Board of the appointment of Thomas M. Lewry to succeed Paul F. Ledoux as a member of the Retirement Board, term expiring January 1, 2002. Mayor Wieczorek noted that no further action of the Board was required, it was the Mayor's designee, and was provided for informational purposes only.

Alderman Pariseau asked has the ninety days expired for the appointment of the replacement for Mr. Ledoux.

Mayor Wieczorek replied there is no ninety days. If this were to apply to the Charter then he would have had to stop serving after ninety days. This position is the Mayor's designee the same as the Aldermen have a designee to the Retirement Board.

Alderman Pariseau noted he had received a phone call relative to this appointment.

7. Mayor Wieczorek requests that the Board reaffirm the appointments of Alderman Robert J. Pariseau and David R. Boutin as members of the Legislative Task Force on the Airport Access Road.

On motion of Alderman Cashin, duly seconded by Alderman Thibault, it was voted to reaffirm the appointments of Alderman Robert J. Pariseau and David R. Boutin as members of the legislative Task Force on the Airport Access Road.

8. Confirmation of the nomination of Robert Christy to succeed himself as a member of the Board of Health, term to expire July 1, 2002.

On motion of Alderman Pinard, duly seconded by Alderman O'Neil, it was voted to confirm the nomination of Robert Christy to succeed himself as a member of the Board of Health, term to expire July 1, 2002.

9. Confirmation of the nomination of Richard Duckoff to succeed Catherine A. Schneiderat as a member of the Highway Commission, term to expire January 15, 2002.

Mayor Wieczorek withdrew his nomination of Richard Duckoff to the Highway Commission.

10. Confirmation of the nomination of David R. Boutin to succeed himself as a member of the Planning Board, term to expire May 1, 2002.

On motion of Alderman Reiniger, duly seconded by Alderman Pinard, it was voted to confirm the nomination of David R. Boutin to succeed himself as a member of the Planning Board, term to expire May 1, 2002.

11. Confirmation of the nomination of Thomas M. Robert to succeed Mark Gross as a member of the Planning Board, term to expire May 1, 2002.

Mayor Wieczorek withdrew the nomination of Thomas M. Robert, at his request, to the Planning Board noting Mr. Thomas filed to run for Welfare Commissioner.

12. Confirmation of the nomination of Barbara E. Arnold to succeed Richard E. Fradette as a member of the Board of Registrars, term to expire May 1, 2002.

On motion of Alderman Hirschmann, duly seconded by Alderman Pariseau, it was voted to confirm the nomination of Barbara E. Arnold to succeed Richard E. Fradette as a member of the Board of Registrars, term to expire May 1, 2002.

13. Presentation by the Manchester Police Department and representatives of the architectural firms of Butler and Bennett and Lavallee/Brensinger relative to preliminary planning for the City's new Police headquarters.

Chief Driscoll stated while they're setting up I'll get started with introductions. You previously have met Melissa Bennett from the Architectural firm of Butler, Bennett and Fred Urtz from lavalle/Brensinger and you also, I'm sure know Captain Glenn Leidemer from the Manchester Police Department…he has been the person identified at the Police Department that is going to be our Project Manager. Also, with us tonight is Commissioner Jim McDonald who was just renominated and Deputy Chief Bob Duffey. Some time ago when we first spoke with the Board and got your permission to go forward with this project, it was requested that we keep the Board fully appraised of our progress which we are here to do tonight. We're excited about the different things that are going on, we have a timeline to show to you, we are going to talk to you about program planning, we are going to talk about site selection. With that I'll turn it over to Fred.

Mr. Urtz stated I will turn it over to Melissa who will talk about the schedule to give you an idea of where we are in the process.

Ms. Bennett stated you have a copy of the schedule handed out, so actually we can turn this to face the audience. What has transpired so far with this project we have started the programming phase as you'll see on the schedule, the very first two phases are site analysis and programming. We intend to see you next month with a recommendation for a site and Fred is going to review a little bit later, after I finish with the schedule about what the criteria are that we're using for site analysis. On the schedule, as you can see once we finish site analysis and schematic design we will have committee review of the Building Project Committee that the Police Department has set up and have design development completed possibly by next spring and another committee review and construction documents by the end of December 2000 and then construction would start shortly thereafter leading to a project completion of somewhere in the year 2002. At the same time, we have plans to start schematic design for renovation of the existing Police Department to work with different City departments who are currently paying rent in private space to move into the Police Department and then once we determine some initial programming and schematic plans then we will continue on with the Police station project, the headquarters and once that project is in construction we'll go back to the renovation of the existing Police station for those new departments and they would move in toward the end of the year 2002. Any questions on the schedule.

Alderman Girard asked will these people here be responsible for doing the redesign of the existing station or is that going to be a project handled by somebody else.

Ms. Bennett replied the contract as initially drafted by the City and by the Police Department was for both of the projects, both buildings - the new headquarters plus the renovation of the existing building.

Alderman Thibault asked do we really even know who is going to go into this facility after, has the Board already agreed to what is going to happen there and how can we have a study or ask what's going to happen if we don't even know who is going there yet, I'm a little confused there.

Mayor Wieczorek replied I think we've talked about this at different times that the Health Department pays rent, the Welfare Department pays rent, Youth Services pays rent…the thought was to get all of those folks in and the Elderly Center was going to go there too. Well, obviously, we've got some things that are up in the air regarding the Center, but with the others the plan is still to have those organizations there so that we wouldn't be paying rent anywhere in the City.

Alderman Thibault asked are we going to be kept updated on this, your Honor, because I certainly would like to know which departments are going to go in there and maybe they have specifics as to what they want in that facility and can we accommodate that and are we going to accommodate that, so that is why I say I'm a little confused because I don't know who's going to go there yet.

Chief Driscoll replied perhaps I can help you a little bit on that. There are four departments as well as two others that have come forward that will be interviewed which is part of what Melissa and Fred are going to do. To see what their needs are and see about the feasibility…who can fit into that 44,000 square foot building and how it can best be used. No decisions have been made now as to who will go or how they'll fit or anything like that.

Alderman Thibault stated what you're saying at that point is that we will be apprised as to what department, in fact, might fit into this and we will know, I think that is where I'm at, I don't know.

Chief Driscoll replied absolutely. The reason we're here tonight is because I made a commitment to you sometime ago that we would keep you fully appraised of the progress and that is what we are here to do is to explain to you how this whole process is going to unfold as a result of that time line.

Alderman Thibault stated we have plenty of time to get back into that.

Chief Driscoll replied absolutely.

