

BOARD OF MAYOR AND ALDERMEN

March 21, 2000

7:30 PM

Mayor Baines called the meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by Boy Scout Troop 135, Den Three.

A moment of silent prayer was observed.

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

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

4. Presentation by Dr. Sylvio L. Dupuis and Mary Mongan, Co-Chairmen of the Task Force for Manchester's Future.

Mayor Baines stated I'd like to introduce for the public this evening former Mayor Sylvio Dupuis and Former Commissioner of Health & Human Resources for the State of New Hampshire, Mary Mongan to make a presentation to the Board.

Dr. Dupuis stated we appreciate the opportunity to appear before the Board of Mayor and Aldermen at this meeting this evening. I know that you have a busy agenda and we will try not to take too much of your time. All of you should have, in front of you, a yellow kit that should have been passed out prior to the meeting. It's got a couple of pieces of information on it. One of them specifically that Mary Mongan will talk about and a couple of the others that I will say a few things about. The first is a chronological listing of a number of community projects that have been done from the 1990's to the '96-'97 time frame. In fact, I see Kevin back there and I want to give credit where credit is due. Kevin Clougherty was the person that put this together some time ago for the For Manchester group. Sometimes, we put together community groups and we say look we've been through CPR and we've been through revitalization and we've been through the Manchester Agenda and nothing really happens. I hope that when you have an opportunity to look at that material at your leisure that you'll feel pretty proud of the City of Manchester and it's accomplishments and proud of the fact that the vast majority of the recommendations that came through within this period have been looked at, implemented, discarded, but they just haven't been sitting there. We are addressing you this evening because early on in his administration, Mayor Baines talked about the fact that this would be among other things the year of the neighborhoods. At his Inaugural, in fact, announced that he had asked me to Chair a group that would look at the City of Manchester from a slightly different perspective. At that time, we had a mystery co-Chair and it took some time for us to convince

our mystery co-Chair to accept the assignment...she's no longer a mystery because she's sitting here to my left this evening in the person of Mary Mongan. We took some time to look at all of the reports and all of the recommendations that had been made and wanted to take a slightly different approach and tonight we're going to outline very briefly what that approach might consist of and the second piece that I'm leaving with you is something that we called "Voices & Choices"...a conversation with our community and its neighborhoods. The Voices & Choices idea is simply this...that we want to go out into the neighborhoods, listen to the voices of the neighborhoods and look at the City from a new set of eyes, from a different perspective so that when the Board of Aldermen comes together and when you look at CIP and when you look at the priorities for this community, you can look at them from the voices and from the choices that have been recommended by the neighborhoods. We tend, as a government, to look at centralized things. We have a lot of strategic planning, it's very centralized and this again as we've said you can read it for yourself, but the idea is to look at what are the elements of a healthy community. A healthy community is a lot more than good health or the absence of disease. It is an adequate education for our young men and women who are preparing to be grownups, it is about safe neighborhoods, it is about good housing, it is about healthcare, it is about communities and citizens that care about one another. So, what we have outlined in Voices & Choices is what are some of the elements that make up an appropriate neighborhood. How does that fit in with what makes up a healthy community and so the process that we hope to take this through and what we are saying to you this evening is that this can be a very successful and a very good effort on the part of the City, but it's not Syl Dupuis and Mary Mongan and it's not the Honorable Robert Baines, it is this community and the approach that we want to take is to reach out into your neighborhood and make sure that you as an Alderman and make sure that School Board members and make sure that the people in your area have an opportunity to participate. And, the only way that we think that we can achieve that is to take as a first step an approach that sends it back to your wards, sends it back to your area. So, structurally we want to put together a group that will be representative of the wards that can then begin to define what a neighborhood really is. We understand that if the ward line is at Kelley Street that the needs of the left side of Kelley Street and the right side of Kelley Street are not very different in that there may be a ward line, but that is an integrated and an integral neighborhood. So, we want to bring this Steering Committee together...we've had many volunteers who have written, who have called, who have said they would like to work on this process, but we need to define more clearly what this process really is. So, the initial Steering Committee that we hope to pull together will help us to define that. We can give you, in a way, a time table. Our objective is to complete all of this work by the fall of 2000 and not to let this be a long process. What our objective really is that out of this process and out of the neighborhood recommendations which can then be brought to the community that there may be four or five very specific recommendations and that perhaps a piece of that will be assigned to the Manchester Development Corporation or someone else or something else may be assigned housing, but that the recommendations will not simply hang there but find a home within some responsible agency within this community. So, I'm going to turn it over to Mary to talk a little bit more about what we want the Aldermen and what we would like for involvement from the Board of Mayor and Aldermen, but I would repeat again that this is not our project and it is not

the Mayor's project, it needs to be a community project and it needs to reflect what you see in your neighborhoods, what you see in your areas as Aldermen to the City of Manchester. We think it will be a constructive process, we don't intend to duplicate, as you know, the arts and culture group have been taking a look at our heritage and that and we're not going to reduplicate that, we intend to bring those groups into the process and come back to you in the fall of 2000 with a set of very specific recommendations regarding some of the future directions for our community, Mary.

Ms. Mongan stated you can see who the politician is in here, right. I'm the doer, I'm the worker. We really I think, Syl is right. What we really need to do is to have your input into this. We want to make sure that the Aldermen have input into it. We're asking you to reach out into your areas and find people who probably will want to participate in this process. The Voices & Choices thing I'm sending out that you see in your form is asking you to recommend somebody and if you have any problem about that, you have my telephone number there where you can call me I'll be very happy to talk to a person who perhaps wants more information before they say yes to you. But, it's your choice, it's your availability to tell us who you think can really help us make this program work. It's a real plus. I had the opportunity, as you know, go campaigning with Bob as he went around the areas and it was good to see and talk to the people. I've been very fortunate, I've been very much a part of the Manchester area and those of you who remember I worked for the Manchester Housing Authority for many years, almost 15 years and we did something like this in Manchester Housing Authority, we had a Resident Council and that Council worked for everybody from Rimmon Heights to Elmwood Gardens to all the high-rises where all of the people had a say and they had an opportunity to tell us what they felt was needed, they were able to hear what was going on and they became on "ownership" if you will of what they were going to be doing; that is what we want this to happen to the people in the community, into the neighborhoods, to become owners of where they are, to build up their own ownership, to empower them to be able to really get down to say what do we want. This is not a gripe session, we're not there to hear their gripes, you people can do that, that's your role. We'll make sure we send them back to you to do that. So, what it is is we've got our people out there who really want to be part of their community and I think this is an opportunity to do that. We're asking you to do this by the 31st, giving you a little time. You have ten days to think about this and get these back to me. You will find envelopes in there with my name and address on it and a stamp, whereby, you just have to put the names in there and send it off to me. Any questions, I'll be around to call, I do have an answering machine if anyone needs to get to me. So, I should be available and I'll be there to help in any way I can. If there are any questions at all I'll be happy to answer them...either Syl or I. Syl and I have worked together before, this is why I'm here. I wasn't really hard to get, I was just tired. I had just done a campaign and I wasn't ready to pick up the gauntlet once again. But, we have worked together before and we're looking forward to working together again this time to see this project through. Thank you very much.

Mayor Baines asked are there any questions for Syl Dupuis or Mary Mongan.

Alderman Shea asked how many do you want from each ward, three, five, two, four.

Ms. Mongan replied actually I gave you two forms, up to two...one or two.

Dr. Dupuis stated that would be the core person or persons and then those people will bring in others from the area or from the identified areas, so we need sort of a team captain or a co-chair to get that first person, bring them in to start the process and have them go back out and begin to form a group in that particular neighborhood to come together and then maybe we'll pull 50 or 100 people together to kind of do a one day or half-a-day or a day into the next kind of...what kinds of things are happening, what would you like to see happen in your area and we have a feeling that it's going to be different toward the different neighborhoods that we identify because the needs of the southend may be very different than the needs in other parts of the City. So, we want to hear from different parts. Our objective would be to get four or five key priorities, pull them together and then have a session that is City-wide that brings what the neighborhoods have said into a centralized discussion and then come from there with specific recommendations.

Ms. Mongan stated I'm sure all of you know some key people in your areas that have been doers and that's what we're looking for and I'm sure you know who they are. Thank you.

Alderman Hirschmann stated I'd like to see people from all walks of life on this committee. As you know, we've undergone looking at a skateboard park for youth, so youth needs to be involved. Our senior centers were discussed many times last night, so we need them involved and there was a gentleman here who was visually challenged and he was the best speaker of the night and if he could get on that committee I think access for Manchester's a big deal. So, I really want to see a well-rounded group. If you're going to come out with a statement of what Manchester represents I want a rounded representation, I don't want 20 politicians on this board, quite frankly.

Ms. Mongan interjected that's not what we want and the disability piece is a big thing and we need to look after who they are and they'll be participants. The first group will be a steering group. It's up to you to tell us who you want and you're going to know the people who are going to want what you want, so, therefore, they'll bring your thoughts to the table and that's what we need.

Alderman Hirschmann stated I have a young person in mind and I have a senior in mind.

Ms. Mongan stated very good, two already. Thank you.

Alderman Lopez asked in making the recommendations will you be soliciting in the ethnic groups in the City of Manchester as to whether or not they have somebody that wants to participate in this. Maybe the Alderman does not know that particular area would you solicit that particular area.

Dr. Dupuis replied this is a starting point. You need to start with one person that is a key person. What we have tried to do is that in terms of thinking about it originally, well, let's get somebody from Intown Manchester and somebody from For Manchester and somebody from the Chamber and somebody from the ethnic groups...we want a key person that can deal with their Alderman; that group will come together and then say okay this is the kind of representation that we need. We know, for example, if part of the center city is designated as a neighborhood that we are going to have a very, very different kind of ethnic diversity in that region in that neighborhood than we would have in another place. I was talking to someone the other day who said 51% of the people in one of the areas in the center city have been here for less than five years, that's a real issue and that's a real neighborhood and that's something that we really want to deal with. But, we want to start with the core group. As I said, we thought of the notion of someone from each of these organizations and it doesn't work that way. So, we're better off to start at the neighborhood at the ward level and grow the process from there.

Mayor Baines stated let me just conclude by thanking both of you for taking on this responsibility, I believe it's going to be a...I know it's going to be a very important process for the people of Manchester. For example, last night when you have a CIP hearing and we have some of the ward meetings that we've been having you really hear things that you don't normally hear sitting here in the Aldermanic Chambers and sometimes it strikes a cord and you say why didn't we address that know that there is such passion out there in those issues and I think we're going to hear a lot of those things as we engage in this process. So, thank both of you for taking on this challenge and responsibility and we look forward to hearing more from you. Thank you very much.

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.

Approve Under Supervision of the Department of Highways

- A. Bell Atlantic Pole Petition #922259

Informational to be Received and Filed

- C. Communication from Executive Council Colantuono submitting the agenda for the March 8th meeting of the Governor and Council.

Informational to be referred to the Police Department

- D. Communication from Daniel Fletcher requesting the removal of Crimeline signs located adjacent to 567 Granite Street which he feels have contributed to vandalism in the area.

Accept Funds and Remand for the Purpose Intended

- E. Communication from the Deputy Finance Officer advising of the receipt of \$4,441.20 in the City's share of forfeiture funds in two federal drug cases.

REFERRALS TO COMMITTEE

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- F. Communication from Catholic Medical Center seeking authorization for the placement of a banner across McGregor Street from May 3-15, 2000 to promote National Hospital Week.
- G. Communication from Charles Gordon requesting the placement of a banner across Elm Street at the intersection of Hanover Street from June 1, 2000 for approximately three weeks in conjunction with an antique and special interest car show to be held Downtown on June 24th from 10:00 AM to 8:00 PM.

COMMITTEE ON FINANCE

- I. Communication from Alderman Hirschmann requesting the Board adopt a new policy mandating that before any construction project passes through the Finance Committee the Board is made aware (in writing) of any fiscal impacts to future budgets.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- L. Communication from Richard Davis, The Downtown Farmers' Market, seeking authorization for the closure of streets, a no parking ban, re-installation of banners on lighting fixtures in and around the Hartnett Lot and erection of the barn in the southwest corner of the Hartnett Lot as outlined herein.

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- O. Recommending that a request to:
 - (a) designate the area generally bordered by Elm Street to the east, Brook Street to the north, Granite Street to the south, and the Merrimack River to the west as the "Riverfest Area"; and
 - (b) instruct the City Clerk not to issue permits to any vendors in this area during the celebrationbe granted and approved under the direct supervision of the Police, Traffic, and Highway Departments.
- P. Recommending that a request for a circus license from the Bektash Temple for their annual circus to be held at the JFK Coliseum from April 6-9, 2000 be granted and approved.
- Q. Recommending that a request for a carnival license from Steven Schubert for the annual Spring Carnival to be held at Singer Family Park from April 13-23, 2000 with all proceeds to benefit the Central High School Gridiron Club be granted and approved.

BILLS ON SECOND READING

R. Recommending that Ordinances:

"Amending Chapter 33. Human Resources Policy of the Code of Ordinances of the City of Manchester by deleting the word "Policy" from the title of said Chapter."

"Amending Chapter 38. Code Enforcement Procedures of the Code of Ordinances of the City of Manchester by deleting the word "procedures" from the title of said Chapter."

ought to pass.

