

BOARD OF MAYOR AND ALDERMEN

March 7, 2000

7:30 PM

Mayor Baines called the meeting to order.

The Clerk called the roll.

Present: Aldermen Wihby, Gatsas, Levasseur, Sysyn, Clancy, Pinard, O'Neil, Lopez, Shea, Vaillancourt, Pariseau, Cashin, Thibault, and Hirschmann

Mayor Baines recessed the meeting to conclude the Public Participation meeting.

Mayor Baines called the meeting back to order.

Presentation to the March recipient(s) of the "Spirit of Manchester" Award.

Mayor Baines asked Alderman O'Neil to join him. He stated as you know once a month we do present recognitions in our community for people who have gone above and beyond in service to the citizenry. It is my pleasure to inform you that the Manchester Fire Prevention Committee has been chosen by the judging Committee as the March recipients of the "Spirit of Manchester" Award. The "Spirit of Manchester" Awards Committee represents For Manchester. The "Spirit of Manchester" Awards Program was developed to recognize individuals and groups in the community that have contributed to the quality of life in our great City. The Judging Committee deemed the efforts of the Fire Prevention Committee to be, and I quote, "above and beyond the call of duty." The Manchester Fire Prevention Committee has been instrumental in providing funding for a variety of fire prevention programs delivered by the Fire Department and the Fire Prevention Bureau. The most visible program to date is the Learn Not to Burn Program, which promotes fire safe behavior to children in grades K-6 in all public and parochial schools in the city of Manchester. Alderman Dan O'Neil will present the congratulatory certificates along with me and the pins to the recipients. I would like to call them forward at this time. Mayor Baines asked Chief Kane to join him as well. Mr. Richard Pollock, Mr. Real Pinard, Mr. James Davenport, Ms. Verna Perry, Mr. David Jesperson, Ms. Joan Palmer, Mr. Robert Olivier, Mr. Frank Remillard, Mr. Stanley Jaskolka, Mr. Chris Cutter, Mr. Phillip Frasier, Mr. David Saplankas, Mr. Henry Bourgeois, Mr. John Away, Mr. Joseph Audette, Deputy Chief David Albin, Ms. Cecile Adams, and Mr. Norman White. Let's congratulate these people for making a difference in our community.

Mayor Baines noted that Items 5 and 6 would be addressed first.

5. Distribution of FY2001 CIP Budget with brief presentation by the Director of Planning.

Mayor Baines stated as a backdrop to this and I will have more information at later meetings about the entire budget process, I would like to read a message that I delivered to all of the department heads yesterday. Based upon budget projections for the upcoming fiscal year 2001, it has been determined that salary and benefit increases will be well in excess of 5%. In addition, preliminary estimates reflect the decrease in department revenues and only a modest increase in the tax base. In order to soften the impact of this one time salary spike, which will continue for a short period of time due to the implementation of Yarger Decker and the associated labor agreements, I have implemented the following initiatives effective immediately. Number one, all hiring by departments will be reviewed by the Mayor and the Director of Human Resources on a case-by-case basis. Departmental expenditures will be limited to essential items only. In this regard, a weekly review of all department encumbrances will be conducted by the Mayor and the Finance Officer. Departments will make every effort to accelerate revenue collections and payments to the City Treasury. These initiatives should result in a stronger FY2000 year-end fund balance that can be applied to the FY2001 budget to minimize the impact of the adopted labor agreements. We will talk more about that at a subsequent meeting. Tonight, this is an opportunity for me, as Mayor, to present my first Community Improvement Program budget. I am mindful of the fact that one candidate for the Presidency travels on a campaign bus that has been called the Straight Talk Express. As I poured over the figures that serve as the foundation for the CIP budget, I announce tonight that I became more convinced than ever that straight talk should not be relegated to the campaign trail for straight talk is a necessity in explaining Manchester's current financial picture. We need to begin an honest and open dialogue tonight about how a City in the midst of the most robust economy in the history of the nation finds itself facing financial limitations that restrict our ability to confront the challenge and capitalize on the promise of the 21st century. For the past few weeks, that famous line from Dickens and I quote, "It was the best of times and it was the worst of times" has echoed in my head. While it would be inaccurate to say that Manchester faces the worst of times, it is entirely accurate to note that our ability to seize the opportunities that lie within our collective reach is not as great as might be expected in this time of unparalleled growth. Because resources are limited, funds provided through CIP must be targeted to meet important strategic goals that serve vital community interests that transcend geographic boundaries, political considerations and passing trends. Every dollar we allocate must have an impact well beyond the end of the next fiscal year. I repeat, the impact must be well beyond the next fiscal year and the projects we fund must be catalytic in nature. That is, they must build foundations that will propel the recipients of the funds to secure futures that can be sustained without significant contributions from government, which may be in increasingly short supply. In short, we must design our allocations to follow that most famous Biblical adage about the futility of giving a man a fish without teaching him how to catch his own. I would first like to address strong neighborhood housing. As many of you know, I constructed a campaign platform around a neighborhood-centered vision for Manchester. I spoke of a future built on a foundation of strong, vital neighborhoods, safe and successful schools and healthy families. I also advocated by promoting a receptiveness to new ideas that does not discount the lessons that the past teaches. The CIP budget seeks to strengthen our neighborhoods by helping individuals gain the skills and resources necessary to become