Alderman Girard stated I hadn't planned on addressing this issue tonight, but since my colleague from Ward 11 has opened the door…at CIP Committee and as this process has moved along, I have expressed real concern about this new Elderly Center. I can say here today that the only reason that I voted for this new Police station was because at Committee and I have the minutes and I'll spare you reading them…at Committee we were assured that all of the departments paying rent currently were going to be relocated into this facility and that the amount of square

footage available in the existing Police station would easily accommodate those four departments and perhaps the needs of MCTV 16 and the Information Systems Department. I have real concern…the amount of rent and utilities and other expenses that are associated with the East Side Center on Hanover Street amount to about $65,000 a year or so, that $65,000 a year is capable of underwriting about $650,000 worth of bonding costs. If we are going to depart from the decision that we made based on the representations of the use of this space and who would be there then we dramatically alter the financial premises that this new station was approved on. We go from a situation where we've got that rent and utility cost subsidizing, not subsidizing but offsetting the bonding cost of the new station plus the renovations of the existing station into a situation where we may be spending, if I read the proposals in front of me correctly, $1.5 to $2 million, probably bonded money on a new facility that will have its own utilities and own expenses, that's a pretty big shift to the taxpayers and it's a pretty big shift in our CIP budget, particularly since the way this was presented to us was that it would cost us $6 or $7 million to renovate and expand the current station for Police Department use and then the $250,000 or $300,000 worth of rent and expenses that would go to subsidize its debt is going to be significantly reduced. So, I have real hesitation moving forward with this project if the finances that I voted on or were the reason for my vote are suddenly going to change and I can't support this going any further until I know that what we were told would be the case is, in fact, going to be the case. It's not fair to the taxpayers and, frankly, it's not fair to those of us at this Board who voted based on those representations to all of a sudden up and change them because somebody wants something different.

Alderman O'Neil stated I just asked the Chief about the renovation portion and he thought (and I don't want to speak for you, Mark) that there was an understanding that that's where this whole thing was going. To be honest with you that's a surprise to me. I don't remember any discussion about that. Maybe it was made in Committee level, but I don't remember any discussion at the full Board about the scope of this project moving ahead with the renovations of the current Police station. I think they're two totally separate issues, we need a new Police station, let's build it...I think we will still have to figure out where we're going with what departments or agencies might move into the old one, I'm a little bit concerned about this tonight. To the best of my recollection it's the first time I've seen this. I think they're two totally separate issues, it should be handled that way.

Alderman Shea stated the elderly people were here this evening and indicated that they want their own center. Some of the members of the Board here have voted for different projects which far exceed what the seniors are looking for. Far exceed it, not by several millions by many million dollars and for someone to say that the renovated Police station…they would seriously consider the impact of what the taxpayer's are paying because a group of seniors are not moving into this facility, in my opinion, is absolutely ludicrous. It doesn't make any sense to met at all. So, I want to make sure that the Board members understand that to squeeze the seniors into a former Police station is not fair to them and it's not fair to the people of Manchester who know pretty well that the seniors should be treated. New Hampshire is being

rated the fifth best community to raise a family. Shouldn't we make it the first type of community for our seniors, it's only fair that that be happening.

Mayor Wieczorek stated I don't think it's fair to the Police Department to be airing all of this stuff on their presentation. You'll have an opportunity, obviously, to have a lot of discussion regarding this project.

Alderman Thibault stated I think I'd have to agree with my colleague from Ward 7 that I think tonight it was expressed by the elderly here and knowing many of these elderly that have expressed this to me also, I feel that I don't want to haul them into the Police station and I think that follows up to the question I just asked before. We don't even know, in fact, what we want to do with the old Police station and for us to try to understand this at this point, I think is premature. I think once we know exactly how much room we have and if it is feasible and I don't think it is because there's no parking there in my opinion…which brings us back to the same problem we have right now on Hanover Street. So, that I'd have to agree with my Alderman from Ward 7 that we have to wait until the Police station gets going and I'm sorry, Mark, I don't mean to interrupt what you are trying to do here, but I think like what Alderman O'Neil just said, I think it has to be looked at as two complete separate entities because we don't even know yet how much room is going to be available there and who and what department we might to bring there.

Chief Driscoll stated I agree with you one hundred percent. We were initially asked to go forward on two fronts: to look at whether or not…who should go into that, that was put out as part of the bid. We thought we were following the Board's directive, we have made no decisions. We come back to the Board like we're here tonight and trying to seek the Board's direction in this. At some point, within a very reasonable point of time I thought that we were going to go forward and come back to the Board and say these are the options available to you, that's what the architects have been employed to do and then you could make decisions as to what direction you wanted to go.

Alderman Thibault stated, Mark, I think you're right and I think that you should pursue with the new Police station, I have no problem with that, but I think what's going to happen with the old Police station I don't think is set in concrete and I think that the Board really has to look at that very carefully before we do anything.

Alderman Cashin stated, Mark, you said that you were asked to encompass both projects into the bid documents, who asked you to do that.

Chief Driscoll replied I can't tell you for sure, I think I've been involved in many, many meetings and it's my belief that the Board wanted, the City wanted some reassurance that the building would be used properly and that both of these projects…people that had waited a long time for a new facility that they were presently renting would go forward hand-in-hand.

Alderman Cashin stated could I ask Bob MacKenzie or probably the Chairman of the…and I don't mean to put you on the spot…the Chairman of CIP…was it your intention to encompass both projects into this proposal. It appears that the Board of Aldermen here weren't aware of it.

Mr. MacKenzie replied if I could take a minute here and give you my understanding of what happened last spring. As you may remember, the Police Department was moving ahead with the plan that had been authorized to expand the existing Police station. There were issues with that and they were long-term issues about using the existing building to expand. It was the Mayor and the Board that ultimately said we believe it may be appropriate to look at a new building, so that you can fully design it to meet the department's needs for now and into the future. At the same time and there were discussions about well, what do we do about the existing station. There were discussions, I believe, at CIP Committee level that said we could take the existing departments and we could put them into the existing station…departments that are leasing and put all of the leasing departments into the existing Police station and that is what we did pursue. We believe it's a cost-effective approach, there is roughly 43,000 square feet in the existing building including the garage, space that is needed could accommodate most of the departments. We did invite six departments to come to an organizational meeting to talk about whether they would be interested, what their program needs are and those six have been identified. That is the Elderly Services, OYS, Health, Welfare, MCTV and Information Systems. Now, the program evaluation will be able to tell us how well those fit in, what the costs are, what the long-term savings to the City are. I don't think it's unusual, however, for the Board to ask that we also look at options for the Elderly Services; that is a feasibility study that we identified how would go about. Once all of these options are identified and you can lay all of those cards on the table you can make an informed decision as to what the City should do. If the City really wants to look at a new Senior Center that can be done as long as you recognize that there are costs involved in that. So, currently I think the path is the correct one. The people evaluating the new Police station know the existing station very well and frankly we can save a lot of money by having that same group evaluation the existing station because they know it inside and out and they can take all of the plans that they have developed and determine whether other departments could fit in there.