S. Recommending that 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."

ought to pass.

T. Recommending that Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Property and Contract Administrator) of the Code of Ordinances of the City of Manchester."

ought to pass.

U. Recommending that Ordinance:

"Amending Section 90.12 Running At Large Prohibited by inserting a new subsection (C) relating to restraining dogs on a leash."

ought to pass.

V. Recommending that Ordinance:

"Amending the Code of Ordinances of the City of Manchester by amending §118.12(b)(3), Vehicle for Hire, providing for changes in application requirements relating to a taxicab driver's license."

ought to pass.

W. Recommending that the Board direct that new positions not be filled until such time as required ordinances are referred to committee and passed by the Board of Mayor and Aldermen.

COMMITTEE ON LANDS AND BUILDINGS COMMITTEE

- Z.** Recommending that a request for the City to subordinate an elderly lien on Mary Mathes' condominium at 19 Country Club Drive to a new mortgage of \$12,000 be granted and approved with the stipulation that the city is not subordinating to \$12,000 fixed, but to the declining balance of the mortgage initiating at no more than \$12,000.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- AA.** Recommending that a request to:
- (a) request those possessing valid Arms Park lease stickers be allowed to park "free-of-charge" in either the Canal Street or Wall Street garages from September 5-11, 2000; and
 - (b) close the Arms Park Parking Lot from September 5-11, 2000; and
 - (c) the closure of the Bedford Street Parking Lot for additional tent set up and other activities

be granted and approved under the direct supervision of Police, Fire, Traffic, Highway, Risk, and City Clerk.

The Committee notes that Mr. Harris, President of Riverfest, has been informed that the Bedford Street lot will not be available next year. The Committee suggests he look into the State Armory or Pearl Street lots with a shuttle service in future years.

- AB.** Recommending that a request from the St. Patrick's Day Parade Committee asking for "No Parking" on both sides of Elm Street from Bridge Street to Lake Avenue on Sunday, March 26th and also requesting the painting of a 5th shamrock at the intersection of Elm and Pleasant Streets and one additional shamrock at the intersection of Elm and Hanover Streets be granted and approved under the direct supervision of the Police, Fire, Highway, Traffic, Risk and City Clerk.
- AC.** Recommending that a request from the YWCA Crisis Service seeking permission to hold a "Take Back the Night" candlelight march and rally on Sunday, April 9, 200 from 7-9 PM departing from the Hartnett Parking Lot, marching across Chestnut Street, down Concord Street, and up Elm Street to Veteran's Park be granted and approved under the direction supervision of Police, Fire, Highway, Traffic, Risk and City Clerk.
- AD.** Recommending that a request from Tom Roscoe, Safe Boat Week Chairman, asking to use Arms Parking Lot on May 20, 2000 from 8 AM until 5 PM to kick-off "Safe Boating Week" with a rain date of May 21, 2000 be granted and approved under the direct supervision of Police, Fire, Highway, Traffic, Risk and City Clerk.
- AE.** Recommending that a request from the Northern Region of the Central New England Chapter of the National Multiple Sclerosis Society asking for the use of Arms Parking Lot for its annual MS Walk on April 8 & 9, 2000, as outlined herein, be granted and approved under the direct supervision of Police, Fire, Highway, Traffic, Risk and City Clerk.
- AF.** Recommending that certain regulations governing standing, stopping and parking be adopted and put into effect when duly advertised.

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

- B.** Copy of a communication from Superintendent Tanguay to Mayor Baines relative to Benefit and Debt Service information requested.
(Note: attachments referred to not included in City Clerk's copy.)

Alderman Wihby stated when I read this letter I was concerned that numbers two, three and four that the debt number had changed and why it had changed and, of course, in the packet that we have today from Kevin Clougherty...there was another packet that was distributed and if you look at the second page it talks about number two. It clearly, in the Superintendent's letter, trying to make it look like the Finance Department changed numbers and didn't know what they were doing which is the number of \$7.1 and then it goes to \$8.5 million. So, when I read this I was concerned, I called up Kevin Clougherty to find out and he told me he was attaching a letter to today's agenda and I guess I see documentation like this from the Superintendent of Schools trying to say that the number was changed and then I read a letter from September 23rd that says these schedules do not include July 1st bonding. I read another letter that says readers are strongly cautioned that until final schedules are provided for the financing the numbers contained may change. So, why would somebody pick the one sentence that they like to try to make it look like the bonding number had changed and forget the second sentence that says these aren't all the numbers. I can't understand that, your Honor. Is he here to explain why he would send us this communication.

Mayor Baines replied no, they're working on their budget this evening.

Alderman Wihby stated it's always a coincidence, your Honor, when we have questions for them they never come to the meetings.

Mayor Baines stated tonight they have a particular task at hand. Do you want to respond just a little bit to that. Because we spent some time discussing that today with Mr. Clougherty and Wayne Robinson my finance person and I think at this point in time aside from a few minor points, right Mr. Clougherty, that we provided them with all of the appropriate information. Would you like to comment.

Mr. Clougherty stated we've complied by providing them information over the years and we would certainly welcome any specific requests for clarification that they need on any of the items that have been provided to them.

Mayor Baines stated basically what I have done, I think it will finally get over there this morning...I now have that in my hands. All of the information related to debt service, I have actually touched it and looked through it and smelled it and it's there. There are some vague issues, if you will, related to some special projects. We will provide the clarification and I believe once they receive that that issue should no longer exist as an issue and basically with the information that Mr. Clougherty presented me today I think in sum and substance they have that backup information; that's my conclusion.

Alderman Wihby stated that doesn't answer the question in that they would write a letter to this Board or actually to you, your Honor, telling you here's what happened from Finance and they've changed the numbers on us from \$1.7 million to \$8.0 to \$8.5 on these dates...Kevin Clougherty himself did it, Freda Hawkinson herself did it, the Finance Department's to blame for all our problems and then you see the problem that was sent to them and they picked out one sentence or one number from that and forgot the other sentence that says these aren't all of the numbers. Why would somebody do that, your Honor, unless they are trying to deceive the public that they didn't overspend; that is my only comment, your Honor.

Mayor Baines stated and I appreciate that comment and I also appreciate the frustration and I share that same type of frustration at this time. I don't know if this would be appropriate because I do have concerns about the other issue that is going to come up and I have got to the point on this issue as I expressed at one of our meetings today, the frustration has grown to the point where I feel it's appropriate to reconvene with the will of the Board the Special Committee on the School Deficit and to call a special meeting of that Committee, so we can put that issue to rest once and for all. Deal with the other issue on the other side relating to the other issue that Alderman Wihby brought up last time and get to who said what, when it was said, why did they proceed the way they did with the information they received and have that meeting and come to some conclusion and report back to the Board because, quite frankly, I'm tired of dealing with this issue. I have been unsuccessful over a 10-week period. Mr. Clougherty and others have experienced the frustration and Mr. Robinson in particular as we tried to obtain the answers. The answers are not there...all I can tell you is that Mr. Tanguay believes, in my view, what he writes and I think there are some legitimate questions that need to be forwarded and I think that's the appropriate vehicle to do that. So, that's my recommendation.

Alderman Vaillancourt stated the document Alderman Wihby refers to was dated March 10th. The rather voluminous document we have from Kevin Clougherty is dated today and we just got it moments ago. I'm wondering why we don't get something in a more timely manner especially when there was an 11 day lapse in between your response.

Mr. Clougherty replied I never saw a copy of the letter from Mr. Tanguay until I got a copy of the agenda and then got a chance to review it on Monday morning.

Mayor Baines stated what I did when I received the letter, I instructed Mr. Clougherty to...last Monday, a week ago Monday to gather the information and pull it together and that finally occurred today as he went back and researched all of the information. So, the day I received the information I sent a directive to Mr. Clougherty to get the information for both myself and for the Board.

Alderman Vaillancourt stated I don't think we can deal with things that we get five minutes before we convene.

Mayor Baines stated we tried our best on that.

Alderman Shea asked do department heads receive the agenda for the Board of Mayor and Aldermen.

Clerk Bernier replied yes.

Alderman Shea stated this was included in the Board's agenda which was sent to us last Friday.

Mayor Baines stated Mr. Clougherty responded to the request I sent to him...there was a delay of about one day beyond when I dealt with the information, we talked about it this morning, he gathered the information and we got it to you as fast as we possibly could.

Alderman Shea stated they do receive an agenda that we receive.

Mayor Baines replied that is correct.

Alderman Lopez asked would it be appropriate to refer this item to the Special Committee.

Mayor Baines stated the only think I'd like and I don't know procedurally because I'd like that other issue to go in how procedurally we deal with that. At this point in time...

Deputy Clerk Johnson interjected when that item is removed from the table you can refer that item as well if you wish...if it's a tabled item. The notice for reconsideration is in the Finance Committee.

Mayor Baines stated when we get to that issue it's my recommendation to take it off the table and refer it to this committee as well and get some answers because I'm not liking, at this point, what I'm hearing on the other side.

Alderman Wihby asked what does that mean. The Board passed it, now you're going to take it off the table and not pass it and then send it to the Committee.

Mayor Baines replied no. All I'm saying is I'd like that whole issue to be discussed by the Special Committee.

Alderman Wihby stated I'd rather have it discussed with...not sitting there.

Mayor Baines stated it's the will of the Board. I'm just saying that I'd like that whole issue at some point in time referred to the Special Committee. We have the Committee...

Alderman Lopez stated we have this Deficit Committee and I understand the Alderman from Ward 1...on the table. Without taking that off the table, I think we can make the motion, in my

opinion, to refer this item to the Special Committee because that would proceed to put it in the right area so that some of these answers could be given.

Alderman Lopez moved that Item B be referred to the Special Committee on the School Deficit. Alderman Vaillancourt duly seconded the motion. There being none opposed, the motion carried.

H. Communication from Denis Mailloux, Principal of Trinity High School seeking the discontinuance of Old Bridge Street and requesting acquisition of surplus City property between New Bridge Street and the school at no cost.

Alderman Levasseur stated I'm not sure how this came about, this communication and request, but I'm wondering if it might be more appropriate that that came through Lands and Buildings than CIP. It seems more like a Lands and Buildings issue than it would be for a CIP issue when we could discuss it in our Committee to decide whether we should go forward with that or not.

Alderman Cashin stated fine, send it to Lands and Buildings.

Deputy Clerk Johnson interjected perhaps the suggestion would be to send it both to the Committee on Lands and Buildings and to the Committee on CIP. There is a discontinuance situation in here and that is a CIP item. It really should have read Committee on Lands and Buildings, not Committee on Bills on Second Reading in the first place.

Mayor Baines asked why wouldn't it go to Alderman Cashin's Committee who would then make a recommendation to CIP as opposed to having it go simultaneously.

Deputy Clerk Johnson replied procedurally a discontinuance under the current Ordinances, acquisition of property is Lands and Buildings, but also the street discontinuance are CIP items. So, in essence you're breaking it up into two separate...but, Lands and Buildings would in fact if they acted not to forward that acquisition of property obviously that would be reported to CIP.

Alderman O'Neil stated that's the point. If Lands and Buildings doesn't approve it, there's no need of CIP.

Alderman Levasseur moved that Item H be referred to the Committees on Lands and Buildings and Community Improvement. Alderman Wihby duly seconded the motion.

Alderman Wihby stated I always thought discontinuances went to Bills on Second Reading and not CIP.

Alderman Levasseur interjected it's just convoluted, your Honor, because it's got two requests in it.

Mayor Baines stated let's get some direction.

Deputy Clerk Johnson stated Rule 19 of the Board has to do with road hearings and it talks about petitions for discontinuance of public highways which is what is before you in that instance here. And, basically, the premise is that "the Clerk's Office forwards it to the Highway Department for recommendation to the Public Works Committee", the CIP Committee acts in capacity of the Public Works Committee, so CIP is the appropriate place for the discontinuance portion of the request. Under the rules, any property is referred to the Committee on Lands and Buildings as well. So, you really have a two-fold question and the Clerk will obviously advise one Committee or the other.

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

- J.** Communication from the Director of Public Health requesting a line item transfer of \$4,500 from Salaries and Wages to Special Projects.

Alderman Lopez asked if the Director of Public Health could come to the microphone. First of all, I'd like to commend you for working out with the American Lung Association to handle the tobacco aspect of it because I believe that's the direction that a lot of department heads should be seeking other than seeking money. The problem that I have is the salary account of \$4,500. If we continue to move money from the salary account to an operating budget then it becomes more and more and I was wondering if you really, really need that to suffice for the rest of 2000 since you're going to be working with them and I'd like to compliment them for working with you on this. In the CIP, you've got \$20,000 also for tobacco, so I was wondering if you could comment in reference to the \$4,500.

Mr. Rusczek stated back when we struggled for many years with trying to maintain a part-time tobacco prevention specialist we realized it was futile to maintain quality staff on a part-time basis, they all moved onto better things. So, we began to discuss with the Lung Association to see if there were things that we can do in collaboration by bringing the resources that we have to the table which includes this \$4,500 of City money, with a \$20,000 State grant and to see if they would have some resources and maybe together we'd be able to find a way to get a full-time person and that's exactly what we did...the full-time person would be hired by the Lung Association and employed by the Lung Association which is a savings in itself to the City. But, in order to make it all work, we needed the entire amount of resources that we currently have. So, the reason that we're asking to transfer the \$4,500 that has been committed to a tobacco prevention specialist in our budget down to expenses is so that we can cover expenses that were before this time covered by the State grant. So, it's the same amount of money we've always had...it amounts to \$24,500 between the State money and the \$4,500 in City money, so that's not going to increase.