responsible renters and eventually homeowners, the backbone of any viable community. Among the proposals funded are two from Manchester Neighborhood Housing Services that address the need to provide affordable housing in the center of our City. The NHS project involves the rehabilitation of five buildings in the group's target area. In addition to owner-occupied units, the project will produce 10 rental units. The second NHS project will provide 10-20 home improvement loans to low income homeowners. In addition, Families in Transition, a group that provides housing services and employment training to homeless women, will receive \$200,000 to expand its facilities with the addition of 15 housing units. The CIP allocations are also designed to assist those who will take the first steps in planting roots in the community by renting their first apartments. A group called The Way Home will receive funds to assist 100 families with security deposits to enable them to put permanent roofs over their heads and those of their families. It is too easy in this age in which we here so much about multi million dollar loans and bonding agreements to forget that there are a number of working citizens in our community who need assistance in putting together the first month's rent and security deposit that so many landlords justifiably require. Who among us doubts that providing this assistance will help build neighborhoods that are sources of safety, stability and strength? Finally, in the area of strong neighborhoods, the CIP budget provides funds for what are officially classified as miscellaneous infrastructure improvements. You and I know these improvements as trees and sidewalks, two services a City provides, the importance of which I discovered last night in Ward 8 should never be underestimated. Come with me to these neighborhood meetings. Now I would like to talk about safe schools and healthy families. Let's talk a bit about the importance of safe schools in this community. Although we cannot predict or ultimately prevent tragedies such as Columbine from happening in our schools, there are concrete measures that can be taken to reduce the risk of such occurrences. To that end, the CIP budget allocates almost \$250,000 for the installation of equipment and improvements to signs to enhance school security. In addition to making the schools safe, we want to create environments that are conducive to learning. Students cannot learn if their classrooms are too cold or the roofs of their building leak to the extent that hallways become an obstacle course of buckets, pails and garbage cans. The \$4,340,000 allocated for capital improvements to our schools will begin to address these longstanding problems. New roofs will be put on five schools. Heating and ventilation improvements will be made at Central and West. Asbestos removal will continue. Window replacement will finally begin and Beech Street School's playground will be updated. School's success cannot be measured only with improved facilities. As all of us know, the best measure of success can be found in the answer to this question. Are Manchester schools turning out citizens who are useful to society and happy with themselves? While we can never guarantee that the answer to this question will be yes, we can pave a path to success by making sure that our kids, whether they are pre-schoolers or high school seniors, arrive at school ready to learn. A number of CIP programs attack problems that undermine success in schools. The link between healthy families and safe and successful schools will be strengthened by various Health Department and non-profit agency initiatives that this CIP budget will fund. Comprehensive programs to attack TB and prevent lead poisoning are provided for, as is the teen health clinic program designed to improve the physical, mental and social well being of adolescents. The Police

Department will be granted \$36,000 to fund its participation in the NH Drug Task Force, a program that seeks to stem the flow of drugs onto Manchester streets and into the bodies of our kids. Because we are increasingly aware that success in school is determined by how children spend their time out of school, we are funding programs sponsored by the Office of Youth Services and the Greater Manchester YMCA that provide comprehensive after school and summer instruction. Finally in the area of education, we are embracing the notion of an allocation for the design phase of the Brown School renovation. Cultural heritage. The CIP budget also seeks to preserve our City's historic and cultural legacy. The Palace Theater, an institution that embodies both historic and cultural elements, has been awarded a \$75,000 Challenge Grant to support its operating expenditures and \$5,000 has been granted to a group called Arts Builds Communities to develop a comprehensive cultural plan for our City. Additional funds have been set aside to continue the Veteran's Park concert series that has become so popular over the years. Finally in this area, the CIP budget recognizes the importance of the archives and records management office providing an organized and centralized depository for our City's recorded history. It is the least we can do to recognize our founders' achievements and to encourage today's residents to seek out the lessons that the past teaches us. It would be an affront to those still with us if we failed to recognize their achievements in building this City while we preserve the written records of their accomplishments. Our City's senior citizens have waited too long for a comprehensive Senior Center that will not only serve as a meeting place, but also as a resource that will help them address the challenges and opportunities that come with aging. An allocation of \$150,000 has been made for the design and possible land acquisition for a Senior Center. Public safety. The area of Police and Fire protection is one that cannot be compromised, even in a time of limited resources. Police officers and firefighters must be given the tools, the training and the facilities to do their jobs effectively. This year's CIP budget recognizes this necessity and provides for completion of the Somerville Street Fire Station and construction of a new Fire Station in Southeast Manchester to serve the needs of that rapidly expanding area. The Manchester Police Department has been allocated over \$370,000 to provide specialized training, juvenile detention upgrades, sobriety checkpoints, community policing expenses, and domestic violence prosecution. In addition, further study will be devoted to the question of expanding the Police Station. Make no mistake about it; space is tight at the current location. However, resources are tight as well. Any solution to the current situation must balance the department's needs with those of the budget and those of the neighborhood that might be impacted by any expanded facility. In the area of economic development, this CIP budget addresses a long-standing impediment to revitalizing downtown and the Millyard, parking. If businesses such as Silknet and AutoDesk are to make commitments to the center of the City, their workers must have places to park. In order to accommodate the pressing need for additional spaces, \$500,000 has been set aside for this purpose. Beautification of Elm Street will also serve as a catalyst for new businesses. Over \$100,000 will be made available to downtown property owners and businesses to encourage rehabilitation of buildings and improvements of signs. Furthermore, I believe that recent meetings with the Army Corps of Engineers, which shall continue, will prove to be productive and the City, with the Corps of Engineers' assistance, will undertake for the very first time, a systematic review of every municipal building owned