Alderman Cashin stated, Bob, I'm not questioning it's the right path to take or not. I agree it probably is. I just want to know who made the decision to encompass both of these projects into one bid document, that is all I want to know. Who is the guy that said we want you look at renovating the old Police station while you're planning to build a new Police station. Who made that decision. Was it the CIP Committee, did the CIP Committee make that decision.

Mr. MacKenzie replied I know the CIP Committee did discuss it, I suspect that in the end when it came down to implementing this perhaps it was myself, I don't remember, I know I spoke with the Chief and a couple of other department heads and the Mayor about it and it may have been myself, I don't remember. I know it's been discussed at CIP Committee.

Alderman Cashin stated, Bob, I'm not trying to put you on the spot, that is all I want to know. It appears that you made the decision probably with the Mayor's Office or whoever to do this, that's fine. But, that goes right down to part of the problem we have around here. There is a very bad communication gap here. We always seem to find out after-the-fact and some of us, as you can see here tonight, are getting very concerned about that. If we're going to be held responsible, then we want the authority. One without the other you can't operate. Just like if you hire a Clerk of the Works and you don't give him the responsibility and the authority, it doesn't work. Well, it doesn't work here either.

Chief Driscoll stated, Alderman Cashin, I fully acknowledge what you're saying and we're trying to keep the Board appraised as best we can. This is a new process for me; that is why I wrote to the Board and asked for time tonight to come and speak with you to answer your questions and try to feel our way along to make some progress on this very important project.

Alderman Cashin stated I'm not trying to be critical, I just want to state a fact that the communication has got to be better than it has been or we're going to have problems, not only with this project, but a lot of other things down the road.

Mr. MacKenzie stated I do believe it was fairly clear to most who were involved, at least to myself that it was the Board's wish to change this process so that the new Police station be built and that the existing station be used for existing departments that lease.

Alderman Cashin stated, Bob, that is not the question before the Board. The question before this Board is who authorized who to make it one project as opposed to two. It appears to me that the Board of Aldermen thought renovating the old Police station was going to be one project, building the new one was another project; that's two projects. Somebody along the line put it into one, that is all I'm saying.

Alderman Girard stated just a couple of things I want to say here. First of all, for anybody to be surprised, I think, that these two projects are intertwined really sort of amazes me, I guess is the way I'd have to put it. This was the subject of editorials in *The NH Sunday News*, there was a very large write up in the paper at least on one probably two occasions about the need for a new Police station and how budgetarily it could be accomplished by relocating these four departments which are specifically mentioned in the minutes of the CIP Committee meeting where these budget issues were hashed out, the talk behind the scenes when people are trying to piece together this budget…who wanted what and what was going where…this was all common knowledge and to insinuate here that the renovation of the old Police station is somehow going to cram the elderly into some closet-size space that's unsuitable for human use is offensive. Without the garage there there is 36,000 square feet in that station. The space use of the current departments as they exist today is 25,000 square feet…those four departments paying rent. You've got 11,000 square feet, not counting the lower level before you even talk about other departments. So, to somehow insinuate that the elderly are going to be robbed if they don't have their own building or they're going to be done an injustice if their space is put into a renovated

Police station is not truthful, it's not accurate and it's not right and frankly to say well, we never predicated the financing of this building on the reuse, it's not honest, it's not true…the minutes of the meeting spell it out very clearly for everybody and it is not right as to who authorized this, this Board authorized them to go forward this way because the projects were always tied together since the moment I read about this in the newspaper this was the way the project was done.

Alderman O'Neil stated, Alderman Girard, this has nothing to do with the elderly and you're dragging them into the middle of this thing. What this has to do with is a process and a process was not followed. This Board voted to go ahead with building a new Police station, there was not a vote by the Board of Aldermen to include in the scope of that project the renovation of the existing Police station, that is what this whole thing is all about. Don't drag the elderly into this. There should have been a vote of the Board of Aldermen, that is what should have happened. Now, whether there was intent by the CIP Committee, I don't believe there was ever a vote by the CIP Committee to move forward with including in the scope of this project the renovation of the existing Police station. There certainly was not a vote at the full Board level, that belongs here…not in staff level and I apologize to the architects, I apologize to the staff of the Police Department for you being dragged into this, but there is a process and it was not followed. Just one question for either of the architects…we have two fine firms working on behalf of the City…what is the scope of…I noticed here that in the months of November, December the schematic design on the renovations…what is the scope of the existing Police station in your work that is to be involved there.

Ms. Bennett replied the existing building has already been surveyed for all of its mechanical, electrical systems, its structure and its current condition. It was assessed in that condition for the renovation expansion project. All that information is now going to be very useful for renovations of the building. What we had intended to do in November/December in the schedule was to work with the departments who are identified by the City to work with them to determine what their needs are for the future, for all of their programming, for their spaces, for current use and for future use and then go through a series of alternative schemes to make sure that we could accommodate them sufficiently in that building and we would work with each of the departments to determine what the best scheme overall is; that then would be tabled because the construction wouldn't be started until much later on.

Alderman O'Neil asked is it your belief that the contract you signed with the City includes the design work on the renovations of the existing Police station.

Ms. Bennett replied that is the way it was advertised publicly and that's the contract we've signed.

Alderman Pariseau stated I believe that the situation that we're in was hammered out in the CIP Committee as a recommendation to this Board that we go ahead and proceed with the Police station, the new one and also to see if the current Police station would be suitable for those four

or five departments that we were told was going there. So, we did make that recommendation to kill two birds with one stone, if you will. And, that's why it happened.

Alderman Cashin stated I asked the Chairman of the CIP Committee the same question and he didn't give me an answer yes or no, did they or didn't they.

Alderman Reiniger stated the best way to clear this up would be to look at the minutes of the CIP meeting. But, my recollection is that this issue come up relatively late in the CIP season. Alderman Wihby was brokering this whole deal, I know he had meetings during the daytime…many meetings with department heads, I was called into one of them and he presented it to me as we can pay for this new station largely to the rental savings of these other agencies which included the Hanover Street East Side Center and then there was extensive discussion at the CIP meeting dealing with the CIP budget, but I don't recall the exact motions that were made, maybe they're in the minutes. But, this issue was explicitly discussed.