Alderman Lopez stated the \$4,500 was in salaries not in buying paper or anything else, is that correct.

Mr. Rusczek replied that's right and out of the State grant there's about \$9,000 that would pay for additional salary money when we hired a half-time person. The only difference is in order to subcontract with the Lung Association for our share of the shared staff we want to bring all of the salary money out of the State contract because it's clean and it will automatically be discontinued if the State money doesn't continue to come in.

Alderman Lopez stated you need all of that money to be transferred.

Mr. Rusczek replied yes. Alderman Lopez and I had a discussion earlier today and through the end of this fiscal year we can live with the savings in the State contract because we haven't had a person on board. But, I wouldn't want to enter into discussions with the Lung Association and not have all the cards on the table...and this is the piece that Manchester could bring to it and this is the \$24,500 that was always committed and this is what we should move forward with.

Alderman Lopez moved that Item J be referred to the Committee on Finance. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

K. Resolutions:

"Amending the 1994, 1995 & 1999 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eighty-five Thousand Dollars (\$85,000) for the 1999 CIP 211299 PAL Center Acquisition Project."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Hundred Fifty Thousand Six Hundred and Seventy-seven Dollars (\$850,677) for various Police Projects."

"Amending the 2000 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000) for the 2000 CIP 511200 Derryfield Country Club Rehab-Phase II Project."

"Authorizing the Finance Officer to effect a transfer of Twenty Seven Thousand Two Hundred and Four Dollars (\$27,204) from Contingency to Police Department Line Item #3319C10898 (Local Match of 1999 Local Law Enforcement Block Grant)."

Alderman Hirschmann in reference to the first Resolution (211299 PAL Center Acquisition Project) stated I want to pull it. It's to purchase a parking lot with City funds for a youth group. Based on what we went through last night, the community requests that came before us were for access, people that are handicapped and I see there's ADA money here. There's all bond balances or cash balances that someone is asking to be transferred...ADA Compliance money, MAP money, School Roof Replacement money, and I saw in the front page of the newspaper this week there's a leaky roof in a school, so I think that this is money that is actually being transferred before we have all of the facts of the CIP that's to be voted on. I think that all of the

Aldermen, as a group, should know all the fund balances of the previous years and I stated that to you last night. So, based on that I'm saying that this is a good project probably, I don't know because I'm not on that Committee, but when I see balances for ADA work and school funds and homeowner opportunity money. I see money that's being moved and it's probably suppose to stay with schools or stay with access and it's just premature. So, either this should be referred to the 2001 CIP process so that we can discuss the whole picture and not move one portion and spend money that we need somewhere else, your Honor.

Mayor Baines stated let Mr. MacKenzie respond and then we could accept your motion.

Mr. MacKenzie stated Alderman Hirschmann is correct, these are old project balances of what is considered HUD money, Community Development Block Grants. This project has been underway for approximately one year when the Board did previously indicate that they would be willing to participate in funding the acquisition of St. Cecelia's Hall. It became clear as that process evolved that the parking was necessary to make that a viable project and this acquisition here would be, in essence, part of the package to acquire St. Cecelia's Hall and the parking lot. The Board can determine within the guidelines of HUD where that reprogrammed money can go towards. The Board, if it so chooses, can direct it towards this project or other projects. The only caveat I would indicate here is that the projects for which the money was reprogrammed from have been completed, so the balances are available for use for other projects that qualify. Secondly, we are trying to use...we have a deadline by HUD to use up certain funds and that deadline is April 30th...this would be a project to help us meet that expenditure rate deadline.

Alderman Hirschmann stated I'm aware that the projects are done...I'm asking that the full Board get a list of all open balances.

Mayor Baines interjected we do have that now. I asked for that some time ago and I think it was delivered today.

Mr. MacKenzie stated the list was delivered to the CIP Committee, if the full Board would like that then I would be happy to provide it tomorrow.

Alderman Hirschmann stated as a department head did you, in fact, negotiate with the Diocese for this parcel of land.

Mr. MacKenzie replied no, I did not.

Alderman Hirschmann asked who did that.

Mr. MacKenzie replied that was negotiated by PAL themselves with assistance from Regis Lemaire. We assisted on how to actually go through the process in terms of HUD.

Alderman Hirschmann asked the Diocese won't donate this parcel of land to us.

Mr. MacKenzie reiterated again, I was not involved in the negotiations. There may be a representative, I know there's a representative here although Paula Glennon who has done a lot of the work is not available tonight, but there is a representative of PAL here.

Mayor Baines asked is there a motion you'd like to offer, Alderman Hirschmann, and asked the Clerk to advise the Board.

Deputy Clerk Johnson stated the motion would be to refer it to the CIP Committee to be considered with the 2001 CIP process.

Alderman Hirschmann moved to the Clerk's recommendation relative to Resolution (1999 CIP 211299 PAL Center Acquisition Project) noting that way we have the complete scope of all of the projects we need to fund and where the money is going to come from. Alderman Thibault duly seconded the motion.

Alderman O'Neil stated both Alderman Lopez and I sit on the PAL Board. The Diocese has decided in the last few years to start selling what they might refer to as surplus property. They sold to the Manchester Housing and Redevelopment Authority...I don't know the amount...number of years ago Blessed Sacrament Community Center, now called the Bishop Leo O'Neill. They had indicated that they wanted to sell this property...PAL had an appraisal done which is a requirement of the community development staff for the building and the Diocese had indicated that they wanted to keep the parking lot for St. Augustin's Church. The Board approved, last year, \$75,000 in CDBG money to purchase the building. Approximately six months later the Diocese came back and said we don't want to keep the parking lot. Again, an appraisal was done at the requirement of the community development office...that was the price that it was appraised at...the request was brought forward to the CIP Committee, it was actually tabled a month till all of the information was brought in, Mr. MacKenzie and his staff was asked to ID possible sources to purchase the parking lot and that's what this recommendation is. I know Alderman Lopez could probably back me up. Officer Goodno is here from the PAL Board as is Attorney Dennis Robinson from the PAL Board who has negotiated with the Diocese on this. So, to answer your question they're not interested in donating the building or the parking lot.

Mayor Baines asked, Alderman O'Neil are you speaking against the motion or for the motion.

Alderman O'Neil replied I'm just trying to give a little factual history of what has happened.

Mayor Baines asked would you be opposed to that going back to your Committee.

Alderman O'Neil replied it's been to Committee once and it was recommended unanimously out of Committee. The Ward Alderman supports the project (Alderman Clancy)...I don't know what we accomplish by going back with it.

Alderman Lopez stated I concur with Alderman O'Neil in his remarks and we did take it up in Committee. I think it's very important to remember every day that we lose on this and that's the reason why we brought out of committee, it very possible that we could lose an opportunity for the Police officers to assist the youth in a great location of having their own place. Now, I know that we can work and do other things without a building. This is an opportunity to reach beyond for the youth in the City of Manchester. So, I really believe that we've embarked on a good thing for the youth of the City of Manchester and I would wish that this not be sent back to Committee as it unanimously came out and it's been worked on and worked on and we're going to lose an opportunity.

Alderman Shea stated this money has to be used within the inner-city, it's HUD money (CDBG funds).

Mr. MacKenzie replied it has to be used in qualifying areas and this area does qualify.

Alderman Hirschmann stated I'm not opposed to purchasing the lot, if it's referred back to the 2001 CIP Committee budget, fund it with cash...don't send the wrong message that you're using school funds and handicapped accessibility funds to do this. If you want to do this, that's fine...you both sit on that Board of Directors, you shouldn't even be voting on this. Both of you should abstain.

Alderman O'Neil interjected I don't believe that, Alderman.

Alderman Hirschmann reiterated send it back, fund it with cash...use School Roof money for schools...we're charging them debt service on all of this stuff any, use ADA money for the blind and for the people that need wheelchair accessibility, let's put the money where we're suppose to put it. Send it back and let's do what's right and then fund the parcel with something else.

Alderman Clancy stated as far as this project is concerned I'm wholeheartedly for it, let's get the ball rolling because the kids in the inner-city need this building, they need the parking lot...I have talked to the people who own the cleaners across the street, I have talked to the people who are going to move into the old convent which is going to be The Way Home. Everything's in order here, so the quicker this job is done, the better off it's going to be for the youth of the City of Manchester. Thank you.

Alderman Levasseur stated I agree with Alderman Hirschmann and I also agree with Alderman Thibault, it seems though that that money...there seems to be a high demand for duct tape in this City and we should be using our money for the things that are more of a priority, but at the same time since it already went into Committee, I think it would be appropriate, your Honor, if we heard from the Police Officer...the people in charge of that - PAL and give us a little bit more of a direction on what's going on with this thing.

Officer Robinson stated my name is Dennis Robinson and I'm here with Officer Goodno, we're both on the Board of Directors for PAL. We've been involved in this process for quite some time now, I'd say for over a year and it's been a lot of work negotiating the deal with the Diocese and also pulling the whole thing together. The building will be a very important cornerstone to the PAL Program. There's a lot of programs that we can operate out of it and we'll be able to use it immediately and I think that the sooner we're able to obtain the funding and actually close the better it will be for both the PAL Program and the kids that it serves. I think that it is very important that the funding be obtained as soon as possible. There's nothing that would commit the Diocese to engaging in further discussions with us should we not come through with funds in the very near future.

Alderman Levasseur asked if we give you the money for this property, do you already own the building first of all or do you not have the building in hand yet.

Officer Robinson replied we do not own the building yet.

Alderman Levasseur asked if we give you the money for this building and the parking lot, are we going to be responsible as the City for its daily operations and the expenses of that building or is that under some other program.

Officer Robinson replied that would be the responsibility of the PAL Program. We've secured funding in part for certain rehabilitation to the buildings so we can use it for particular programs, we also have a lot of volunteer Police officers and we are discussing various options with the Manchester Girls and Boys Club as well as some other community programs that would be able to assist us in staffing and running programs.

Alderman Levasseur stated you won't be coming back to the City asking for operational costs...utilities and such.

Officer Robinson replied that certainly is not our intention, no.

Alderman Pariseau stated I have one question of Mr. MacKenzie, your Honor. The monies from the Beech Street School Roof Replacement...would McLaughlin School be eligible for that funding.

Mr. MacKenzie replied no it would not. It's not in a qualifying area.

Alderman Pariseau stated that's the issue to address Alderman Hirschmann's concern...some of this money you just can't...because it's roof replacement...you can't put it into another neighborhood that doesn't qualify under the Federal program.

Mr. MacKenzie stated that is correct.

Alderman Pariseau asked how hard of negotiations did you put on the Bishop for a donation.

Officer Robinson replied I was surprised there was a priest in charge of real estate and finance because I never really viewed the Church that way, but certainly there were negotiations. I met several times with him and Officer Glennon and they have an attorney as well who I've been dealing with. We have negotiated a purchase and sale of the building itself and then the parking lot issue is really something that came up during those negotiations and it's been negotiated down to this last point.

Alderman Pariseau asked did you have any leverage where we could have said we wouldn't plow in front of your churches on Sundays if you didn't give us the land.

I think we probably should have used a little more leverage, your Honor, and twist a little arms in the Chancellory Office. We do a good share of things for the Church and it wouldn't hurt them once-in-a-while to reciprocate and that was my only issue initially that we ought to get the Diocese.

Mayor Baines stated, Gentlemen, I'd like to thank you on behalf of the Board for all the good work you're doing for the people in our community. Thank you so much for your volunteer efforts.

Alderman Lopez stated I just want to clarify...Alderman Hirschmann brought up a point that maybe Alderman O'Neil and I shouldn't vote on this. I don't mind that, but I did call Tom Clark, but if the City Solicitor here wants to rule on it, I have no objections.

Mayor Baines noted Solicitor Clark is home ill this evening.

Alderman Hirschmann stated we can't use it out of the CDBG area, but Central High School...in deference to Peter Leonard who came here last night saying that the kids at Central High School are going to get colds from the wind blowing through the windows over there...that money could be used over there. So, you can spend it one way or another. I'm saying fund it with cash and do what's right and use this money where it belongs, that's all I'm saying.

Mr. MacKenzie stated unfortunately the funds...we would have used it for Central, if we could have. Central serves the entire east and northeast part of the City, it serves Hooksett and other communities, so...but, it's not eligible because it serves a population. The intent of HUD regulations is to serve a population that low and moderate-income population and generally if it's a...we have reviewed this with HUD and this is an ineligible activity, there are certain schools that are eligible including Beech Street School, Bakersville School and Wilson School.

Alderman Hirschmann in reference to the handicapped money asked you can't use that somewhere.

Mr. MacKenzie replied we are using a considerable amount of handicapped money, in fact, all of this year's proposed allocation of \$402,000 is HUD CDBG money.

Alderman Hirschmann stated you should use up the old money before you take the new money.