by the City. Every municipal building owned by the City, including schools. Once we have heard facts about the condition of these properties, we must move forward in addressing the recommendations about rehabilitation or construction that will result. However, we will not embark upon that without a well thought out, independent analysis and plan to address these needs over a long period of time. To be sure, this CIP proposal is not as expansive as I would have liked, however, the reality of the City's fiscal limitation and I cannot stress that enough, we have very serious fiscal limitations. Therefore, it has trimmed our sails a bit and forced us to alter our proposed itinerary. What cannot change, no matter how difficult our financial circumstances might be, it is our obligation to work our hardest to achieve for the residents of this City strong neighborhoods, safe and successful schools and healthier families. I look forward to a free spirited discussion about priorities I have laid out. Indeed, I expect a great deal of straight talk from our elected officials and members of our community. Whatever our disagreements may be, I know that we will be united in our efforts to provide the best possible future for all of our constituents. Ladies and gentlemen, thank you very much for listening.

6. Appropriating Resolution:

"A Resolution Approving the Community Improvement Program for 2001, Raising and Appropriating Monies Therefor and Authorizing Implementation of Said Program."

On motion of Alderman Levasseur, duly seconded by Alderman O'Neil, it was voted to read the Appropriating Resolution by title only, and it was so done.

On motion of Alderman Clancy, duly seconded by Alderman Pariseau, it was voted to refer the Appropriating Resolution to a public hearing on Monday, March 20, 2000 at 6 PM in the Aldermanic Chambers of City Hall; and further refer it to the Committee on Community Improvement and the Committee on Finance.

CONSENT AGENDA

Mayor Baines 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.

Minutes Accepted

- A.** Copies of minutes of meetings held on November 16 and 22, 1999; and December 6 and 7, 1999.

Approve Under Supervision of the Department of Highways

- B.** Bell Atlantic Pole Petitions numbered: 649188, 922466 and 922466P.

Informational - to be Received and Filed

- C. Communication from the Chief of Police submitting the Final On-Site Assessment Report of the Manchester Police Department for the Board's review.
- D. Copies of minutes of a meeting of the MTA Commission held on January 28, 2000, and copies of the Financial and Ridership Reports for the month of January, 2000.
- E. Communication from the State of NH, Dept. of Environmental Services, Solid Waste Management Bureau advising that the City is in compliance with state and federal rules with respect to Financial Assurance Compliance noting that the City has until December 31, 2000 to forward required documentation for fiscal year ending June 30, 2000.
- F. Communication from Andre Bournival expressing his displeasure with having recently received a parking violation while conducting business in the Downtown area.

Accept Funds and Remand for the Purpose Intended

- H. Communication from the Director of Public Health advising of the receipt of a \$275.00 donation from Citizen's Bank to support efforts to promote immunizations for children.

REFERRALS TO COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT

- I. Communication from the Chief of Police seeking approval to purchase a new Special Reaction Team response van utilizing funds under the Local Law Enforcement Block Grant Program.

COMMITTEE ON FINANCE

- J. Communication from Mayor Baines advising that City staff is working with representatives of the Center of NH for collection of outstanding parking fees collection of \$308,132.18; and further, the City's internal auditors have been directed to review all similarly developed contracts and a contract processing procedure is being drafted to ensure proper controls in the future.
- K. Communication from the Finance Officer recommending that the Board reserve up to \$1,449,000 in the City's Restricted line items in the event funds are needed for the School District to be transferred at year-end.
- L. Communication from the Chief of Police requesting a transfer of \$27,204 from Contingency to Police Department line item #3319C10898 which is the local match of the 1999 Local Law Enforcement Block Grant.
- M. Resolution:

"Authorizing the Finance Officer to effect a transfer of Twenty Three Thousand dollars (\$23,000) from Contingency to Library for Library Heating."

COMMITTEE ON HUMAN RESOURCES/INSURANCE

- N. Communication from Paul Beaudoin, President of MAPS requesting that six Sergeants be advanced one additional step to conform with City Ordinance 33.051 which provides that, "All supervisors shall be paid at a higher rate...than their direct subordinates."