Alderman Clancy stated I am a member of the CIP Committee. As I recall during that meeting we voted to go along with the new Police station and these six departments that were renting throughout the City were supposed to give us an idea of how much land they wanted, square feet over at the old Police station and we're trying to accommodate them, so I guess it was the Health Department, Welfare, OYS, Information Systems and my suggestion is to get a hold of these different departments, ask them how much square footage they need and we can try to accommodate them as much as possible.

Alderman Thibault stated I think I'd have to go back and I'm still confused…I'd like to go to the question Alderman O'Neil just brought up a few minutes ago that I don't disagree with what they may of intended to do. But, as Alderman Cashin has said before it never came formally to this Board to make a decision as Aldermen O'Neil and Cashin said to this Board to make a decision on that and I certainly don't want to hurt the Police Department and the Police station or what they're trying to do, I think it's a whole separate issue and I think Alderman O'Neil is right and so it Alderman Cashin that it never came to this Board, it may have gone into CIP and with all probable good intent it just never got to this Board and that is where the problem is. Why don't we take care of that and forget about all of this other stuff.

Mr. MacKenzie stated I did just want to just…in terms of the process the renovations of the existing building were included in the total budget that was proposed as part of this project, so it was clear that the renovations of the existing building would be part of that. Also, when the start-up resolution was passed and that went to the Finance Committee which is the full Board, I think you'll look at the start-up and it's clearly described that the Human Services facilities would be evaluated as part of this for the existing station and that the Police Department/Special Building Committee would be responsible for handling the actual planning and design for this project. So, that information has gone to the full Board, I can get the start-up if you'd like and show that to you. So, I believe we are trying to follow the process, we're trying to get the project done as you wanted it to get done.

Chief Driscoll stated, your Honor, I have probably learned a very valuable lesson here tonight. I assure you and all of the members of the Board that we will come seek your advice as we've tried to do tonight…that's about all I can say…I would like someone to address the site selection criteria that we came to talk about.

Deputy Clerk Johnson stated there has been a request made to the Board to go into non-public session regarding the site selection. It has been suggested that it be done at the end of the meeting and the architect's have agreed to meet until the end of the meeting to allow you to finish your regular business.

Mayor Wieczorek stated yes, I don't want to go into non-public session twice, but once, that is what we'll do.

14. Update on proposed revaluation by Board of Assessors.

Mr. Tellier stated since the last time I came to report on behalf of the Board of Assessors, I'm happy at this point to state that we have selected the low-bidder, they have aggressively pursued all the concerns that each of us as members of the Board had, they've thrown every resource, they've answered fully and in writing all the concerns that we had and we have since submitted some information…our RFP and some contractual information to the City Solicitor's Office and we are pursuing a contract as we speak. We hope that a contract could be drawn up this month and that they would begin sometime in September or October, but quite clearly before this would occur this Board would be apprised of the public relations program that would be in place, where they would begin, the method of operation and size of the project and all of the parameters that come with that.

Alderman Thibault asked, Steve, could you tell us how long of a process is this. Let's say, once you get the okay and you approve these people and we approve these people…how long of a process is that for these people to go around and revaluate these properties.

Mr. Tellier replied it's somewhere between eight months to a year to do all of the data collection…reminding the Board that we have a little over 30,000 properties combined with residential, commercial, industrial and they will be assigned to different portions of the City throughout this process. They're assigned the task of discovering all of the property, listing all the property, recognizing all of the attributes of each piece of property and picking up market information, income and expense information, physical aspects of each piece of property…all of that is put into a data base and then their senior appraisers come in and do the review process, the market analysis, and the income approach. We feel that it's an aggressive schedule, it's reasonable, we feel that the values would be set as of April 1, 2001. Immediately around the time frame of the tax bills, the taxpayers would be notified through the mail, the hearing process would be done immediately after that and then sometime around September or October of 2001 the final results would be accepted by the Board of Assessors and implemented for that tax year.

15. Status report to be presented by the Economic Development Director relative to the 1037 Elm Street project and further action, if required.

Mr. Taylor stated I'm here to talk about the 1037 Elm Street Project and given that this Board adopted this project in its form back in March, I think it's reasonable to assume that this Board has held this project in relatively high status in terms of priority and it was our intent to try to carry out this project without further action by the Board, you gave us the authority to proceed under the structure that we got approved back in March. Unfortunately, that has not come to pass and there have been some changes in the structure of the project that I believe warrant further action by this Board, so I am back here to talk to you about what those changes are and see if we can get your concurrence to allow us to proceed along the track that we are currently following here. This is a very complex project given the fact that there are a number of participants including two federal agencies, the City of Manchester and a private developer and a bank. So, you can imagine the degree of difficulty we've had in trying to find a confluence of all of those interests. We do, however, think that we're getting this issue surrounded and so we're back here with a couple of changes in the project structure that I think warrant some explanation. The Clerk has handed out a brief summary of where we are to date and I won't bore you with all of those details, but I simply want to refer you to the major areas of changes and I'll try to explain those briefly knowing that time is of the essence here. The project costs are the same. Essentially the financing sources are the same, it's the Economic Development Administration (EDA), the City using CDBG money, Manchester Development Corporation and a private bank. The developer as you recall has an option to acquire the building at the end of the 15-year useful life of the building which is consistent with the Economic Development Administration's regulations. They require that the City cannot sell the building until after the 15-year so-called economic useful life expires. The major differences in the project as it stands at this moment as opposed to where we were back in March…this is merely to accommodate the concerns of the EDA staff that the public benefit is flowing through to a private developer. We think we can accomplish the same general purpose of the project by doing it this way, it's actually, probably much simpler to do it this way and in conjunction with the developer have pretty much agreed on how we can do this. As of yesterday in a telephone conversation with the EDA people down in Philadelphia they view this as being workable, so we're going to proceed along that direction. The second major issue that has come up has to do with the financing structure of the project. Originally, the bank was going to loan the developer a million dollars to put into the building to complete the renovation of the building. If you will recall, the original project was only going to benefit the shell of the building and the first three floors. By introducing the private developer into the mix we can complete the whole building which we all view as being a much more commendable project. So, in essence, given that we now no longer cannot use the building nor the leasehold improvements in the building as collateral for the bank loan because there is no lease and become the EDA won't allow us to put a mortgage on the building the bank is requesting that the City guarantee the loan to the private developer. Now, before anyone jumps to any major conclusions this is not as draconian as it may sound on the surface and I would like to explain briefly why I think the risk is minimal. Number one, the private interests are putting a million dollars (round figures) into a building that is owned by the City. The building is going to continue to be owned by the City for at least 15 years at which