Alderman Levasseur stated I really think this will come down to a priority question, your Honor, and maybe the Chair could give us a little bit of an indication what you consider because you're more involved with the budget...but, also, maybe from Mr. Lopez or Mr. O'Neil...who does this affect the most...is it the intown Manchester, center-city and that area.

Alderman O'Neil replied that is a collaboration with the Manchester Boys and Girls Club, Office of Youth Services...as Alderman Clancy stated Way Home is purchasing the convent on Spruce Street, they're involved by this parking lot, Alderman Clancy has been involved with working out discussions with regards to some parking issues for the laundromat on Beech Street...so, this is a win for the whole neighborhood as far as I'm concerned. From my perspective, as you could see last night and you'll hear it throughout the process there are tremendous demands throughout this City for dollars and it's up to the Board to set direction. I believe this is an appropriate expenditure of this money.

Assistant Solicitor Arnold in reference to the request ruling of whether or not Aldermen Lopez and/or O'Neil should abstain from voting stated I don't believe that Article X of the Charter (Standards of Conduct) would mandate that the members involved in the PAL Committee be precluded from voting on this particular item.

Mayor Baines stated it is my understanding that so long as they acknowledge that they're on the Board and there is no financial interests, etc., etc. they are just serving the community. Thank you very much.

Mayor Baines stated there is a motion on the floor to refer this item to the CIP Committee with the 2001 process.

Alderman Hirschmann withdrew his motion stating it's obvious there is no support to do what I wanted to do. I wanted to do what was right. But, I know they want to fast track this and hit a home run and I applaud that, I hope the center-city works to the best that it possibly could...I'm for the kids, I'm for the elderly, I don't want to go against this. I was just trying to do what was write.

Alderman Clancy stated thank you, Keith.

Alderman Thibault moved to withdraw his second to the motion.

Alderman Vaillancourt stated I do have another question on Item K and it's not going to take us a half hour, but on the second portion of that I noticed that we have \$850,000 for the Police

Department and I'm sure this is being well-used, but I would just like to get some information and this is probably a good place to get it. As you recall, when you were in Ward 8 recently one of the things you heard that we need greatest in the City is slower traffic on the roads. I would like to ask and you heard that night that people on Huse Road wanted that little radar device so people know if they're speeding. It was out there the next day and I got calls from people saying how great that was. My question is could we possibly use \$850,000 in some fund like this to buy one or two more machines like this, not so that we can stop a lot of people and find them, but just to let them know to slow down when they're going through our neighborhoods. Could the Chief perhaps answer that question.

Mayor Baines stated we did appreciate the response. The Chief had representatives at that meeting and they were absolutely wonderful in interacting with the community. I think it was Lt. Mike Tessier, a great young officer.

Chief Driscoll stated he'll be there at the next one, I believe. In response to your question, we do get a considerable grant. We have a committee made up of folks from the community, we make a presentation to them relative to how we would like to spend that money every year. We have not, this year, included a second trailer in that, but we certainly could if the Aldermen thought it was important.

Alderman Vaillancourt stated I certainly would. I don't know of anyone else.

Chief Driscoll stated it's certainly been well-received throughout the community.

Mayor Baines stated we understand from Ward 8 that it was hit too.

Chief Driscoll stated actually it was vandalized.

Alderman Pinard stated I had it up on Candia Road today and believe me, it works. They'll be coming down the westbound lane of Candia Road and you can see that red number go backward the minute they see it. So, I would make a recommendation that maybe we should purchase three more for around the City because the speeding is around the whole City, not just on Candia Road.

Alderman Levasseur stated when people see those nice flashing numbers people speed up so they can see how fast they're going.

Chief Driscoll stated that hasn't been our experience and I'll tell you that we frequently park down the street, so if the community is watching tonight they can expect from time-to-time just beyond the trailer to see a Police car running radar.

Alderman Levasseur stated I would suggest you put a Police car before the sign, watch it and if they go over it because they're trying to be funny guys then you should give them a double fine on that because that makes it a bit more dangerous.

Alderman Cashin stated it appears to me that these things are quite effective, is that right.

Chief Driscoll replied we're very pleased with the results and I think the community really likes them.

Alderman Cashin stated wouldn't it make sense to buy another one.

Chief Driscoll stated we'd be pleased to look into that and I'll get back to the Board shortly.

On motion of Alderman Shea, duly seconded by Alderman Clancy, it was voted to refer all Resolutions to the Committee on Finance.

- M.** Communication from the Economic Development Director submitting a spread sheet showing expenses paid through February 29, 2000 in connection with the approved Phase II Civic Center budget.

Alderman Vaillancourt stated this is the item I pulled off. As you may recall, a couple of month's ago I pulled a similar item regarding financing and spending for the Civic Center off and it was referred to the Civic Center Committee and I don't believe any action was taken. So, at the conclusion of my remarks tonight and I am handing out some documentary evidence to go along with it I'd like to make a motion regarding this. I was quite alarmed when I got the latest cost that you will see under your documents here on spending for this phase of the Civic Center and my goal two month's ago was to make sure that every penny or at least every \$10,000 say is accounted for and to make sure we're not going over budget and I think as we come to the end of Phase II it becomes even more imperative that we do this. One item caught my eye in particular, so I called Jay Taylor and he sent me this backup documentation regarding the spending on the Law firm of Craig, Wenners & Craig which was originally targeted \$75,000. I learned with this document that it's now over \$85,000 and I became even more shocked when I got pages and pages of documents that lead me to believe very firmly that this only includes billings up to December 31, 1999. At the rate they were spending there and I think it's probably gone up even more since then, they've probably spent and this is just an estimate but another twenty to twenty-five thousand dollars since then. So, they would be about 40% over budget on this one line item at this time. I think what we need to do and I talked with Jay Taylor today, I don't know if he's here but he promised that either he or the City Solicitor would have an answer. We need to find out how these bills are coming through in January and February so we're not going to be over run. We're already over, it's just a question of how much over we're going to be. This is a very serious problem because as you know the Civic Center is costing us a tremendous amount of money in legal expenses. This is 850 hours from this special lawyer last year, so they can't get

up and say that everybody here is a volunteer, we've paid \$85,000 not to mention how much the City Solicitor and Kevin Clougherty and his office and their time has been used on this.

Alderman Vaillancourt moved to instruct Jay Taylor to get an up-to-date account and not wait until the end of March to make sure that we are in line with the monies left in this amount. Alderman Shea duly seconded the motion.

Alderman Levasseur stated I understand what Alderman Vaillancourt has said, but we could just keep on going and discussing this when it should be discussed in the Civic Center Committee. Every time we come to this meeting we're pulling these things off and they should just be questions for the Civic Center Committee, that's what they deal with, that's the issue they should be working with.

Alderman Vaillancourt stated I think the point was that the last time I asked this of the Civic Center Committee, no action was taken. We're getting into a point now where we have a time frame that is imperative that this be looked upon on a more regular basis. These billings were only submitted three times last year. Once at the end of June, once at the end of September, once at the end of December which showed that we were over ten thousand dollars over at that time. God only knows how much we're over now, but we deserve an answer before it reaches where we're over the \$2.6 million total.

Alderman Hirschmann stated I'd like to hear...let Kevin Clougherty respond. I know that budget's been amended a few times. Kevin must know what's going on.

Mr. Clougherty stated the bills in question are the bills for the firm that serves as the legal counsel to the Housing Authority. Those bills are incurred pursuant to a Cooperation Agreement...Tom, you can correct if I'm wrong on that between the City and the Housing Authority and those bills, those fees...it's my understanding will be paid pursuant to the bond issue issued by the Housing Authority.

Alderman Levasseur stated with all due respect to the Alderman from Ward 8 those billings and those dates were before you became an Alderman on this Board. I don't think that anybody thinks that anything is going to slip by you on the Civic Center, so I think we should just...and I mean that with all due respect because you're on top of this issue and I appreciate that because you're going to keep us well-informed and I think now that you're on the Board going with these questions to the Civic Center Committee is the more appropriate place than to have to bring this up to the full Board every time you see a letter M.

Alderman Shea stated I received several calls from taxpayers concerning an article that was in the paper regarding the Civic Center bond deal. So, that they can understand it, Kevin, would you please explain the article as it appeared in the paper. It concerned the borrowing of \$30 million at 6.72%. So, they want to know what is our borrowing capacity now as far as revenue bonds, does this add to it and so forth. Could you explain that.

Mr. Clougherty stated the pricing that was done was on about \$50 million worth of bonds and it was 6.72%. The amount of bonds were priced were closer to a \$50 million number which is the number that's been approved right along.

Alderman Shea interjected so the \$30 million number was not the correct number that was in the paper, is that correct. It should have been \$50 million.

Mr. Clougherty stated right...and we're looking at the pricing as part of the City's share which has been consistent with what's been presented by Pricewaterhouse Coopers and all of the information that's come to the Board. The information with respect to revenue bonds, as you know, this is one particular revenue and that capacity has been set by the Board at that number and it won't go over that and that's what Tom Clark and I have been making sure is that it's not going to exceed the authorization by the Board.

Alderman Shea stated they asked me and I'm just referring to the taxpayers now, they are saying through the Rooms & Meals revenue are they going to pay \$5 million for principal and interest after ten years. Somebody said that's \$100 million, are they correct or not. I have to get back to my constituents.

Mr. Clougherty replied actually I'll be happy to provide you with the detail of what the schedule is.

Alderman Shea interjected no, is that \$100 million, Kevin.

Mr. Clougherty replied I don't know exactly what the bottom line is, Alderman, but it's approximately that. That is the same schedule that we have provided to the Board over time where your debt service grows in accordance with the amount of money that's available from the Rooms & Meals distribution and presents a 30-year debt service schedule that I'll provide to you.

Alderman Shea stated it says here "prior to the time for the first ten years it will gradually climb from \$1.5 to the \$5 million mark meaning that another 20 to 25 million would be spent on primarily interest before the year 2010" and this is on top of the \$50 million interest that we would have to pay, so people are saying that we're going to pay a total over 30 years of approximately \$120-130 million. By your estimation is that kind of a ballpark figure.

Mr. Clougherty replied as we've said in the past, Alderman...

Mayor Baines interjected could the Chair just make a statement here. I'd like to agree with Alderman Levasseur that this would be a great discussion for the Civic Center...I'm just offering an opinion that this would be a great discussion for the Civic Center Committee, the Board through its structure has a sub-committee structure which gives an opportunity for all of these

questions to be answered and the Chair would entertain a motion to table and refer it to that Committee.

Alderman Shea stated that is exactly what I'd like to do so that everyone can get...

Alderman Hirschmann moved to table Item M and refer it to the Special Committee on the Civic Center. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Alderman Wihby asked how are you tabling this item and sending it to Committee.

Mayor Baines replied the Aldermen have voted to table it at this level and refer it to a Committee, that's an appropriate motion. Okay, let's talk about that...we've done that at past meetings. We've tabled and then referred to committees, is there any problem with the Board tabling something and referring it to Committee, no, okay.

Alderman Vaillancourt asked did we go through that, well, I have a point of personal privilege. Yes, Alderman Levasseur impuned that I don't have a right to pull something off the Consent Calendar and I certainly will reserve my right to pull something off the Consent Calendar whenever I want especially when there have been items by other Aldermen pulled off the Consent Calendar tonight that we're given a thorough review by the Committee and then discussed here for more than one-half hour. I pulled this off the Consent Calendar because I believed it was absolutely vital that we get a handle on this before we overrun the account, not concerning my colleague to my left I didn't get into that discussion. I have many other documents in front of me that I'll get into at the Other Business concerning that, but this came off the Consent Calendar for a very valid reason. Not to discuss the Civic Center at large.

Mayor Baines interjected I concur with your right to do that.

- Report of the Committee on Accounts, Enrollment and Revenue Administration**
N. Recommending that the revised travel policy, as herein enclosed, be approved.

Alderman Hirschmann stated I believe Item N is an error in that it is not suppose to be reported out of Committee yet. They are actually refining and rehonng that.

Deputy Clerk Johnson stated certainly a motion to refer it back to Committee may be appropriate but the report was submitted based on an action of the Committee.

Alderman Hirschmann stated I called the Clerk's Office and spoke with the City Clerk and I told him that the Internal Auditor, Todd Provencher agreed...came up to the Board and said he would rehon and refine that work, it's not done yet, he's working on this.

Alderman Levasseur interjected that is correct, your Honor, I was in that Committee.

Alderman Hirschmann moved that Item N be referred back to the Committee on Accounts, Enrollment, and Revenue Administration. Alderman Levasseur duly seconded the motion.

Alderman Lopez stated I'm a little confused by that statement because there was a motion taken in Committee to change the sharing of the room which they did actually change in the document.

Alderman Hirschmann interjected that is not the section he's working on.

Alderman Lopez stated if there's another section that is the only section that came up in Committee, Alderman, that particular item. Now, if there is some other section that came up in Committee, I'm not aware of it.

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

Report of the Committee on Community Improvement

X. Recommending that Resolutions:

"Amending the 1994, 1995 & 1999 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eighty-five Thousand Dollars (\$85,000) for the 1999 CIP 211299 PAL Center Acquisition Project."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Hundred Fifty Thousand Six Hundred and Seventy-seven Dollars (\$850,677) for various Police Projects."