COMMITTEE ON LANDS AND BUILDINGS

- O.** Communication from Timothy Brown, Manchester PAL Lax Director seeking the Board's assistance in locating a field for the Manchester Police Athletic League's Lacrosse Program.
(Note: communications from the Director of Parks, Recreation & Cemetery dated March 1, 2000 relative to this matter herein enclosed.)

SPECIAL COMMITTEE ON AIRPORT ACTIVITIES

- P.** Communication from Raytheon Regional Program Manager advising the City on behalf of the Federal Aviation Administration's (FAA) intent to construct a new Airport Traffic Control Tower and adjoining base building at Manchester Airport and requesting that a confirmation of no adverse effect or comments be returned to Mr. Jeffrey MacManus, Raytheon Support Services Company.
(Note: a copy of this communication has been forwarded to the Manchester Airport Authority for review and further action as may be required.)

SPECIAL COMMITTEE ON THE CIVIC CENTER

- Q.** Communication from the Economic Development Director submitting an illustration of the parking formula to be used in calculating the share of civic center parking revenue that Ogden Entertainment will receive.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- R.** Recommending that the Board adopt the City Investment Policies and Guidelines, as herein enclosed.
- S.** Advising that it has accepted the enclosed report from the Board of Assessors and is submitting same to the Board for informational purposes.

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- T.** Recommending that a request from the American Lung Association of NH for the placement of a banner from mid-March to mid-April, 2000 in conjunction with a comprehensive tobacco prevention and education campaign be granted and approved.
- U.** Recommending that a request from Georgie Reagan seeking authorization for the placement of a banner on Hanover Street one week in advance of May 16, 2000 in conjunction with a Big Band Music event to be held at The Palace Theatre be granted and approved.

COMMITTEE ON HUMAN RESOURCES/INSURANCE

- V.** Recommending that a request for a 12-day unpaid leave of absence for Paul Houghton of the Building Department be granted and approved.
- W.** Recommending that up to \$13,500 be expended from the Salary Adjustment account at the end of the fiscal year for the Adult Literacy and English as a Second Language Program at the Library, if needed.

X. Advising that it has reviewed and approved proposed Ordinances:

“Amending Sections 33.024, 33.025 and 33.026 (Laborer) of the Code of Ordinances of the City of Manchester.”

"Amending Sections 33.024 and 33.026 (Watershed Patrol Officer I and Watershed Patrol Officer II).”

“Amending Sections 33.025 and 33.026 (Public Utilities Coordinator) of the City of Manchester.”

“Amending Section 33.026 (Planner I) of the Code of Ordinances of the City of Manchester.”

and recommends same be referred to the Committee on Bills on Second Reading for technical review.

Y. Advising that it has awarded the Term Life Insurance and Accidental Death and Dismemberment Insurance contract for all eligible regular full-time and part-time municipal employees and the Board of Mayor and Aldermen to The Guardian Life Insurance Company of America. The broker is Ferdinando Insurance Associates, Inc. of Manchester.

Z. Advising that it has referred the matter relative to continued personnel/management difficulties (Amalgamated Transit Union) to the Special CIP Sub-Committee (Re: MTA).

SPECIAL COMMITTEE ON THE CIVIC CENTER

AB. Advising that it has instructed City staff to begin discussions with Ogdon with regards to addressing the payment concerns for City services, both inside and outside of the civic center.

AC. Advising that it has instructed the Manchester Housing Authority to sit down with the Building Trades, Attorney Craig and Solicitor Clark to try and work out a Project Labor Agreement.

AD. Advising that Jay Taylor will be responsible for the distribution of a weekly report to be sent to all Aldermen every Tuesday detailing the activities that went on regarding the civic center during the previous week.

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

G. Communication from Jeff Burt of the *Los Angeles Times* to the City Clerk expressing his gratitude for assistance during the recent NH Presidential Primary.

Alderman Vaillancourt stated before we receive and file this letter, I thought it should be brought to everyone's attention. I think we should congratulate the City Clerk and the staff of his department for the way they ran the election and I think it is very important if we are to keep our First in the Nation Primary that we receive these kinds of commendations from news organizations like *the Los Angeles Times*. If you notice in your packet, and the material that

the *Los Angeles Times* sent, I think that the data that they got from this exit polling that was made possible by officials like our City Clerk is very valuable and very interesting.

Alderman Vaillancourt moved to receive and file the item with commendations to the City Clerk. Alderman Pariseau duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

Report of Special Committee on the Civic Center

AA. Recommending that the amendment to the Management Agreement between Ogden Entertainment, Inc. and the City of Manchester regarding parking be approved.

Alderman Vaillancourt stated this item concerns the Management Agreement between Ogden and the City of Manchester regarding parking for the civic center. I am not sure that I understand this without further clarification so it is not as simple a request as the previous item. My first question to somebody that can help is I went to the Library the other day and received the value line summary of Ogden Corporation. A one-page summary, which I think I made available to all of my colleagues and there appears to be a line saying that Ogden is liquidating these two divisions, including their recreation division so I am just wondering if Ogden, in fact, has liquidated or where they stand in liquidating these. It says that Value Line will not be able to get a handle on the company's future until we learn how successful it is in liquidating the discontinued units. I assume this is one of the units and I am wondering what the City is doing about this and how we can pass this agreement with Ogden regarding parking until we know what is going on with Ogden and its liquidation.

