

**BOARD OF MAYOR AND ALDERMEN**

**May 2, 2000**

**7:30 PM**

Mayor Baines called the meeting to order.

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

Mayor Baines introduced Zack, an intern in his office, stating he is a student at the Derryfield School and at Derryfield part of the trimester at the school is for them to go out and do some things in the community. Last week, Zack spent the week at the Fire Department, he's going to be in my office for about two or three weeks and longer if we can keep him and it's also his 19th birthday today. So, happy birthday and welcome to City Hall. A nice young man, we got him involved right away. Because we're establishing a Youth Council for the City Zack has been helping us participate in selecting youth that will be sitting periodically in your chairs for regular meetings with the Mayor with the youth of the City representing all of the geographic areas and we're excited about getting that program up and running. People coming in tonight might have seen the shoes up there on the wall and David would you tell them that it's a fund raiser for the March of Dimes and I'm sure that all of the Aldermen are going to want to participate.

Mr. Berube stated we have been asked to aid West High School and apparently if we don't sell enough shoes the Mayor is going to be serving lunch at West High School. We'd appreciate your help.

Mayor Baines stated we challenge the students at West to raise money for the March of Dimes and we're trying to do the same thing on the City side. We'll have some fun with it and regardless of the outcome I'll serve at the lunch line at West High School, so I don't want to deter any of you from purchasing a shoe in support of the March of Dimes.

Mayor Baines stated I also want to announce...you see the press release this evening...right up until about five-thirty this afternoon I was in contact with Senator Gregg's office because we were eagerly awaiting, in great anticipation, the announcement that Manchester has received a \$5 million loan guarantee for two projects located within the Enterprise Community. I know you'll be as excited as I am to know that \$1.55 million of the loan will be used to rehabilitate the Chase Block which is going to be a very exciting opportunity for our community as you know and it will also be used to create some investments in other parts in the Enterprise Zone. We're very excited about this grant and I'd like to thank our congressional delegation for working with us on this and that should be very good news for all of us here in the City of Manchester.

### **CONSENT AGENDA**

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Minutes Accepted**

- A. Copies of minutes of meetings held on December 13, 1999; December 21, 1999; and January 3, 2000 (two meetings).

### **Informational - to be Received and Filed**

- B. Copies of minutes of Airport Authority meetings held on February 24, 2000 and March 23, 2000.
- D. Copies of minutes of a meeting of the MTA held on March 28, 2000 and copies of the Financial and Ridership Reports for the month of March 2000.
- E. Copy of a Proclamation signed by Governor Shaheen proclaiming April 30 - May 6, 2000 as Municipal Clerks Week in the Granite State.
- F. Communication from the UNH Cooperative Extension announcing this year's Forest Laws Workshop for Town Officials scheduled for Friday, May 19th in Weare, NH.

### **REFERRALS TO COMMITTEES**

#### **COMMITTEE ON COMMUNITY IMPROVEMENT**

- G. Communication from Humberto Correa, Interim Director of the Latin American Center seeking assistance in converting unused space on E. High Street into additional parking.

#### **COMMITTEE ON FINANCE**

- H. Resolution:

"Amending the 1999 & 2000 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the 2000 CIP Project 610700, City Employee Mortgage Assistance Program-CEMAP."

#### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

- I. Communication from the Executive Director of Intown Manchester advising that merchants on Bridge Street have experienced parking problems for their customers due to lease holders in the Pearl Street Lot using up the metered areas in the lot rather than the non-metered areas.
- J. Communication from the Executive Director of Intown Manchester regarding recent reports of vehicles with "handicapped" hanging placards or plates parking all day during normal business hours at two-hour metered locations and requesting the City address this issue.

- K.** Communication from Frank Comerford, President of St. George Greek Orthodox Cathedral requesting the closure of Kenney Street at Hanover Street and Hilton Street at Amherst Street from 10:00 AM until 11:00 PM on September 15, 16 & 17, 2000 in conjunction with the annual Glendi celebration.
- L.** Communication from Mark Taylor relative to a recent article in *The Union Leader* regarding a potential increase in parking at City-owned garages and proposing the closure of one side of Canal Street making it a long-term parking lot.