"Amending the 2000 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000) for the 2000 CIP 511200 Derryfield Country Club Rehab-Phase II Project."

be approved.

Alderman Hirschmann in reference to the first resolution listed (PAL Center) stated I voted for the PAL Center and moved to accept, receive and adopt the report of the Committee. Alderman Vaillancourt duly seconded the motion. There being none opposed, the motion carried.

Report of the Committee on Community Improvement

Y. Advising that is has approved a request of the Chief of Police to purchase a Special Reaction Team Response Van from the 1999 CIP 4.20699 Local Law Enforcement Block Grant, and to utilize the former SRT van for conversion to a second Animal Control vehicle.

Alderman Levasseur stated I just wanted to talk to the Chief of Police and have him explain to me how this Local Law Enforcement Block Grant works because I'm really confused as to where this money is coming from.

Chief Driscoll stated a number of years ago President Clinton came out with COPS Ahead and COPS More grants to put police officers doing community policing in the cities and towns throughout the nation. Law enforcement, nationwide spoke up and said you've given us grants for individuals, but not the equipment to support those officers that we've hired. The federal government then turned around and supported the communities by coming up with Law Enforcement Block Grants. The City gets about a quarter of a million dollars each year to be matched by ten percent from the City and the City has always encouraged us to go after that grant. As I said earlier there is a committee that sits down to review how we spend that money and, quite frankly, that is what this is, that is where that money's coming from.

Alderman Gatsas stated, Chief, if we are in the process of getting out of the shelter business, why do we need a second animal control vehicle.

Chief Driscoll replied well, as you know, we have two Animal Control people...to have them both riding around in one vehicle would be not the best use of their time. We have two vehicles now. We have an old cruiser that has a cage in the back as well as the Animal Control van. This van would make a very good...although it's a 1986 it has very few miles on it, it would make a very good second vehicle. I would tell you also that we can't supplant, we need to replace and purchase new when we use the federal government's money. They won't let us take in...buy cruisers, for instance, to replace cruisers. We have to buy additional cruisers to enlarge our fleet like we did last year.

Alderman Gatsas stated so what you're saying is you can't get away with just one.

Chief Driscoll replied absolutely not.

Alderman Gatsas stated you have one now...

Chief Driscoll stated we have two vehicles we use now for Animal Control. One is an old cruiser and one is a van that's two years old, I think.

Alderman Gatsas asked what are you going to do with the old cruiser.

Chief Driscoll replied probably keep it for a reasonable period of time and then get rid of it.

Mayor Baines asked are there any additional questions of the Chief of Police on this subject.

Alderman O'Neil moved to accept, receive, and adopt the report of the Committee. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

6. Discussion with MDC representatives relative to development of the property located at the corner of Elm and Bridge Streets.

Mr. Pinard stated thank you for inviting us here this evening, your Honor and Aldermen. I'd like to introduce two people who are with me this evening. First, Attorney Richard Fradette on my right. He is a Director on the MDC Board and he will be chairing the Bridge and Elm Street Committee and also I have Karl Norwood on my left who is the commercial realtor who has been working with us in the marketing efforts of Bridge and Elm Streets. Your Honor, it is my understanding that the Aldermen desired a meeting with representatives from MDC to discuss the efforts on the Bridge and Elm Streets sale project and we'd be happy to listen, answer any questions that you may have concerning our on-going efforts and to take any recommendations that you might have and we would bring them back to MDC and the Committee specifically for their action as they move forward with marketing this parcel.

Alderman Lopez asked could you refresh the minds of some of the Aldermen to include myself (being new), is there a restriction as to what you're looking for at that particular site and why, what direction we're going. We're holding onto something that maybe somebody wants to somebody else wants something. Could you expand on that.

Mr. Pinard replied yes, Alderman, I'd be happy to. I'll give you a brief history of where we've been with this. When we first started our marketing efforts about two years ago it was with the intent of marketing the parcel so that it would have either a single or multi-use of first-class commercial office space, some form of luxury housing if there was a market for that and then some form of a retail component, if that's possible, as well. Our goal has always been to get invitations or to develop interest in the project of a first-class building that will bring the best tax dollar to the City over the long term. We could have simply opened it up to anybody who would have been interested and I'm sure we would have had a lot of offers that we would have gone through and in our first discussions with the Board of Mayor and Aldermen and the MDC Board, we wanted to have a signature building there. I'm sure we would have had a lot of offers from people who you would not or the previous Board would not have been happy with as far as what was planned to go there and as far as the tax dollars that that property was going to be bringing in over a period of time. So, what we've been geared towards is putting up a 120,000 to 200,000 square foot first-class building which will bring the highest tax dollar back to the City of Manchester.

Alderman Lopez asked have you had any offers outside the guidelines that either the MDC established or the previous Board.

Mr. Pinard replied no.

Alderman Gatsas stated maybe you can help me out, Ray. Have we had any offers on the land as it stands without any proposals.

Mr. Pinard replied right now we're in discussion with one party who has given us a preliminary indication of interest on the land without any specific proposal for future use and that has just developed over the last eight weeks...we had our first meeting with this party, we just heard from them recently and that documentation has been forwarded to the Committee for review and to set up a meeting with that interested party, but they have not specified an exact use of the property.

Alderman Gatsas asked if a proposal came to you tomorrow for 120,000 of office space...end of conversation...would you sell the piece of property with that caveat.

Mr. Pinard replied the steps are that the Committee would bring it to the MDC who would then discuss it and if they feel that it's an appropriate use of the property then we would bring that proposal back here. After MDC decides that it's an appropriate proposal to bring forward to the Board of Mayor and Aldermen, we would bring that proposal with a recommendation of the MDC to move forward if that was the case and then we can only act on final disposition of the property with your approval.

Alderman Gatsas stated so, your answer to the question is yes.

Mr. Pinard reiterated if somebody came forward with a viable plan for a 120,000 square feet of office space, we would certainly seriously have to consider that.

Alderman Gatsas stated well, that's not a yes then.

Mr. Pinard stated there are several issues that have to be discussed.

Alderman Gatsas stated let me be a little clearer then. Certainly, I think we're all familiar that that property has been vacant for an awful long time. If the City so proposed and I believe the sales price on it is \$1.3 million, correct me if I'm wrong, at \$1.3 million it certainly would bring back the money to the City. Certainly, we could put a deed restriction in that said that 120,000 square feet of office space must be built on this parcel...end of conversation. Now, if they wanted to go to two hundred certainly that would be a benefit to the City. But, I think for ten years what we've lost from a tax roll of somebody just wanting to buy it and sit on it instead of the City sitting on it and the \$1.3 million we could put in the bank and either develop interest on or turn around and develop something else or buy something else certainly makes a little bit more sense. So, maybe we should relook and not put such stringent qualifications on what GMDC thinks should go there and maybe this Board should send a directive that maybe we should sell the parcel with a deed restriction that says 120,000 square feet must be built on that parcel...end of conversation...if somebody wants to build 200,000 that's fine, if they want to buy the parcel and sit on it for the next 50 years that's up to them. But, I don't think we should be taking \$1.3 million at whatever the interest rates have been for the last ten years and just deciding this is what we want, we want the highest use, we want the best use...I don't think that's a position the City should be in at this time when we're looking for development.

Mr. Pinard stated I don't disagree with anything that you've said. Right now, we don't have an offer for \$1.3 million and a 120,000 square foot first-class office building.

Alderman Gatsas interjected but we haven't marketed it that way either.

Mr. Pinard stated yes, we have.

Alderman Gatsas stated we have it marketed as a sales process with a deed restriction.

Mr. Pinard stated everybody we have spoken with we have told them at the outset that there will be deed restrictions as to what they can put up there.

Alderman Wihby stated I will have to disagree with my close friend on my right, but I guess my concern isn't to sell it. My concern would be that if we had that proposal and let someone sit on it for 15, 20 years that is where my concern is. We paid \$400,000 for that property...to get \$1.3 million on the tax roll sounds good but not if it's going to sit vacant for 10 or 15 years. So, maybe a deed restriction is fine, but also that the use has to be within a certain time frame otherwise we're going to end up just like the other problem we had when we tried to sell it last time.

Mr. Pinard stated I would agree and the people that we have spoken with we have made it clear that we don't want the property sitting vacant for another 10 years and we've tried to establish time frames or 18 months, 24 months, 36 months...let's say that they have to start construction.

Alderman O'Neil stated I think we should request that MDC kind of sweeten the pot a little bit. It's obvious that nobody is really interested in \$1.3 million. At one point when they were working on the last deal...it's my understanding that AT&T took a serious look at it, but had to walk away because there was the consideration that was taking place with another developer. Fortunately, they are staying in town and bought Raytheon. They were talking about putting up a \$25 million building, paying about a million dollars in property taxes. I agree with Alderman Wihby this thing sitting there is not doing anybody any good. If it means we sell it for a million dollars, then we sell it for a million dollars to get some activity on that corner and if that's what it takes to sweeten the deal...whether it's a hotel or a major office building or whatever, I think that's the direction they should be going.

Mayor Baines asked from your perspective are we aggressive going out and soliciting interest from developers to take a look at Manchester.

Mr. Pinard replied if I can ask Karl Norwood who has been in charge of the sales effort to respond to that please.

Mr. Norwood stated we have been, very much, on a direct mail campaign. Alderman Gatsas brought out an interesting point that 200,000 square feet...there has been a focus to get a large developer that would have the capacity to come in and develop the whole site. It also is complicated because we need parking and that's a very expensive undertaking. The bottom line though is the market speaks and we need as a break even amount in the mid-twenty dollars a square foot and the last developer that came in here, The Grossman Companies, they did an extensive study and quite frankly the market from their perspective and I think it was very thorough that they had accomplished that the market was not there to speculate on such a building. At this point, with the Civic Center on the way we will be also going on a direct target mailing and target focus on the hospitality industry which I think is with the Civic Center would be a real compliment...that with some retail. We also investigated in depth the residential end and again the feasibility came back that it was questionable that someone could afford to go forward and build the kind of project we're looking at. I do think there's never been a problem as far as on price. Someone hasn't really been turning down the site because of price because it's been the office project. Tomorrow we could sell it to an Osco or CVS that type of use and obviously that is not what the mission has been. So, we've worked very closely with the MDC Committee, we value their input, we believe that the office use in general for the twenty, thirty thousand square foot users is not there as far as the volume to build a building of that magnitude. If some company came along and we're fortunate to have 120,000 square feet, I certainly would recommend that we go ahead and build that building...if that's the total density for the site so be it.

Alderman Hirschmann stated I would support Mr. Norwood's offering to the hospitality industry for a secondary hotel on Elm Street. I think that the need is going to be there within the next ten years.

Mayor Baines stated we'd like to thank you very much and good luck with that. Obviously, we're very interested and anything we can do collectively or individually to help, please let us know.

7. Mayor Baines presented the following nomination:

Fire Commission

William Houghton to replace Michael Lopez, term to expire May 1, 2002.

Under the rules of the Board, Mayor Baines advised that this nomination would lay over until the next meeting of the Board.

8. Confirmation of nominations to the Manchester Development Corporation, terms to expire March 11, 2003 as follows:

Alderman Henry Thibault to succeed Timothy Reiniger;
William Sirak to succeed Eleanor Dahar.

On motion of Alderman Hirschmann, duly seconded by Alderman Levasseur, it was voted to confirm the nominations of Alderman Thibault and William Sirak to the Manchester Development Corporation term expiring March 11, 2003.

9. Confirmation of nominations to the Safety Review Board, terms to expire March 15, 2003 as follows:

Robert Dufresne to succeed Dianne Roy; and
William Whitmore to succeed Nickolas Vailas.

On motion of Alderman Lopez, duly seconded by Alderman Thibault, it was voted to confirm the nominations to the Safety Review Board as submitted.

10. Confirmation of the nomination of Donald Couturier to replace Theodore Gatsas as a member of the Water Commission, term to expire January 1, 2001.

On motion of Alderman Pariseau, duly seconded by Alderman Levasseur, it was voted to confirm the nomination of Donald Couturier to replace Theodore Gatsas as a member of the Water Commission, term to expire January 1, 2001.

Alderman Hirschmann stated I just had a heartfelt discussion with Mr. Couturier and wish him well in his nomination. We need efforts to get water into all of Manchester's homes and I stressed that with him that there are homes in Manchester that do not have City water, they're on wells and anything that that Commission can do and the Water Works Authority can do to get water in Manchester's homes, never mind Pennechuk, Hooksett and all these other places, get it in Manchester's homes. So, I will vote for his nomination because I know he is going to do that.

Alderman Vaillancourt stated once again my colleague from Ward 12 has opened the door to something that I want to make sure that everyone has received today, it came to me and it's regarding what we heard last night the trailer park at 672 Huse Road. I spoke with a constituent today who is very concerned about getting water and sewer there. There might be a very severe problem with contamination in that area. So, I would second that thought that we should try to get water to somebody that is centrally located as this trailer park and I hope you'll all receive this when you get home.

11. Confirmation of the nomination of Sean Toomey to succeed William Desrosiers as a member of the Fire Commission, term to expire May 1, 2003.