Alderman Shea stated I would like someone from the Civic Center Committee to come up and go through the parking procedure. I am not sure if Jay Taylor set it up or someone from the Finance Office. There are a couple of questions that I would like the public to be made aware of.

Mayor Baines requested that Mr. Taylor come forward.

Alderman Shea stated these are not difficult questions, but I would like the public to be aware of what the parking project may entail. For every third person entering the civic center for an event, there will be a \$3 parking fee. My understanding, for example, is if 3,000 people enter an event, 1,000 parking fees would amount to about \$3,000 and then Ogden would receive 80% or \$2,400 and the City \$600.

Mr. Taylor replied right

Alderman Shea asked now if someone were to live near the civic center and were to walk with two other people and go through the turnstiles, there would still be a \$3 parking charge that would be rendered onto them. Is that correct?

Mr. Taylor answered the formula that was agreed to is based on what is called adjusted turnstile count. Adjusted means subtracting the number of people that sit in the suites and in the club seats from the actual total attendance. We are not paying for those groups, so it is the

net attendance after you subtract club seats and suites, divided by 3 as you suggest, 3 people per car is the formula that was used, times \$3 per car which is the amount charged per car times 80% of that. You are correct in your assessment.

Alderman Shea asked how would the parking reserve fund work. Now there is a clause in there that I will read and then you may react to it. Explain the clause, "only in the event that the parking revenues early by the City do not equal or exceed the monies paid by the City to Ogden per the above formula." I am really lost in terms of what the above formula was.

Mr. Taylor answered the above formula, I believe, is the one that we just discussed and the reason for the parking reserve fund, my understanding is and I believe this was at the instance of Alderman Gatsas, that a reserve fund be set-up in the event that the parking revenue is not sufficient to satisfy the amount of money required to pay Ogden so that there will be some money there in the event that in the short-term that the Ogden revenue exceeds what is available.

Alderman Shea asked who sets up the reserve fund. In other words, the money that goes into the reserve fund is that monies that the City provides or that parking revenues provide.

Mr. Taylor answered I am not sure. Maybe Kevin Clougherty or Tom Clark could indicate where that money comes from.

Mr. Clougherty stated it is the flow of funds through the facility.

Solicitor Clark stated in the agreement it calls for the excess naming rights fund and through the capital campaign conducted to raise funds for this. Not from the taxpayers.

Alderman Vaillancourt stated I was asking the question about the liquidation of Ogden. Do we have any knowledge of that?

Mr. Taylor replied I can't comment on that. Maybe the Solicitor can.

Solicitor Clark stated we have had the situation looked into when Ogden had this situation last year. They are considering selling off certain divisions of their company, but it hasn't gone any further than that to our knowledge. Our financial advisors are still keeping track of it.

Alderman Wihby moved to accept, receive and adopt the report. Alderman Clancy duly seconded the motion. Mayor Baines called for a vote. The motion carried with Alderman Vaillancourt and Shea being duly recorded in opposition.

7. Presentation to be made by Alderman Hirschmann to his intern from Manchester High School West, B. J. Perry, III.

Alderman Hirschmann stated there are many opportunities in Manchester to interact with youth. Some come with coaching and athletics. Some come from Mr. Kamen's program

where you can get involved in science. A good friend of mine, Francoise Elise, in 1996 came up with an idea to have an internship to the Board of Mayor and Aldermen. As a freshman that year, I didn't think it was a good idea to have an intern, but I sat, learned and watched and thought that some day it would be appropriate to have my own intern. I would like to introduce B.J. Perry III from West High School. Alderman Hirschmann presented B.J. Perry with a plaque that read, "In recognition, B.J. Perry III, Ward 12 Aldermen Intern, 1998-1999 School Year presented by Alderman Hirschmann on 3/7/2000." What can be said about B.J. is when important issues were facing the City like the civic center and Riverwalk, he interacted with me. A guy in his 40's and a guy 16 or 17 years old getting together and talking about the future of Manchester. As an intern, B.J. went on the Internet and when a special trip to Peoria, Illinois came up he went on the Internet before any of the Aldermen even went and got a complete itinerary, told us about their Riverwalk, told us about their civic center and gave us full color drafts of what happened in Peoria before we got there. B.J. it is work like that that I really want to thank you for and I was happy to be your mentor and happy to have you as my intern. Thank you.

Mayor Baines stated as B.J.'s former high school principal, this young man is destined for success and he is a great singer and entertainer. He has a lot of different talents.
Congratulations, B.J.

8. Nominations to be presented by Mayor Baines, if available.

Manchester Development Corporation

Rick Loeffler to succeed himself, term expiring March 11, 2003.
Bill Sirak to succeed Eleanor Dahar; term expiring March 11, 2003.
Mary Sysyn to succeed herself as an Aldermanic Representative.
Alderman Henry Thibault to succeed Timothy Reiniger as an Aldermanic Representative.