time the developer has an option to acquire the building, that's number one. The individuals involved in Chase Block, LLC which is the entity that is actually going to be taking out the loan with the bank…three individuals with whom the City has worked on two previous projects, they're local gentlemen, I think they are all respected in the community, I think their track record on the two previous projects speak for itself. So, I don't believe they're going anywhere, so we view them as being substantial people and having had to sign personally for the note, the three of them are standing behind this note as well. The City is liable to repay this loan only in the worse possible scenario which would mean there are no tenants in the building and the note cannot be repaid and none of us believe that that is likely to happen. As I mentioned before, the City is going to continue to own the building and if we were going to finance this total project by ourselves using all City funds we would have to go out and bond the money which would have to be paid back eventually. So, the risk in that instance would be all City anyway. In this particular case as long as the building performs as we all believe it will the rents from the building will repay the note to the bank and if this works as we all believe it will the City will never have to be called on this guarantee. I have talked with the City Solicitor's Office about this, I have talked with the Finance Director as late as this afternoon and in fairness to him since he has not had an opportunity to really look at this in detail because he's been on vacation and further, in the interest of keeping this project moving I would like to give the Finance Director and the City Solicitor a little time to look at this and by virtue of that I would like to request the action that is requested on the second page of that handout which will allow us to proceed along this track with your approval and giving final authority to approve or disapprove of this particular method of financing to the City Solicitor and the Finance Director jointly. So, it will give us the ability to work with the EDA, the developers to try to pull all of these final details together.

Alderman Clancy stated these gentlemen have done work in the City before, right, at the corner of Brook and Canal Street.

Mr. Taylor stated yes and the Pearl Street School, I believe.

Alderman Clancy stated as far as I'm concerned they done excellent work for the City, they put some money back into the tax rolls for us and they're all local people.

Alderman Clancy moved to approve the project as presented and authorize the Mayor, on behalf of the City, to execute any and all documents required to consummate the project, subject to final review and approval by the Finance Director and the City Solicitor. Alderman O'Neil duly seconded the motion.

There being none opposed, the motion carried.

16. Report to be presented by the Planning Director relative to the selection process and introduction of consultant selected to perform Master Plan Study of former UNH property on Hackett Hill Road

Mr. MacKenzie stated I would have the Economic Development Director come back, the group that's working on the planning for Hackett Hill have selected a firm, we just wanted to introduce the team leader and have him give an idea of who's involved in this team, what the schedule looks like and I'm going to turn it over now to Mr. Gordon Leedy who is the team manager from VHB.

Mr. Leedy stated hello, Mr. Mayor, members of the Board. My name again is Gordon Leedy and I am a Landscape Architect and Director of land development for Vanesse, Hangen, Brustlin (VHB). We are a consulting engineering firm based with an office in the Manchester area, we've been doing business in Manchester for 12 years, 20 years as a company and the other members of our team are Fred Urtz and Barry Brensinger from Lavallee/Brensinger and also Tom Farelly from Cushman and Wakefield. As you might recall, the scope of this project involves developing a Master Plan, a Marketing Plan and a Capital Improvement Plan for the former UNH property at Hackett Hill and develop a vision for the development of that property over the next three months of work. We anticipate being involved with further presentations to the Board and many other community and staff level groups in the development of the Master Plan and as I said we anticipate that work to take about 12 to 14 weeks. We strongly believe that with the great work being done in Manchester including the Civic Center, the Airport, the Downtown plan and the continued high marks that the City gets in all of the places rated and places to live type reviews that this City and this region have approached this project at exactly the right time. We think that there is strong market for this project and that it really is a visionary thing for the City to undertake at this time and we look forward, very much, to working with the City to make this project another success for the City. With that, I'd answer any questions you might have.

Alderman Hirschmann stated I request at this time to be included in the Master Plan team because it is my Ward, your Honor, and when Attorney Craig put the language together for us I was very adamant that this become a research/executive park, so I want to be included in the team, your Honor.

Mayor Wieczorek stated I don't have any problem with that.

Alderman Rivard asked could you tell me if the landfill is going to be included in this Master Plan.

Mr. Leedy replied we will be considering the landfill area, I'm not sure at this time what role it might play, but there are a number of options for consideration of that property.

Alderman Rivard stated you will be developing a plan that we can put in place on the existing closed landfill; that was part of the motion that we made several month's ago. So, you will be looking at that and you will be coming back with a recommendation or suggestion as to what we can put there and utilize after we spend $10 million to close it, we certainly don't want to put a

fence around it. So, you'll make every effort to make a passive park or something that the people can enjoy because we've got a big investment there.

Mr. Leedy replied yes.

Alderman Shea stated you kind of skipped through the three components…the first was a Master Plan and the second is…

Mr. Leedy replied what we are anticipating is to develop…well, the scope of services is to study the site and the existing site, infrastructure that serves the site, both physical and economic and to develop a series of concepts that will be reviewed by the City and to arrive at a preferred direction and then to refine that, to develop a detailed capital plan for implementation of the projects. So, in other words we want to tie the required improvements to the phasing of the property, so that we can hopefully self-fund as much as possible the development of the property. Additionally, there is a marketing component that is involved that allows us to…at the same time that we create the Master Plan itself to develop a plan for selling the property as it's developed.

Alderman Shea asked is the intent to utilize all of the property in a commercial or industrial sense or would there be a provision for something else.

Mr. Leedy replied there are a lot of options on the table right now. There's been talk about relocating the Armory over in that neck of the woods, there's been talk about…certainly, there's a temporary fire station over in the area that could find a permanent home, there is, I think, a strong potential for mixed-use component to provide for at least limited retail and commercial use in parts of the property. There is also a very significant conservation component to the property that as I understand it the Nature Conservancy is very interested in acquiring in excess of 300 acres of the total property because there are very significant wetland and natural habitat areas that make up part of the Hackett Hill property.

Alderman Shea stated I'm kind of leaning, thinking about is does all of that property have to be utilized for profit for the City. In other words, are people renting space, can it be utilized say for a senior center or…could that be included in the blend.

Mr. MacKenzie stated clearly it was our goal to accomplish several purposes including industrial development, also to meet certain public needs including a fire station…if that is a possible site there could perhaps be space there available for that and I think the feasibility analysis we talked about earlier for the Senior Center could include that as part of the process.

Alderman Shea commented as long as the window is open a little bit, thank you.

Alderman Thibault stated I guess what I'm concerned about and I don't mean to blow a horn here, but there is some major environmental protection issues and I think Bob MacKenzie was

already apprised of that, Bob, could you give us some idea as to where that's at and what are we looking at here, how much is going to be, in fact, put aside to take care of that problem.