Alderman Cashin moved to accept the nomination and to suspend the rules and confirm the nomination of Sean Toomey to succeed William Desrosiers as a member of the Fire Commission, term to expire May 1, 2003. Alderman O'Neil seconded the motion. The motion carried.

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

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

"Amending the 1994, 1995 & 1999 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eighty-five Thousand Dollars (\$85,000) for the 1999 CIP 211299 PAL Center Acquisition Project."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Hundred Fifty Thousand Six Hundred and Seventy-seven Dollars (\$850,677) for various Police Projects."

"Amending the 2000 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000) for the 2000 CIP 511200 Derryfield Country Club Rehab-Phase II Project."

"Authorizing the Finance Officer to effect a transfer of Twenty Seven Thousand Two Hundred and Four Dollars (\$27,204) from Contingency to Police Department Line Item #3319C10898 (Local Match of 1999 Local Law Enforcement Block Grant)."

ought to pass and be Enrolled.

Alderman O'Neil moved to accept, receive, and adopt the report of the Committee on Finance. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEM

- 15.** 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 Pariseau, duly seconded by Alderman Sysyn, it was voted that the Ordinance be read by title only, and it was so done.

Based on report from Deputy City Clerk, Alderman O'Neil moved that the Ordinance be referred to the Committee on Accounts, Enrollment and Revenue Administration. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

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

Mayor Baines called the meeting back to order.

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

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

is properly enrolled.

Alderman Pinard moved to accept, receive, and adopt the report of the Committee on Accounts, Enrollment and Revenue Administration. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

- 19.** A report of the Committee on Accounts, Enrollment and Revenue Administration advising that it wishes to have a discussion on Senate Bill 404 with the full Board at the March 21, 2000 meeting.

Alderman Levasseur moved to table item 19. Alderman Vaillancourt duly seconded the motion. There being none opposed, the motion carried.

- 20.** Communication from the Public Works Director requesting the Board accept State hazardous waste clean up funds, enter into a contract with the NH Department of Environmental Services, Waste Management Division for the Spring 2000 Household Hazardous Waste Collection project, and authorize the Public Works Director to execute such documents as may be required.

Alderman Sysyn moved to approve Public Works Director's request relative to State hazardous waste clean up funds. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

- 21.** Communication from the Chief Sanitary Engineer seeking authorization to apply for the 20% State Aid Grant for Y2K upgrades recently completed; and authorizing the Mayor to execute such documents as may be required.

Alderman Pariseau moved to approve the Chief Sanitary Engineer's request relative to the 20% State Aid Grant for Y2K. Alderman Levasseur duly seconded the motion. There being none opposed, the motion carried.

Alderman Hirschmann asked do those funds go to the Enterprise or the General Fund.

Mr. Thomas replied to the Enterprise Fund.

22. 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 Pariseau, duly seconded by Alderman Clancy, 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 O'Neil moved on passing same to be Ordained. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

23. Resolutions:

"Amending the 1994, 1995 & 1999 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eighty-five Thousand Dollars (\$85,000) for the 1999 CIP 211299 PAL Center Acquisition Project."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Hundred Fifty Thousand Six Hundred and Seventy-seven Dollars (\$850,677) for various Police Projects."

"Amending the 2000 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Thousand Dollars (\$300,000) for the 2000 CIP 511200 Derryfield Country Club Rehab-Phase II Project."

"Authorizing the Finance Officer to effect a transfer of Twenty Seven Thousand Two Hundred and Four Dollars (\$27,204) from Contingency to Police Department Line Item #3319C10898 (Local Match of 1999 Local Law Enforcement Block Grant)."

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

Alderman O'Neil moved that the Resolutions pass and be Enrolled. Alderman Levasseur duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEMS

- 24.** Proposed Charter Amendment to provide that the School District shall be a department of the City and that the Board of Mayor and Aldermen shall have line item budgetary control over the School Department submitted by Alderman Wihby.
(Tabled 3/7/00)

Alderman Wihby moved to take the item off of the table. Alderman Hirschmann duly seconded the motion.

Alderman Shea stated I would like to ask the person representing the City Solicitor what would be the cost of the possible litigation in this particular matter.

Deputy Solicitor Arnold replied I think that is an impossible question to answer.

Alderman Shea asked how much was the last litigation.

Deputy Solicitor Arnold answered I could not put a dollar figure on the last litigation. It was handled entirely by the City Solicitor's Office.

Mayor Baines stated the motion is whether to take it off of the table. That is what the discussion should be addressed to.

Alderman Vaillancourt stated I have nothing against taking this off of the table at the proper time, but I think maybe we would like to spend a little time discussing it and at 10:45 PM this evening might not be the best time. I think it deserves more discussion and I just wonder if there is any hurry in getting this off of the table so we could then go forward with it. It wouldn't be on the ballot, I believe, until September or November.

Alderman Wihby replied my intent is to take it off the table and ask that we proceed with the City Solicitor in changing the line item control part of it because he had a little problem with that so the Aldermen wouldn't have line item control anymore. They would have bottom line control, but they would be acting as a department so we could tell them what to do. I hoped to get it off the table, have them revise that, get the Board to vote on revising that and then send it to a public hearing. We are not voting this up or down tonight We are just asking to send it to a public hearing.

Mayor Baines stated the question is whether or not we are going to leave it on the table which would do what you just said or move it off the table. Mayor Baines called for a vote on the motion. Alderman Wihby requested a roll call vote. Aldermen Wihby, Gatsas, Levasseur, Sysyn, Pinard, Pariseau, Thibault, and Hirschmann voted yea. Aldermen Clancy, O'Neil, Lopez, Shea, Vaillancourt, and Cashin voted nay. The motion carried.

Alderman Wihby moved to set-up a public hearing to change the Charter to make the School District a City department. The City Solicitor can work on the language as far as not having line item control, but it would be a City department so if we wanted to ask them to make cuts like we ask other departments to do, the Mayor doesn't have to ask them, he can tell them. If we wanted them to cut their budget, we would send them a directive like we do to other departments. We would treat them just like another department and the line item control within that amount that we give them would be theirs, but this would save the taxpayers some money because it is giving us the control over them that I think we need. As you know, they just came up with three recommendations, your Honor, \$8 million plus raises so you are probably talking close to \$12 million and a third proposal of 25 plus raises of \$29 million. If a department head came to us and asked for a 29% increase, your Honor, we would fire them. We have no control the way it is now. We have to get some control, your Honor. We have to make them the department. I

think that is the way it should have been. We should have appealed the decision that we got last time. I hope that we can move this forward. All we are doing is letting the citizens have a say at a public hearing and having public input.

Mayor Baines stated I agree with a significant amount of what you just said there. I do agree that there should have been an appeal of that because there would have been a lot more clarity. The only thing I would ask is could we have the Board vote to effect the change so then we could see it in its entirety and allow the City Solicitor's Office to go through the whole document and review all aspects of it so we can see the whole document at the next meeting before we vote on it. If you would agree to direct the City Solicitor's Office to revise it to reflect your recommendations...

Alderman Wihby interjected I would like to talk on that, your Honor, because I am upset today. I knew that this was coming up. This was a tabled item and I knew that this Board was going to be looking at this and that one of the questions was going to be to the City Solicitor do you agree with this, is anything wrong. When I called him up he said well there is nothing really wrong with this. I have talked with a few people, but if we get away with a line item I think there is not a problem. I said all right draft it as I have done for 16 years, your Honor, and three other Mayors and no other mayor has stopped the Aldermen from getting some information that they wanted. I asked him this evening if he had the amendment so I could pass it around to the Aldermen and let them know what they were doing and I was told that the Mayor had stopped the process and said no, have them come to the Board and let the Board authorize that. Now I have some concerns, your Honor, because if you look at one of the sections, 208:C, it says, "The Mayor shall not, in the exercise of his powers, decrease the policy-making power of the Aldermen" and that is exactly what happened here, your Honor. Three Mayors, 16 years I haven't been treated like this and I would hope that this doesn't happen to another Alderman on this Board. The Aldermen have every right, they represent their wards, to ask questions and to get answers from department heads. I wasn't directing them to do it, I was asking them to finish up something that was on the table that this Board was going to take over. To have you stop him from doing that, your Honor, and then suggest let's hold this off for a couple of weeks so we can do exactly what I wanted him to do today I think is just being two-faced, your Honor. I am upset because this has never happened before and I take exception that it happens now and I hope that this Board would support that because I would support them if they tried to do something, your Honor, and you tried to stop them.

Mayor Baines replied let me respond. There is a Charter that establishes the Mayor as the Chief Executive Officer of the City. I have discussed this with the City Clerk. It is inappropriate for any Aldermen to direct any person in City government to do anything. Now let me tell you what I have done. I have consulted with the Chairman of the Board on this issue and I have directed all department heads in the City to respond to any and all questions from any Aldermen and provide them with the appropriate information and at such times as they provide one Alderman, they provide every Alderman, but no Alderman, individually, in consultation with the City Solicitor, can direct anyone in a City department to do anything. There is a proper

procedure to doing that and I think the department heads would appreciate this too because there can only be one Mayor at a time. There cannot be 15 Mayors. If the Board votes as a Board, they can request information and direct. I support this, as a Committee can, but individual Aldermen shall not come in and direct individual department heads to do anything. Having said that, if there is a legitimate request, it needs to be channeled through the Chief Executive and we will follow-through on that as appropriate. That is the way government was anticipated to be run under the Charter. That is the way that it will be run under this Administration and that was also the opinion of the City Solicitor that that was an inappropriate request.

Alderman Vaillancourt stated I appreciate your input and your clarification because Alderman Wihby's rage reminds me of something that I went through in my first week here and I think the City Clerk and his Deputy can verify this. I wasn't demanding anything, but the Assistant Finance Director denied me some simple information. Not that an Ordinance or anything like this be drawn up, but simply some attendance figures on the civic center. He told me that I would have to go through the entire Board of Aldermen to get this. I guess what is good for the goose, is indeed good for the gander. If we can't even get simple information like that, then it seems only fair to have a general policy that it either be all one way for every Alderman or not one way for any Alderman.

Mayor Baines replied first of all, I disagree with that. My feeling is that with a request for information, the information should be provided. I have so directed department heads to do that. The only thing I ask is that they do it in a timely manner because they may be working on projects, however, they are to respond to any request for information from Board members and share it with every Board member. That is what I have asked them to do.

Alderman Cashin stated when you and I talked, your Honor, that is exactly what you told me. That when an Alderman asks for information, it would be shared by all Aldermen and I agreed to that and I only think that is fair and reasonable. I don't think anybody has a problem with that, but I think that what Alderman Wihby is saying is that he was denied access to information. Is that what you are saying?

Alderman Wihby replied absolutely and, your Honor, what Alderman Vaillancourt just said if he had told the Board at that time that he asked the Finance Director and he wouldn't give him information...

Alderman Vaillancourt interjected the Deputy Finance Director.

Alderman Wihby responded whoever it was, this Board would have said to the Finance Director you get in here and you talk and you give him the information he wants. All I was doing was asking...I didn't tell him not to send it to any other Alderman, your Honor. I didn't tell him not to send it to you. I asked him if he would correct it because I knew the discussion was coming up tonight and I wanted to make sure that the City Solicitor was comfortable. That is why we tabled it so he was comfortable with the information that was in it. To be told I can't do it any

further because the Mayor stopped me and then now for you to say let's do it the right way and have someone look at it in two weeks, your Honor, is just wrong. Every Alderman should be able to ask a question from a department head and get the answer and this Board should support that Alderman. Alderman Gatsas asked Mark Hobson for some numbers. Does that mean that he has got to come to the meeting, wait two weeks, ask him for the numbers and wait another two weeks? Alderman Lopez has gotten information from other department heads. He can do that. That is his right to do that as an Alderman, your Honor.

Mayor Baines replied let me correct something. First of all, no one came to me this afternoon and asked me that question at all so that never happened.

Alderman Wihby asked what question.

Mayor Baines asked did you come to me and ask me that question this afternoon that Alderman Wihby had asked for a revision. Did you come to ask me that question?

Deputy Solicitor Arnold answered I did not personally. I do not know if Mr. Clark did.

Mayor Baines replied no, Mr. Clark did not talk to me in any detail about anything like that.

Alderman Wihby asked you didn't tell the City Solicitor not to forward the information to me.

Mayor Baines answered let me make it very clear. No Alderman shall direct any person in City government to perform any work. That is the way it will be. I have served on School Boards and Board of Directors and I never directed anyone to do anything. I always went through the administrative officer. I think the department heads would appreciate that so that they are not responding to 15 different people. Having said that, I have also, and I reiterate, directed all department heads to respond to all requests for information, but Aldermen will not and shall not, under the Charter, come in and direct the workload of any person in City government.

Alderman Wihby stated you can't have it both ways. You can't say that a question asked...all I asked him to do was to look at it and tell me what was wrong with it. That is a question that he can send to all of the Aldermen. It is the same thing as asking Mark Hobson to look up numbers and get some payroll numbers or someone looking to talk to Jay Taylor about the civic center or someone looking to talk about the riverfront. It was asking a question. I didn't direct him. I asked him if he would look at it because the Board was looking at it and to make sure it was right. The same thing that you asked him to do, to make sure that it was right that day and you send we ought to send it to them to make sure it is right. He wouldn't get back to me with that answer, your Honor, because you told him not too. All I am saying is you cannot pick and choose. If you are going to go with that philosophy, then any question that any Alderman wants answered should come to this Board and this Board should ask it.