Police Commission

Ralph Garst to fill the unexpired term of Ralph Garst, term expiring September 15, 2001.

Fire Commission

Sean Toomey to fill the unexpired term of Mike Lopez, term to expire May 1, 2003.

Safety Review Board

Robert Dufresne to replace Nicholas Vailas, term to expire March 15, 2003.
Roger Sevigny to succeed himself, term to expire March 15, 2003.
Bill Whittemore to replace Dianne Roy, term to expire March 15, 2003.

Alderman Wihby moved to suspend the rules and confirm the nominations for all the people who were succeeding themselves to the various commissions. Alderman Cashin duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

Mayor Baines stated as per the rules of the Board, the other nominations would lay over until the next meeting of the Board. Your consideration of these nominees will be sincerely appreciated.

9. Confirmation of the nominations by the Londonderry Town Council of:
Robert E. Carr to succeed himself, term to expire March 1, 2003
Michael R. Denton to succeed himself, term to expire March 1, 2003
as members of the Manchester Airport Authority.

On motion of Alderman Sysyn, duly seconded by Alderman Thibault, it was voted to confirm the nominations as presented.

10. Confirmation of the nomination of Fred Matuszewski to succeed himself as a member of the Building Board of Appeals, term to expire January 8, 2005.

On motion of Alderman Lopez, duly seconded by Alderman Wihby, it was voted to confirm the nomination as presented.

11. Confirmation of the nomination of Scott Ellison to succeed Pamela Diamantis as a member of the Manchester Development Corporation's Board of Directors, term to expire March 11, 2000.

On motion of Alderman Wihby, duly seconded by Alderman Levasseur, it was voted to confirm the nomination of Mr. Ellison as presented.

12. Confirmation of the nomination of Scott Ellison to succeed himself as a member of the Manchester Development Corporation's Board of Directors, term to expire March 11, 2003.

On motion of Alderman Pinard, duly seconded by Alderman Sysyn, it was voted to confirm the nomination of Mr. Ellison as presented.

13. Confirmation of the nomination of George Gott to succeed himself as a member of the Highway Commission, term to expire January 15, 2003.

On motion of Alderman Shea, duly seconded by Alderman Clancy, it was voted to confirm the nomination of Mr. Gott as presented.

Mayor Baines stated I do have a few other nominations this evening.

Water Commission

Donald Couturier to replace Ted Gatsas, term to expire January 1, 2001.

As per the rules of the Board, this nomination will lay over until the next meeting of the Board.
Your consideration of this nominee is appreciated.

Manchester Development Corporation

Bobby Stephen to succeed himself term expiring March 11, 2003.

On motion of Alderman Wihby, duly seconded by Alderman Cashin, it was voted to suspend the rules and confirm the nomination.

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

Mayor Baines called the meeting back to order.

OTHER BUSINESS

16. A Report of the Committee on Finance was presented recommending that
Resolution:

"Authorizing the Finance Officer to effect a transfer of Twenty Three Thousand dollars (\$23,000) from Contingency to Library for Library Heating."

ought to pass and be Enrolled.

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

17. Ordinance:

"Amending the Code of Ordinances of the City of Manchester by adding a new Section 130.42, Establishing Public Housing Drug Free Zones."

On motion of Alderman Clancy, seconded by Alderman Pariseau, it was voted to read by title only and it was so done.

This Ordinance having had its second reading by title only, Alderman Clancy moved on passing same to be Enrolled. Alderman Sysyn duly seconded the motion.

Alderman Thibault stated I believe that these code of ordinance kind of get mixed up in the ordinance book and I wonder why we couldn't just amend this to go with the public housing drug free zone with the school drug free zone that is already on the books. Why couldn't we just add that to that ordinance rather than put out a new ordinance.

Deputy Clerk Johnson stated she believed that was what the Board was doing, adding a section.

Alderman Thibault stated that it was going under a different number and that was why he was concerned about it. Why couldn't it be added on to the school drug zone.

Alderman Lopez stated he had the same concern and he thought the City Clerk, Leo Bernier, who he had spoke with, stated there was a separate comparison to the building code, the 150 code, it was completely different.

City Clerk Bernier stated I don't think you understand the question, you're asking why didn't we amend a certain section of the ordinance that includes the verbiage.

Alderman Thibault stated the one that you've got there now for schools, drug free zones, why couldn't you just put this one as an add on to that.

City Clerk Bernier advised that the Deputy and Solicitor were looking it up now.

Alderman Thibault stated these ordinances they come up every so often and nobody can ever find the ordinance that they want.

Mayor Baines suggested they move on this item and refer it to an appropriate committee at an appropriate time.

Alderman Hirschmann noted that it already had gone through the Committee on Bills on Second Reading.

Deputy Clerk Johnson concurred that it had.

Deputy Clerk Johnson suggested that the item be tabled at this time, pending research and report at the next meeting.

Alderman Thibault moved to table the Ordinance. Alderman Wihby duly seconded the motion. The motion carried.

In response to question, the Clerk advised there were no other reports to be submitted from the Finance Committee this evening.