Mr. MacKenzie replied the CSO Program…we finally did enter into an agreement and will save the City millions in the long run. Approximately, 376 acres will be set aside, both the City now and the State Environmental Services have done appraisals on that because part of the CSO money would come back to the City potentially for reinvesting in the infrastructure and those appraisals came in very, very closely with each other. So, that will be the amount of money that will actually pay for that 376 acres to be saved for conservation land.

17. Communication from the Deputy City Clerk submitting a dog licensing Ordinance Amendment.
(Note: Committee on Bills on Second Reading has reviewed and recommends Ordinance be considered for suspension of the rules and adopted.)

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

Ordinance:

"Amending §§38.06(A) and 90.99 as they relate to the penalty for unlicensed dogs."

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

This Ordinance having had its third and final reading by title only, Alderman Pariseau moved that the Ordinance pass and be Ordained. Alderman Shea duly seconded the motion.

Alderman Girard asked what is the practical effect of this amendment.

Assistant Solicitor Arnold replied the practical effect is to bring it in line with the State law. The present Ordinance gives dog owners seven days to pay a civil forfeiture violation, this changes that period of time to fifteen days to bring it in line, as I said, with State law. Also, the present Ordinance has a schedule fine set increase in the second and third offenses…again, I think that is contrary to the State Statute, so it provides for a $25.00 civil forfeiture, again consistent with State law.

Alderman Girard asked all of the revenues collected from these fines goes to the State, is that correct.

Assistant Solicitor Arnold replied no, I don't believe so.

Alderman Girard stated it stays here in the City.

Assistant Solicitor Arnold stated yes, even if the court collects it because a dog owner has asked for a trial, I believe that money is paid over to the City by the court since it's under a municipal Ordinance.

Alderman Girard stated in changing this we're not putting ourselves in a position where we'd be handing the revenue over to the State, are we.

Assistant Solicitor Arnold replied no.

Deputy Clerk Johnson stated I just wanted to clarify that that is true with the fines, but in terms of registering the dogs there is a portion that does go to the State for registering the dogs.

Alderman Girard asked is there any way and this is a question for the Solicitor…the amount of money and time we have to spend to issue the fines or what not…all of that money goes to the State, you just said the fines, the penalties go to the State.

Deputy Clerk Johnson stated no, the penalties are paid directly to the City, the registering of the dogs which is the $6.50 or the $9.00 a portion of that does go to the State and that's what I wanted to clarify.

Alderman Girard stated I got it backwards, I'm sorry. Thank you.

Alderman O'Neil stated I just want to commend the Clerk's Office. They worked…even though they've taken a little bit of hit in the paper, they're worked very hard at notifying everybody on this licensing issue and to Carol, Paula, I know Leo's around they worked very, very hard at it, the entire staff and I commend them for that.

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

18. Update from City Solicitor regarding report of Committee on Community Improvement recommending disposition of the Chandler School property to the Holy Family Academy.

Mayor Wieczorek asked who wanted to address that.

Deputy Clerk Johnson replied the City Solicitor's Office will address it, however, when it is time for a motion the Clerk would request to advise the Board what the procedures should be.

Assistant Solicitor Arnold stated you should all have, at this point, the proposed Purchase and Sale Agreement for the Chandler School. To outline the provisions of this agreement, basically, it provides that the City will transfer the building to The Holy Family Academy for $1.00, basically a very nominal consideration. In return for that, the Purchase and Sale Agreement provides that they will provide plans for renovating that building to the City and that if either

those renovations aren't completed by the end of 2001 or if the facility is not used as a school or if the Academy seeks to sell the building prior to December 31, 2006 that it will pay the profit it makes on that sale over to the City, the profit being defined as the sale price minus the costs of the renovations that the Academy puts into the building either directly through payment for the renovations or through "sweat equity" work by members or benefactors of the Academy in putting renovations into the building. In addition to that, we would have a "Right of First Refusal" that would be good for a sixty (6) days period if they were to sell the building. I would note that the "Right of First Refusal" and the responsibility to pay profits over to the City would expire at the end of 2006 with the result that the Academy would be free to do with the building what they wished. In addition to those provisions there are three other provisions I think I ought to note for the Board. First of all, there is a provision in the Purchase and Sale Agreement to have the City remove the portable classrooms that are presently on the property and I'd have to work with identifying where funds to do that would come from and who would take care of that task. The Purchase and Sale Agreement also provides that, at present of course, the Academy is a non-profit tax-free entity, but the Purchase and Sale provides that if there should be a change in the law that provides for the ability to tax this type of property or entity that the City would not do so unless it was forced to do so by the State Statute. In addition, the last item I wanted to bring to the Board's attention is there is a provision in the Purchase and Sale Agreement, at the request of the Academy, that basically provides that if for some reason they cannot get local approvals necessary to renovating the building either the first floor or other floors as they proceed with the renovations at some future time that they would have the option, "they" meaning the Academy would have the option to rescind the Purchase and Sale Agreement, get back their purchase price (i.e., $1.00), but also that the City would pay the cost, whatever it was, of either renovating or replacing the roof on the building. I think that in a nutshell is what the agreement in front of you provides, if anybody has any questions about this specific language, I'd be glad to try and answer it as you know basically we tried use the agreement that the City reached with The Sargent Museum on the Lowell Street property as a template basis for this present agreement.

Alderman Thibault asked are you saying that no matter what money they spend to renovate this building, if in fact, it reverts back to us in three or four years that we would have to pay for the renovations, is that what you're saying.

Assistant Solicitor Arnold replied no, that is not what I'm saying. What I'm saying is if they were to sell the building prior to the end of 2006 that they would have to transfer to the City the profits from that sale. If the building is transferred back to the City and the City uses that building for municipal or other purposes then we have a duty to pay for the renovations and in addition, if for some reason they can't get the necessary State or local approvals to renovate the building as they desire that they could rescind the Purchase and Sale Agreement with the result that the City would have to pay not for all the renovations, but for the cost of renovating or replacing the roof on the building.

Alderman Thibault stated to follow up if, in fact, this would happen and the City was not going to use this building or didn't want to take it back, what would happen then.

Assistant Solicitor Arnold replied I guess I'm thinking on how that would come to pass and I guess the way that would come to pass would be if the Academy could not get the necessary approvals to renovate then they could transfer the building back to the City and we would have the obligation to pay for the renovations or replacement of the roof.

Alderman Thibault stated I guess that is where I am still confused. Tom, if in fact, after they've renovated it and for some reason or other they want to give it back to the City and if the City has no use for this building are we committed to pay for the renovations for the roof.