Mayor Baines replied the answer is no to that. I have directed the department heads to respond.

Alderman Wihby responded I didn't get a response because you told him not to.

Mayor Baines replied in terms of responding to individual work requests of this nature, the answer is no and it shall be no.

Alderman Wihby asked what is the difference between this and Mark Hobson getting numbers for Payroll.

Mayor Baines answered because I have told the department heads to respond to all requests for information.

Alderman Wihby stated you are playing games here.

Mayor Baines replied no, I am directing City government as I am supposed to.

Alderman Wihby stated if you are directing City government then you should be directing City government for every Alderman that is here. If I ask a question and you are going to tell me that a department head is supposed to answer then a department head should answer. If Alderman Gatsas asks Mark Hobson for numbers and he can get it, then it is not right. If Alderman Lopez can ask, it is not right. What you have done is because you are against this proposal you are trying to not have it come forward. You are trying to bury it and you don't want the citizens to have a say in what they want to do with this Charter so you are trying to delay this, your Honor.

Mayor Baines replied that is not true.

Alderman Cashin stated we have sat here for three and a half hours now and it has been downhill for the last two hours. I have recommended on a couple of occasions that this Board, on some Saturday morning, sit down and get into a working session to discuss a lot of ideas that we may or may not have and a lot of reasons why these things are happening and I would like to recommend tonight, your Honor, that we set-up a meeting for a Saturday morning or whatever is convenient to the Board so that we can discuss issues like this so that this does not continue to happen at every meeting. Most of it is redundant and we are not accomplishing anything here.

Alderman Wihby asked, Alderman Cashin, in 30 years has an Alderman been denied any information from any Mayor that you know of to tell them not to go forward and tell an Alderman something.

Alderman Cashin replied if you ask me a question like that I am going to have to answer you. Yes, there have been occasions but I will admit that there have been very few in 30 years.

Alderman Wihby asked do you think it is right that I asked a question and I didn't get my answer or I was told that they couldn't answer my question.

Alderman Cashin answered I don't think it is right for any Alderman to ask a question and not get an answer to it, but I don't know what the Mayor has in mind and that is why I think we have to sit down, discuss it and come up with a work plan.

Mayor Baines replied I have discussed this situation with the Chairman of the Board.

Alderman Wihby stated I will tell you that I will support any Alderman getting information.

Alderman Hirschmann stated in a way, your Honor, I agree with you because I respect the Charter and what you are trying to do and I agree with Alderman Wihby as well only because of wording. We have a corporation. The Aldermen rely on the officers of the corporation. So I rely on the Solicitor's Office, Finance Office and the City Clerk to provide me, at any time that I see fit, the most up-to-date information that is available to me or my peers and I demand it. But, a department head is a different story. I see many times Mr. MacKenzie is abused by many Aldermen. They want this, they want that. They want, they want, they want. He is a department head. He is a different figure, but officers of the corporation, Alderman Wihby is within his right to get to that Solicitor and get the reading correct just as I did with the civic center to pass the Resolution. There is no way that I could word a three paragraph Resolution, your Honor. Maybe not even a one paragraph Resolution. I think officers of the corporation can be approached by the Aldermen any time for information.

Mayor Baines replied I appreciate that clarification.

Alderman Shea asked, Alderman Wihby, which section of the Charter were you quoting.

Alderman Wihby answered I was quoting 208, Section C.

Alderman Shea stated there is another section that says, "The Board of Aldermen shall not, in the exercise of this power, decrease the administrative and executive powers of mayor and department heads as granted by this charter." So there is a certain ambivalency.

Alderman Wihby asked how is asking a question decreasing any power, Alderman.

Alderman Shea answered I am just saying according to this.

Alderman Lopez stated I just want to comment and it is a late hour but I think the Mayor is absolutely correct and I think Alderman Wihby you are absolutely correct too because any Alderman...I haven't had any problems with any department head in asking them a question.

Alderman Wihby replied in 16 years, I haven't either.

Alderman Lopez stated I think the Mayor is right. If I went to one of the department heads and said look Ron Ludwig I want you to do this, he can tell me to get the Board's approval or see the Mayor. He is the CEO. I think that is all the Mayor is saying. We hashed this out in the Charter revision a long time ago. Somebody has to be the executive officer and we can't direct department heads. We, as a body, can do anything and if that takes 14 people directing department heads over the CEO or making a policy that the Mayor has to follow, then we will do it but I don't think anybody is...I haven't been denied any information. Any time I have asked a question, they have been very cooperative.

Alderman Wihby responded that is the point. I was denied getting the information that I asked for, your Honor. You can't deny that. How can you say no one Aldermen will be denied. That was denied today by you.

Mayor Baines replied let me just explain something, you came into the City Solicitor's Office...

Alderman Wihby interjected no I didn't go in, I called.

Mayor Baines responded whatever two weeks ago and basically directed a person who works in City government to draft a Charter amendment. You do not have the authority to do that. Now this Board, as a group, has that authority. Not only was it drafted, but no one in City government even told me that it was being drafted. That is not right. That is not proper and it is not the way this City will run under this Administration. Now having said that, I am duly respectful and responsive to every Alderman who comes in to see me, calls me, or requests information. In response to Alderman Vaillancourt's situation, that was not appropriate and I have talked to all department heads about information. No Alderman shall come in and direct an officer or a department head in City government to do certain work. If you wish to do that, you come to your Committee or you come to your Board and you pass a motion and have it done. That is my opinion that I just gave you and it is in concert with the City Solicitor because I have discussed it with him. He feels that it was inappropriate and he said that it will not happen again. That is the way we will continue to function.

Alderman O'Neil stated I want to make sure that I am clear on this. I understand the direct part, I guess, but a constituent and I generally don't get involved in ward affairs as I try to refer them to the Ward Alderman but I will just use this as an example. A constituent calls with a concern about garbage or living conditions so I call Leon LaFreniere, I call Fred Rusczyk, I call Frank Thomas. Are you telling me that I can't do that anymore?

Mayor Baines answered no, I am not.

Alderman O'Neil stated I don't think that it is necessary in their response to me for that specific concern that they have to send it out to all 14 Aldermen.

Mayor Baines replied correct. That is a constituent service.

Alderman O'Neil stated then I misunderstood what was said earlier.

Alderman Cashin stated I am just going to repeat that it is imperative that we have a sit down session, a working session to work these things out and it is obvious to me tonight that is what is going to have to happen. I agree with you in many respects, but when you talk to an officer of the corporation maybe that is a different ballgame.

Mayor Baines replied I think we can reconcile that. As I told you and Alderman Wihby, I would be more than happy to sit down and do that.

Alderman Cashin asked can we schedule a meeting.

Mayor Baines answered I don't have a problem with that.

Alderman Vaillancourt stated there was a motion on the floor.

Mayor Baines asked what was the motion.

Deputy Clerk Johnson answered my understanding is that Alderman Wihby had originally made a motion to proceed with the public hearing and to have the language reviewed and changed by the City Solicitor for that public hearing to make it a department and remove the line item expenditure.

Alderman Hirschmann duly seconded the motion.

Alderman Vaillancourt stated I wanted to speak to that motion about 20 minutes ago. I believe very firmly that before we send anything to a public hearing we should know exactly what we are sending so I would amend the motion on the floor by saying that we get this wording in proper order and then come back here and discuss it at that time. There was no second to the amendment.

Mayor Baines called for a vote. Alderman Wihby requested a roll call. Aldermen Wihby, Gatsas, Levasseur, Sysyn, Pinard, Pariseau, Thibault, and Hirschmann voted yea. Aldermen Clancy, O'Neil, Lopez, Shea, Vaillancourt and Cashin voted nay. The motion carried. The Mayor vetoed the action.

Mayor Baines stated I would ask that the entire text be brought into the next meeting after it has been reviewed by the City Solicitor and with people at the State of NH and then we can reconsider it again in terms of its legality.

Alderman Pariseau moved to override the veto. Alderman Wihby duly seconded the motion. Mayor Baines called for the votes. Alderman Wihby, Gatsas, Levasseur, Sysyn, Pinard, Pariseau, Thibault, and Hirschmann voted yea. Aldermen Clancy, O'Neil, Lopez, Shea, Vaillancourt and Cashin voted nay. The motion failed.

Alderman Wihby stated just so we know what happened here, the Charter change is dead and you are recommending that the citizens of Manchester don't have a say.

Mayor Baines replied no. What I am recommending is that the City Solicitor write the amendment and that it be reviewed by the City Solicitor's Office and the State of NH like the process that was used for Charter revisions and report back to the Board at our next meeting.

On motion of Alderman Levasseur, duly seconded by Alderman Wihby, it was voted to have the City Solicitor draft the Charter amendment and that it be reviewed by the State of NH and brought back to the next BMA meeting. Alderman Wihby duly seconded the motion but asked that since he will not be at the next meeting that it be brought up at the following meeting.

Alderman O'Neil stated just a comment, your Honor. My colleague from Ward 2 likes to put timetables to things to get things done. Although Alderman Wihby may not be here, we may want to tell them to get it done in two weeks so they get it done.

Mayor Baines replied I think we should do it as soon as possible because the State will have some delay in terms of reviewing it with their legal people.

Alderman O'Neil stated we have found, in Committee, that it is sometimes easier to put a specific date on things.

Mayor Baines replied the motion would be that the information will be brought forward at the next meeting.

Alderman Gatsas stated I would like to thank my colleague, Alderman O'Neil and also all of the Aldermen who are making reference to CEO's and to Board of Directors. It is about time that we start understanding that this is a business and it is big business.

Mayor Baines called for a vote.

Alderman Wihby asked is the motion at the next meeting so the vote will be at the next meeting or are you just bringing it up and the vote will be at a following meeting.

Mayor Baines answered I will direct the City Solicitor to draft it with the department provision, look at the entirety in terms of its legality, have it reviewed by the State and come back to the meeting in four weeks. I think it is important for the State to review because under the process

of Charter revision and Mr. Lopez will remember, before we could put it on the ballot it had to be reviewed by the State and the State specifically told us, for example the provision that is in there with the Mayor and the budget by April 1, we did not include and we were told that it couldn't go on the ballot without that provision because it was consistent with State law. My feeling on this matter is that it should be reviewed at the State level and if it illegal or it is legal they can tell us and then we have a clear body of information to present to this Board and if it is legal then we can proceed with the process for revision.

Alderman Levasseur stated I think time is of the essence because I believe you must have your Charter amendments done by June in order to get it on the ballot.

Clerk Bernier replied the question will be placed on the ballot in November and you have plenty of time.

Alderman Pariseau asked who in the State does it go to.

Deputy Solicitor Arnold answered the Attorney General's Office.

Alderman Pariseau stated I just wanted to make sure that it is not the Department of Education.

Deputy Clerk Johnson stated I want to clarify who made the motion.

Mayor Baines replied it was made by Alderman Levasseur and seconded by Alderman Wihby.

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

- 25.** 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.
(Tabled 3/7/00)

This item remained on the table.

26. NEW BUSINESS

Alderman Hirschmann stated I have a letter from a constituent and it refers to Dunbarton Road, past the landfill, and the horrible conditions of that road. I did check on a price with a department head and it is almost \$100,000 to repair that road. The Aldermen only get \$50,000 per year for resurfacing so there is no way that this can get done. I am asking that this be referred to the FY2001 CIP team. Alderman Shea duly seconded the motion.

Alderman Thibault stated in view of the extra money that we put into the budget last year for repaving and stuff, I would think that what is already in the budget plus that extra \$500,000 there should be enough money to take care of that problem.

Mayor Baines replied I think it is being referred to a Committee. We can't decide whether that is going to be done tonight or not.

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

Alderman Levasseur stated I have with me today and I am sorry for the lateness of this but Mr. MacKenzie said it would be appropriate to put this in tonight. This is something I worked out with Mr. Thomas to add parallel parking from the corner of Elm Street heading east to Chestnut Street. He said that we could refer it simultaneously to CIP and Traffic. I would like a motion to do that.

Alderman Wihby moved to refer the item to the Committee on Community Improvement and the Traffic Committee. Alderman Pariseau duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

Alderman Vaillancourt stated I appreciate not removing Item 25 from the table. You saved yourself about a 15 minute speech about the role of State government and why that bill should not have been passed. I will be voting on that in Concord, I am sure, but I believe it is the proper function of this Board not to go along with that. There is another bill that is coming through that I have had constituents call me about. Senate Bill 347 relative to the contributory retirement system of the city of Manchester. This is certainly something that this Board should be aware of and perhaps should take a position on. I have had several constituents urging the delegation to vote against this bill. It was sponsored by Senator D'Allesandro at the request of the previous Administration. I am just wondering if the City does now have a position. We will be holding a meeting of the Manchester delegation with Mr. Scannell on Monday at 1 PM and I am wondering if we can get some direction before then. It would basically take the contributory system away from State control and give it back to the City control. This is something that I assume the previous Board of Mayor and Aldermen discussed when Mayor Wiczorek asked Senator D'Allesandro to put the bill in. It has already passed the Senate. It will be coming up for a hearing before municipal and county government and I have several constituents requesting the delegation to oppose it. Unlike the previous bill that we were going to talk about, that forest give away, this one does have direct implications for the City of Manchester.