- 21.** Communication from the Economic Development Director seeking the Board's authorization of the reconstitution of the Loan Review Committee in conjunction with the City Revolving Loan Fund, with up to a maximum of eight individuals, to be appointed by the Mayor subject to the approval of the Board of Aldermen.

Alderman Hirschmann moved to so authorize the reconstitution of the Loan Review Committee in conjunction with the City Revolving Loan Fund, with up to a maximum of eight individuals, to be appointed by the Mayor subject to the approval of the Board of Aldermen. Alderman Pariseau duly seconded the motion. There being none opposed the motion carried.

22. Communication from the Chief of Police requesting permission to place an order in the amount of \$120,400 with this year's State Vehicle Bid for five vehicles prior to final adoption of the FY2001 budget in order to take advantage of better prices.

On motion of Alderman Pariseau, duly seconded by Alderman Shea, it was voted to approve the request to place the order with the State Vehicle Bid for five vehicles. There were none recorded in opposition.

23. Communication from the Policy Director of the Society for the Protection of NH Forests seeking the Board's support of the Establishment of a Statewide Land and Community Heritage Investment Program.

On motion of Alderman Vaillancourt, duly seconded by Alderman Levasseur, it was voted to table this item.

25. Resolution:

"Authorizing the Finance Officer to effect a transfer of Twenty Three Thousand Dollars (\$23,000) from Contingency to Library for Library Heating."

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

This Resolution having had its final reading by title only, Alderman Thibault moved on passing same to be Enrolled. Alderman Sysyn duly seconded the motion. There being none opposed the motion carried.

26. NEW BUSINESS

Mayor Baines referred to a communication received for information only on all aspects dealing with the recent problem encountered by Manchester Housing Authority in case the Board had any questions.

Communication from Gary Rogier submitting his resignation to the Manchester Airport Authority effective immediately.

On motion of Alderman Clancy, duly seconded by Alderman Wihby, it was voted to accept the resignation of Mr. Rogier with regret.

Communication from Paul Proulx relating to a proposal for a heating oil cooperative.

Alderman Shea submitted the communication noting it was a constituent from Ward 7 who was proposing a study be made for a possible participation in a heating oil cooperative modeled after one in Barnstead, New Hampshire.

Alderman Shea moved that the communication be referred to the Special Committee on Energy Contracts and Related Issues and the aggregate program. Alderman Wihby duly seconded the motion. The motion carried.

Alderman Gatsas stated all of the aldermen had a letter from Berry, Dunn, McNeil & Parker regarding the auditing of MediaOne. There was a lack of information provided by MediaOne and the Finance Department which was being requested for submission within seven business days. It was hoped to have a report within 30 days. Alderman Gatsas noted that they needed to discuss the MediaOne contract with the aldermen in an executive session, so the negotiator can start negotiating with MediaOne. In response to question Alderman Gatsas noted that the company had been waiting some eight months for information, and we did not want to get caught in the same situation as they were in with the parking garage.

Mayor Baines noted they would take this item up following new business.

Mayor Baines noted that Alderman Wihby would be submitting a charter change and requested the City Solicitor to advise on how to go about a charter change.

Solicitor Clark stated when this Board feels that a charter amendment may be necessary they can take the question, they refer it to a public hearing. Solicitor Clark noted that he believed the notice has to be seven days minimum for the public hearing. A public hearing is held for the citizens to come in and express their view. Within seven days after the public hearing, this Board then has to meet to decide whether to order the question to the ballot. If it decides to place it on the ballot, the election has to be more than 60 days after that order. It can be placed at the next municipal election, a state election or a special election.

Mayor Baines stated so the procedure just to clarify, Alderman Wihby would be to move to send this to public hearing, that's what it would be.

Solicitor Clark responded the first step would be to move to refer it to a public hearing.

Mayor Baines stated just as a clarification, and I am not going to get into a discussion about it, if there are items in here contrary to state law, which I think there is something right at the beginning of this that might be contrary to state law, having studied this issue for a period of time when we were doing the charter, how do we reconcile that, before going to a public hearing. Can we refer this for review.

Solicitor Clark responded they could refer this to a committee for review before deciding whether or not to send it to a public hearing, yes.

Mayor Baines so we would have an option as a Board to say, before we do that, this be referred to legal counsel to review to make sure it is in concert with the existing state law.

Solicitor Clark stated correct, this Board does not have to send it to a public hearing, it can send it to a committee for a review prior to that if you wish.