Assistant Solicitor Arnold replied in that instance. Not for all of the renovations, the only instance or the primary instance in which we would have to pay for renovations other than the roof is if we use that building for a municipal purpose that would have required the renovations. The only time, I think, that we could pay for renovations that we might not use are solely limited to the roof if they couldn't get the necessary approvals and transferred the building back to the City.

Alderman O'Neil stated I saw Attorney Doyle shaking his head on one thing that was said, I don't know if he wanted to speak to make sure that they're clear.

Ms. Mosher stated that you for letting us be here again tonight. I'm Mary Mosher and I Chair the Building Search Committee for Holy Family Educational Corporation and this is Jim Doyle our Attorney.

Attorney Doyle stated basically I agreed with what Tom Arnold was saying. What we are trying to do…there is one section of the contract 7.3(d) and what the problem is we want to get the roof on the building before the winter and I know that City employees work very hard but sometimes there's delays in getting permits placed in time. So, the provisions of 7.3(d) is designed that in this case we put the roof on and then for some reason we are not able to get the necessary building permits, etc. passed in order to finish the renovations that the City would pay for the costs of the roof that is installed. There is another section of the contract which is 8.2(c) that talks about a situation where if there's a time period prior to the end of the year 2006 where the Academy's made an attempt to sell the building, is unable to, they would have the right to return the building to the City and at that point there would be a lien placed on the building for the costs of the renovations as they're defined in the contract. If the City did not use the building the lien would remain in place until the City disposed of the building and at the time that the City disposed of the building the renovation costs at that time would be paid as you would pay any other lien on any other type of property. So, that's basically what I understand we are attempting to do under the terms of the contract and I think that it is just going one step further than what Attorney Arnold and before I go any further, your Honor, if I may very quickly…I just want to commend the City Solicitor's Department for being very responsive…there was some delay

getting the paperwork to the City Solicitor's Office and for all of the complaining that I hear about being able to get through "red tape" in the City, I found the experience to be quite the contrary, so, however, this turns out I think the Mayor and the Aldermen should know the professional courtesy and the quality of the work that the City Solicitor's Office does.

Alderman O'Neil asked, Tom, did you say that we're responsible for removal or demolition of the portable classrooms.

Assistant Solicitor Arnold replied yes.

Alderman O'Neil stated there's no ballpark price in that.

Assistant Solicitor Arnold replied not that I have been able to get at this point.

Alderman O'Neil stated that seems to be a new issue, I don't remember that discussed the last time we met.

Ms. Mosher stated if I could address that issue…from the moment we entered into the initial conversations with the City about this building, we were told by City officials that the City of Manchester wanted these portable classrooms, needed these portable classrooms and, in fact, would be removing them and using them in this upcoming school year. We initially had asked if prior to being able to get into the building and doing the renovations the City would consider leasing them to us even and we were told that they were needed by the City and they would be removed. So, we entered into our agreement with the City initially and up until (honestly) today that I was informed, in fact, the City has decided they have no need for these classrooms. So, we have moved through our entire contractual agreement and understanding…being told that they would be removed by the City because the City needed them and wanted them. Obviously, because we've made other plans now they become a liability to us to have them remain on the grounds, that was a last-minute change in information for us.

Alderman Pinard stated I'm a little troubled by this whole thing. We're losing tax bases in different areas of the City, has Chandler School been put up on the market by Jay Taylor or anyone else.

Alderman Cashin noted that in his opinion the Board of Mayor and Aldermen had made a commitment to the Holy Family Academy to proceed in a good faith effort and felt that the Purchase and Sales Agreement should go forward.

Alderman Cashin moved to amend the report by adding "The Committee recommends that the Mayor be authorized to execute the Purchase and Sales Agreement as enclosed herein, and to authorize disposition of property as outlined." Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Alderman Cashin moved to accept, receive and adopt the report as amended. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

20. Communication from the City Clerk requesting the Board set the polling hours for the Non-Partisan Municipal Primary Election, scheduled for Tuesday, September 21, 1999 from 6:00 AM to 7:00 PM.

Alderman Thibault moved to set the polling hours from 6:00 AM to 7:00 PM on Tuesday, September 21, 1999 for the Non-Partisan Municipal Primary Election. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

21. Communication from the City Clerk seeking authorization to issue Requests for Proposals in lieu of sealed bids for the purchase of microfilming services.

Alderman Shea moved to authorize issuance of RFP's for the purchase of microfilming services. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

22. Communication from the Director of Planning seeking the Board's endorsement of the concept and authorization for the Mayor to submit a letter to the Commissioner of the NH Department of Transportation encouraging them to apply for funding for a parking garage at the southern end of the Millyard under the CMAQ Program of TEA 21.

Alderman Reiniger moved to the Director of Planning's recommendations. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

23. Communication from Deputy Chief of Police Duffey Re: return of warrant for non-renewal of dog licenses pursuant to RSA 466:16.

Alderman Pariseau moved to accept the return of warrant as submitted. Alderman Rivard duly seconded the motion. There being none opposed, the motion carried.

24. Bond Resolutions:

> "Authorizing Additional Bonds, Notes or Lease Purchases in the amount of Seventy Five Thousand Dollars ($75,000) for the 2000 CIP 710200, Intersection Improvement Program."
>
> "Authorizing Bonds, Notes or Lease Purchases in the amount of Six Hundred Thousand Dollars ($600,000) for the 2000 CIP 810300 Revaluation Project."

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

Alderman Thibault moved that the Bond Resolutions pass and be Enrolled. Alderman Girard duly seconded the motion. There being none opposed, the motion carried.

25. NEW BUSINESS

Alderman Hirschmann stated after meeting with Parks and your office was involved too, we discussed a land clearing project for Electric Street and Bremer Hill to give site lines for the neighborhood, it's just an overgrown area that the neighborhood used to look at the river and the trestle and a foot path up to the Biron Bridge and moved to transfer $3,000…that's the amount that the Parks Director gave me from Contingency to Parks to perform this land clearing. Alderman Thibault duly seconded the motion.

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

19. A report of the Committee on Traffic/Public Safety was presented recommending that a request by Intown Manchester seeking the closure of Elm Street between Bridge and Granite Streets and the side streets along the route be barricaded on Friday, August 13, 1999 from 6:00-11:00 PM in conjunction with the Time Travelers Classic Car Show and, further that a request by Peter Telge, a member of the Craft Brewers Association seeking use of Arms Park for their 2nd Annual Brew Festival scheduled for Saturday, August 28, 1999 from 2:00 to 10:00 PM be granted and approved subject to meeting all conditions set forth by the City Clerk, Fire, Highway and Police Departments.