Deputy Solicitor Arnold stated I am not sure what I am being asked.

Alderman Vaillancourt replied I just wanted to make the Board aware. I will be bringing it up to the delegation on Monday, but it affects this Board directly. I will make sure that you get copies of it.

Deputy Solicitor Arnold stated as the Board is aware, the previous position of the City had been that the retirement system was a part of the City Charter and thus could be amended by using the Charter revision process. The Supreme Court, approximately a year ago, disabused us of that notion. With that result, the previous Administration requested Senator D'Allesandro to submit legislation to the State asking the State to authorize the City to amend its pension system by the Charter revision process with the result that the City would not have to go to the State legislature and ask the State legislature to pass special legislation relating to the City pension system. In the past, what the State had done prior to...the prior enactment and amendment I believe if my memory serves me correctly were in 1974 and 1976, were both prior to the home rule statute that allowed cities directly to set-up their own Charter. What the State did at that time is they would pass legislation authorizing the amendments to the system and then make it contingent on a referendum vote at the City level. As I said, the purpose of the legislation, which I testified on at the last hearing before the Senate Committee, was merely to return that control to the City so that under the Charter system a referendum vote would still be necessary but we wouldn't have to go to the State legislature to ask their permission to change the system.

Alderman Gatsas asked what is the impact of changing. Obviously, we have two different retirement systems in the City now.

Deputy Solicitor Arnold answered the impact would be to the new retirement system, so-called that was set-up by special legislation and I believe it was in 1974. That would be the impact. The impact would be that we would not have to go to the State legislature each time we wished to amend that retirement system. It would still have to go through a city-wide referendum to amend that retirement system.

Mayor Baines stated so for clarification it would have to come to the Board and the Board would have to authorize and amendment. Is that the way it would go?

Deputy Solicitor Arnold replied yes and they would have to send it out to referendum city-wide in accordance with the procedure set forth in 49:B to amend the City Charter.

Alderman Gatsas stated Alderman Vaillancourt is looking for some sort of direction on where this Board stands by Monday because I think he is meeting with the delegation and I don't know...

Alderman Vaillancourt interjected I am bringing it to the Board's attention because I have had several calls opposing this legislation from union members of the City and I just want to make sure that the City and its unions are on the same side. This has not yet been scheduled for a Committee hearing so it will not come up for a vote in the next two weeks, but this is one piece

of legislation at the State level that the Manchester delegation will probably determine the disposition of so it would be nice to have some direction.

Mayor Baines stated the first Retirement Board meeting that I went to, there was some discussion about this and I think there was some initial decision or indecision regarding it. I think from the union perspective, their perspective is to have a buffer in terms of amendments to the contributory retirement system so that is why you may be hearing that. The question is, how does City government feel in terms of that process. Whether you want it to remain in Concord or become a local issue for the local Board and the local electorate. That is the decision.

Alderman Pariseau moved to support Senate Bill 347. Alderman Levasseur duly seconded the motion.

Alderman Cashin stated I would like to see the bill before I vote on it. I would like to read it. I am not prepared to vote tonight.

Alderman Lopez asked the last Board and maybe Alderman Wihby can answer this but I understand that the last Board supported this.

Mayor Baines stated it is my understanding that the former Mayor requested this legislation, am I correct.

Alderman Lopez asked so we don't have a position then.

Mayor Baines answered there is no position of the Board.

Mayor Baines stated for everyone's information, Mark Hayward of *The Union Leader* has been reassigned. He is going to be covering the neighborhoods for them now. They have established a new beat. There will be a new report replacing Mark, a reporter coming from *The Foster Daily Democrat*. An experienced reporter by the name of...

Alderman Vaillancourt interjected Gary Renaud. He was the State House report for *Foster's*. He is a very fine reporter. I will say it now. Maybe not in two weeks.

Alderman Lopez asked would it be possible and maybe Alderman Cashin is right then since I thought the Board took a position because I was told quite a few things but anyway I think the Alderman said that it is not going to take place in two weeks. Is that correct?

Alderman Vaillancourt answered it hasn't been scheduled to the Committee yet so it probably wouldn't come to a vote for two weeks. I would invite you all on Monday at 1 PM if you would like to hear more about this. I think we could probably wait two weeks.

Mayor Baines asked could we withdraw the motion and deal with this at the next meeting. Would that be timely enough?

Alderman Pariseau withdrew his motion and Alderman Levasseur withdrew his second.

Mayor Baines asked the Deputy City Clerk to put the bill on the agenda for the next Board meeting.

Alderman Lopez asked can we have someone from the Retirement System here for that meeting to get their position.

Mayor Baines asked the Deputy Solicitor if he knows if they took a formal position.

Deputy Solicitor Arnold answered I am not positive. I believe they were in support of it.

Alderman Shea stated they did testify in favor of that when we had the meeting up at the School Department.

Alderman Hirschmann stated I have a petition from my ward for Public Works. Can I have permission to talk to the department head?

Mayor Baines asked can't we just refer that petition to him.

Alderman Hirschmann answered I don't know who to give it to. I am afraid to talk to him on my own, your Honor.

Alderman Pariseau stated that stuff should be brought over to Highway. It shouldn't be brought in under new business at the Aldermanic meeting.

Alderman Hirschmann moved to refer the petition to the Highway Department. Alderman Pariseau duly seconded the motion.

Alderman O'Neil asked just for clarification, you indicated earlier that is constituent services and he really could have just done that anyway right.

Mayor Baines answered absolutely. He can't authorize the expenditure of money, however.

Alderman O'Neil stated I have two items. Do you want the light or the heavy?

Mayor Baines replied the light one first.

Alderman O'Neil stated I just want to remind everybody that the St. Patrick's Day parade is this Sunday. You have all been invited to march. Wear your green. It steps off at 1 PM. Be up at Webster and Elm Street around 12:30 PM.

Alderman O'Neil stated the more important issue, your Honor, has to do with the civic center and an attempt to try to reach some sort of project labor agreement with regards to the help. There has been resistance. I have met with Bill Craig a number of times on it.

Alderman O'Neil moved to direct the Civic Center Committee and the Mayor to meet with the Manchester Housing & Redevelopment Authority and the Gilbane Company to seek a resolution of a project labor agreement and report back to the Board of Mayor and Aldermen. Alderman Thibault duly seconded the motion.

Alderman O'Neil stated in my opinion there are three goals of this agreement. First of all, it would be to pay a fair wage and benefit to the workers who would build the civic center. Secondly, it would guarantee that we are using skilled craftspeople to build it and thirdly that we maximize the use of Manchester residents to build this project. In my discussions with Gilbane, they have been resistant to it and I believe that it would be in the best interest of the citizens of this City to see a project labor agreement. This is becoming the norm across the country with public works projects. As we know from our own municipal buildings, we have seen nothing but cost overruns and poor quality work. I would encourage and would ask for the support of my colleagues on this. Again, all I am referring it to is the Committee and for the Committee to work with you to see if we can resolve this.

Alderman Thibault stated I just want to reiterate what Alderman O'Neil is saying and I would also like to say that as I understand it, this would not change the cost of the civic center one iota. It is something basically to protect the local union workers of this City.

Alderman O'Neil replied it is not necessarily union per say. We set a standard and those standards are to be met, whether it is by union or non-union people.

Alderman Thibault asked isn't that the same thing that we did with the Holiday Inn when that was built.

Alderman O'Neil answered that was before my time.

Alderman Hirschmann stated this issue was already in the Committee and we directed the Housing Authority to go and talk with Gilbane and they had their discussion and they said that they couldn't do it. Why are we referring it back to them? It doesn't make sense.

Alderman Wihby stated what happened was that we did meet but we didn't come up with any conclusions. It is not going to hurt to send it back again with the Mayor being present and maybe we could have a little more leverage with Gilbane.

Alderman Shea stated of course you know that I wasn't in favor of the civic center and I still am not, but I do feel that we should hire people who pay their dues and are very talented in the trades and I believe that if we do not do that, it will be one more problem and I expect a big ticket line around that civic center and it will lead to the Big Dig in Manchester if we are not careful because basically the people involved in building the civic center right now are trying to take a different course of action and they will be penny wise but pound foolish in the final analysis. I think if any of us looked outside tonight we saw the picket line starting to be drawn up and pretty soon there are going to be all kinds of problems in Manchester and I don't blame the people. The people of Manchester are deserving of a fair wage. They work hard and they do their jobs. I brought up tonight at the Human Resource Committee meeting that there were six people who were terminated in Manchester. All City residents. Eight people were rehired and five out of the eight don't live in the City. We should try to look for people in Manchester to do the job or the surrounding areas and not look for Maine people coming down here or people from Rhode Island or any other place. If we are going to do the job, let's do it right. I am still not in favor of the civic center.

Alderman Hirschmann stated I fully respect all of the union membership out there tonight standing up for what they believe in but to say anything about picket lines and idle threats, I don't like that kind of language. This building that we are sitting in, this project that cost millions of dollars, they came before us and they said that they worked with union and non-union skilled labor to do this building without a project labor agreement and they said that had a good time without any problems. Why do we need a project labor agreement? There is a lot of stammering going on, your Honor. This project here is an example that you don't need a project labor agreement.

Alderman O'Neil replied my only response and I don't have the exact numbers but there were a lot of cost overruns in this building and that is factual. I know that is fact.

Alderman Vaillancourt stated I concur with my colleague, Alderman Shea's comments about the civic center but I also am rather incredulous by Alderman Thibault's comments. I think you are going to have to realize that if that goes forward it might cost more. You are not going to get the same kind of labor for the same price. To think so would be pulling your lids over your eyes. I would like to just say, the point that I want to make is that every Committee and sub-Committee of this Aldermanic Board, including the ones I sit on, invite other people to sit in. In Human

Resources tonight, Alderman Gatsas isn't a member of the Committee but he sat in. The Civic Center Sub-Committee doesn't invite the other Aldermen to sit in. I think that should become a policy.

Mayor Baines replied that will be taken under advisement by the Chair.

Alderman Levasseur stated one point before we go any further on this. Gilbane signed a contract. They are responsible for cost overruns.

Mayor Baines asked Alderman O'Neil to read the motion.

Alderman O'Neil moved to direct the Civic Center Committee and the Mayor to meet with the Manchester Housing and Redevelopment Authority and the Gilbane Company to seek a resolution of a project labor agreement and report back to the Board of Mayor and Aldermen.

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

Mayor Baines stated just a brief comment on that now that the motion has passed, I think it is very important that when we undertake projects we survey the local labor market and try to find ways for them to participate. It was interesting in our early discussions with the Corps of Engineers that is exactly what they do. When they work with communities on projects they come in and survey to see what is happening in the local labor market and how they can take advantage in recommendation of projects to help facilitate making sure that local workers get involved. They are the people who pay our taxes, they are people who contribute to our community and more importantly they have a vested interest in the building. When they are building a building and they live here and they participate here, they take more pride I believe in their workmanship. I think we should have that in the discussion on any project that we do in this City and realize that there are constraints financially.

Alderman Pariseau stated I find it ironic that we are supporting this issue and yet we can't do anything about City employees or else we are considered to be discriminatory against those who live outside the City. You have the majority of the School Department living outside of the City and here you are trying to limit.

Mayor Baines replied we are talking local, Alderman, just as a clarification. Not just Manchester.

Alderman O'Neil stated I think I understand Alderman Pariseau. Based on the approach that the City has taken in the past, I believe it has been ruled illegal, some of our personnel issues with regard to residency, but I do believe there are ways that other communities use that we could guarantee residency in the future. I think that we would never want to talk about existing City employees, but I believe going forward to address your concern we could do something about that.

Mayor Baines replied that would be for another day, I hope.

Alderman Shea stated point of order. One-third of City employees live out of town. Maybe there is a large number of principals, teachers and so forth, but my understanding is that 1/3 of the people working for the City of Manchester are out of town residents.

Alderman Lopez stated just real fast we went through the Charter on this. It is State law. It is Federal law. You can't do it. You can't mandate that they live here. You have to hire them on qualifications.

Alderman O'Neil replied other cities do it, Alderman.

Mayor Baines stated again, that can be looked at by an appropriate Committee. Are there any other communications?

Alderman Wihby asked if there was a problem with chargebacks.

Mr. Clougherty answered we have been directing the departments to try to get the chargeback information documented through the work order process so that we can provide that to the schools. There were some questions raised and in preparation for tonight's meeting I thought that issue might come up and that is why I put it in. What we are trying to do is get the departments to start doing the chargebacks so that we will be ready for next year when we have to go forward.

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

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

Mayor Baines called the meeting back to order.

Mr. Hodgen stated I would think that a motion would be in order to accept the collective bargaining agreement with AFSCME Public Building Services bargaining unit and lay that over until the next regular session in accordance with Rule 26.

On motion of Alderman Lopez, duly seconded by Alderman Clancy, it was voted to accept the collective bargaining agreement with AFSCME Public Building Services bargaining unit and further that it lay over until the next regular meeting of the Board in accordance with Rule 26.

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

A True Record. Attest.

City Clerk