Proposed Charter Amendment relating to Schools submitted by Alderman Wihby

Alderman Wihby presented a proposed Charter Amendment which was distributed to members of the Board stating this was prepared by our City Solicitor for myself, I asked him to do it, so it already has had a legal review. Alderman Wihby moved to send the proposed amendment to public hearing stating it was changing the charter basically it's the first paragraph "to provide that the School District shall be a department of the City and the Board of Mayor and Alderman shall have line item budgetary control over the school department." Alderman Wihby stated and what it does is it takes three or four other articles in their and changes those so that everything is in agreement. Alderman Wihby stated there were two ways to go with the school department, and we have seen in the last three years deficits. There is one way of making it independent by itself, having two separate budgets, and I think that's not the way to go because you have two different people raising their budgets and the city side will say well two percent is fine and the school side will say two percent is fine and all of a sudden it's four percent. I think the way to go is the way that we have always been going before the declaratory judgement, the way that I think everybody felt. If we knew there was a problem we could send a directive, we told them what to do, make a cut, they challenged us on it, we're spending a lot of legal hassles, I am hearing that what we should have done was challenged the judgement that came down. So this is trying to give the aldermen the control as a department would for any other department, and it makes the school district a department so all of the controls that we would have for a regular department would be the same. Alderman Wihby again moved to refer the amendment to a public hearing. Alderman Wihby noted that this was for the people to decide. The citizens of Manchester will decide whether or not they want it as a school district, or if they want it as a department.

Mayor Baines stated before I accept the motion, and I will, something that I am curious about, this was prepared by the City Solicitor's office.

Alderman Wihby stated he told the City Solicitor what he wanted and I asked him to do it so we wouldn't have any problems with the form.

Mayor Baines asked why it was not sent out to the Board in advance.

Alderman Wihby responded he had received it five minutes before the meeting started.

Alderman Levasseur duly seconded the motion to refer the proposed charter revision to public hearing.

Mayor Baines called for discussion.

Alderman O'Neil referred his question to Alderman Wihby stating everything he was really trying to do was in the first paragraph, correct.

Alderman Wihby responded true.

Alderman O'Neil stated just make them a city department was Alderman Wihby's intent.

Alderman Wihby responded correct.

Alderman Vaillancourt stated he had no position as to whether or not this should happen. I do think that this Board deserves a fair amount of time to review it before we decide whether or not we want to send it this route. I don't think bringing it in at 11:20 on the evening of a meeting is the proper procedure, so I'll move to table it at this moment.

Alderman Shea seconded the motion to table.

A roll call was requested by Alderman Levasseur.

Mayor Baines advised there was no discussion on a tabling motion.

A roll call voted was taken. Aldermen Levasseur, Pinard, Pariseau, Hirschmann, Wihby, and Gatsas voted nay. Aldermen Sysyn, Clancy, O'Neil, Lopez, Shea, Vaillancourt, Cashin, and Thibault voted yea. The motion carried.

Alderman Gatsas stated for the Board's information being a water commissioner for five years, and advocating a water rate reduction and not being successful and obviously listening to the statements made by the water works and knowing that they are a million dollar plus bottom line positive cash flow basis, I have submitted to Mr. Soucy the President of the Water Commission, that if they don't want to give out a water reduction rate to the entire city then they should at least consider the elderly. I told them that they should be coming back to us with some sort of answer within the next thirty days.

Alderman Gatsas moved that they consider a reduction in water rates for the elderly.

Alderman Hirschmann seconded the motion that the Board support the requested reduction for the elderly.

Alderman Shea asked what the definition of the elderly was.

Alderman Gatsas responded that his letter gives it the same basis as what the Assessors do now for elderly residential exemptions.

There being no further discussion, Mayor Baines called for a vote on the motion. The motion carried with none recorded in opposition.

Alderman Vaillancourt stated he was not sure if this was communications or other business, but he did have a letter from a gentleman in his ward whose appointment is up for the MTA Board. He understood from the City Clerk that tonight was the night to move this. Alderman Vaillancourt moved that Harry Tentas be reappointed to a five year term on the Manchester Transit Authority. Alderman Shea seconded the motion.

Alderman Pariseau questioned the five-year term stating he thought the terms of commissioners was limited to three years.

City Clerk Bernier advised that this was regulated by state statute and it called for a five-year term.

Alderman Shea moved to close nominations to the Manchester Transit Authority. Alderman Lopez duly seconded the motion. There being none opposed the motion carried.

Alderman Pariseau moved to suspend the rules to confirm since the candidate was a reappointment. Alderman Thibault duly seconded the motion. The motion carried unanimously.

Alderman O'Neil moved to confirm the nomination of Mr. Tentas to the Manchester Transit Authority for a term of five years. Alderman Clancy duly seconded the motion. There being none opposed the motion carried.

Alderman Levasseur stated that when we had the discussion earlier about the closed door thing that was going on between department heads and everything, I have to say you have to be really careful how you go about that. You start getting passionate, and I understand your excitement, but now we have the Attorney General coming in, you have to be very careful because you are giving an impression out there that we are doing a lot of this stuff behind closed doors. Your Honor, I think we do a lot of our work in rooms in committees and such and such but I don't want to leave the impression that there is tomfoolery going on. Mayor Baines stated he appreciated those comments about his statements. A lot of us would have been a lot better off if there was a public record.

Clerk Johnson advised that in terms of going back to the MediaOne discussion, the motion would be to recess the meeting to confer with legal counsel. Mayor Baines asked the City Solicitor if that was correct. Solicitor Clark responded affirmatively.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted to recess the meeting.

Mayor Baines called the meeting back to order.

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to adjourn.

A True Record. Attest.

City Clerk