Alderman Cashin moved to accept, receive and adopt the report of the Committee. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Alderman Girard stated I have two quick items. I was copied as every member of this Board was on a letter from Richard Danais of Danais Realty Group and moved that the communication be referred to the Committee on Community Improvement for consideration with the feasibility study on the Senior Center. Alderman Rivard duly seconded the motion. The motion carried with Alderman Shea duly recorded in opposition.

Alderman Cashin stated in reading the letter it says I'll do it free. Well, if you read the letter it's not for free.

Mayor Wieczorek stated no, that is why you can refer it to the Committee and let them deal with it.

Alderman Girard stated I'm not endorsing the approach, I just think it should be considered.

Alderman Girard stated the other item is a letter that I received and I presume other members of the Board received from Mark Holden who is the Executive Director of the Associated Builders and Contractors, Inc. of NH/Vermont Chapter regarding the construction of the Civic Center and moved that the communication be referred to the Special Committee on the Civic Center and take a moment to read it into the record. It raised some very good issues that I think the public should be aware of. It says:

Associated Builders and Contractors (ABC) represents commercial and industrial contractors from throughout NH, many from the Manchester area. As businesses and citizens, we are very excited about the proposed Civic Center development and we respect your oversight responsibilities. We are very concerned that the local construction unions are attempting to use the Civic Center project for a market recovery program. Obviously, this project was conceived as being an asset to the City of Manchester and will be for the enjoyment of all citizens attending the various events. The construction of the Civic Center was not planned as a membership development campaign for local construction unions.

Attempts to justify imposing a union Project Labor Agreement (PLA) for the construction of the Civic Center have no economic rational nor can they be defended by any other reasonable criteria. In fact, at all levels of government, it has been rightly perceived that favoritism in the award of contracts is a form of corruption which leads inevitably to higher cost and lower performance.

In Manchester and throughout NH, 85% to 90% of contractors and construction workers have chosen not to sign union agreements. The decline of unions is an issue which prompts much discussion and debate. However, a Project Labor Agreement will virtually eliminate competition for the selection of subcontractors, freeze out opportunities for the vast majority of construction workers and violate the realities of the NH construction market. A PLA will do nothing but inflate the cost of the Civic Center project and infuriate most contractors and construction workers who live and work in Manchester and throughout NH.

For your information, I have enclosed a couple of articles concerning PLAs which appeared in a recent issue of ABCs Construction *RESOURCE* magazine. Please feel free to contact me at any time. If appropriate, representatives from ABC are willing to meet with you at your convenience to further discuss this issue.

Respectfully,
s/Mark E. Holden

Alderman Girard stated they enclosed an article which noted some very interesting problems that have been incurred by projects that have gone the route that has been proposed here to Manchester. And, reiterated his motion that it be referred to the Committee on Community Improvement for review. Alderman Rivard duly seconded the motion. There being none opposed, the motion carried.

Alderman O'Neil stated the other day I happened to be outside with the City Clerk and there were a couple of kids skateboarding and the City Clerk immediately removed them and I asked them about the new skateboard park and they got very defensive about it and said we've heard more promises from the City about a skateboard park, Leo, you can correct me if what I'm saying is wrong…for two or three years now I hope this new park where we're at over on Maple Street is going to happen soon…I was a little disturbed by the comments in the paper today…they quoted the Director of Parks and Rec saying "sometime small projects take a long time."

Mayor Wieczorek stated don't loose any sleep over it, it's going to happen.

Alderman O'Neil stated the kids in this City have certainly waited a long time for it.

Alderman Thibault stated one point. Sitting here looking at the three cameras up there, I believe we were told that in May they'd be operational and here we are in August and they're still not in operation…money…come on. What's the problem. We were told they were going to be operational in May.

Mayor Wieczorek stated let Mr. MacKenzie answer that.

Mr. MacKenzie stated I do know the Board actually authorized the money that was up to $26,000 in April to accomplish that. MCTV has been given notice that they can purchase the equipment…I know they've been out to bid and are working on it, it's not done at this point.

Deputy Clerk Johnson stated the Clerk still has the other item and I do have a clarification with regards to Mr. Girard's motion on one of these items. The first with regard to Alderman Girard's letter the Clerk would request copies, but the first letter presented regarding the Elderly Center, the motion as we heard it and understood it was to refer it to the feasibility study, but then there was some understanding by another member of the CIP Committee.

Alderman Girard stated the intent was to refer it to the CIP Committee, so it could consider it while discussing the feasibility study for the Elderly Center.

Deputy Clerk Johnson stated the other item was that the Mayor's Office has notified the Clerk's Office that there is a possibility that a grant may be available for some art work for City Hall and we would like permission to explore that and submit an application if it's appropriate.

Alderman Sysyn moved to authorize the City Clerk's Office to submit a grant application for art work for City Hall. Alderman Girard duly seconded the motion. There being none opposed, the motion carried.

Alderman Hirschmann moved to enter Non-public session under the provisions of RSA 91-A:3 II (d) regarding the site selection for the police station project. Alderman Rivard duly seconded the motion. A roll call vote was taken. Aldermen Wihby and Klock were absent. Aldermen Reiniger, Sysyn, Clancy, Pinard, O'Neil, Girard, Shea, Rivard, Pariseau, Cashin, Thibault, and Hirschmann voted yea. The motion carried.

Within non-public session the architects reported to members of the Board regarding site selection. They advised that a evaluation criteria for review of current proposed sites included a centralized location; access and traffic flow; availability of on-site and off-site support parking; location relating to massing and expansions, existing conditions, topography and neighborhood context, public presence; adjacent to other city buildings; and development potential. The evaluation criteria was not weighted at this time and was presented in no particular order of

priority. Five potential sites were presented within the discussion and aldermen were requested to inform the architects if there were other sites they felt should be considered.

On motion of Alderman Reiniger, duly seconded by Alderman Sysyn, it was voted to return to public session.

Mayor Wieczorek advised the meeting was now in public session.

26. Communication from the Chief Negotiator requesting to meet with the Board for a negotiation strategy session.

On motion of Alderman Cashin, duly seconded by Alderman Reiniger it was voted to recess the meeting for a negotiation strategy session.

Mayor Wieczorek called the meeting back to order.

It was noted that Alderman Rivard had left the meeting.

Alderman O'Neil moved to ratify the MEA agreement as presented subject to Rule 26 of the Board. Alderman Cashin duly seconded the motion. The motion carried with Aldermen Reiniger and Girard duly recorded in opposition.

There being no further business to come before the Board, on motion of Alderman Girard, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

City Clerk