#### **SPECIAL COMMITTEE ON THE CIVIC CENTER**

- N.** Communication from John Cook requesting to meet with the Board to present his findings on research he recently completed dealing with the social, non-economic aspects of two stadiums located in the City of Lowell, MA, and their impact on the youth in that community.

#### **REPORTS OF COMMITTEES**

##### **COMMITTEE ON COMMUNITY IMPROVEMENT**

- P.** Recommending that requests to accept and expend funds for various projects be approved as follows:
  - 1) accept and expend funds in the amount of \$510,000.00 for FY2000 CIP 760200, South Mammoth Road Sewer-Phase I-Construction;
  - 2) accept and expend funds in the amount of \$40,000.00 for FY2000 CIP 610700, City Employee Mortgage Assistance Program – CEMAP (by decreasing 1999 CIP 610099 HOME Project by \$30,000 and the Affordable Housing Initiatives Account by \$10,000);

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

- Q.** Recommending that a request to transfer funds from CIP #821099, Y2K Contingency and Computer Upgrades for the new Library telephone system, not to exceed \$50,000 be granted and approved, and for such purpose a budget authorization has been submitted.

##### **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

- R.** Recommending that the Board of Mayor and Aldermen not be involved in awarding of A-STEPS, but that those employees follow the policies and contracts established by the Board. The Committee notes that such recommendation is based on a recommendation of Yarger, Decker and McDonald as enclosed herein.
- S.** Recommending that no appeal denied by the Human Resources Director and Mayor be brought forth for a period of two years, such period ending June 30, 2002. The Committee notes that such policy was recommended by Yarger, Decker and McDonald.
- T.** Advising that it has reviewed recommendations made by Yarger, Decker and McDonald with regard to Item #1, Building Regulations, as enclosed herein, and recommends as follows: that the Board of Mayor and Aldermen uphold all previous actions with regard to the Building Department positions, and further that the Board of Mayor and Aldermen deny all other appeals submitted under Item 1.
- U.** Advising that it has reviewed recommendations made by Yarger Decker and McDonald with regarding to Item 2, Airport, as enclosed herein. The Committee recommends that the Assistant Airport Director positions be increased from Pay Grade 23 to Pay Grade 25.

- X.** Advising that it has reviewed recommendations made by Yarger, Decker and McDonald with regard to Item 5, Water Works Engineering Technicians, as enclosed herein. The Committee recommends approval of the YDM recommendation that the position be reclassified as Engineering Technician II.
- Y.** Advising that it has reviewed recommendations made by Yarger, Decker and McDonald with regard to Item 6, Water Works Accounting Specialist II position, as enclosed herein. The Committee recommends approval of the YDM recommendation that the request for classification of Accountant be denied; but that the position be reclassified to that of Accounting Technician at pay grade 14.

#### **JOINT SCHOOL BUILDINGS**

- AA.** Advising that it has accepted the enclosed project summaries and architect's, engineer's and contractor's reports for the month of April relative to Parkside Addition, Parkside Life Safety, Northwest Elementary Reroofing, Henry J. McLaughlin Jr. Middle School, Memorial High School Science Lab and Other Improvements - Phase II, and Junior High School - Tech Ed and is submitting same to the Board for informational purposes.
- AB.** Advising that it has accepted the attached NORESKO March 2000 Progress Report and is submitting same to the Board for informational purposes.
- AC.** Advising that it has voted to accept completion of the following projects:
  - a) High School Stage Renovations
  - b) ADA Accessibility/School Elevators McDonough School
  - c) Central and West Heat & Ventilation Improvements-Phase III
  - d) Central and West Heat & Ventilation Improvements-Phase IV
  - e) West Industrial Arts/Tech Ed Improvements

#### **COMMITTEE ON LANDS AND BUILDINGS**

- AD.** Recommending that a request of the Economic Development Director of an expedited procedure for tenant leases in the City-owned Chase Block (1037 Elm Street) as enclosed herein be granted and approved.
- AE.** Recommending that the Board of Mayor and Aldermen find that it has no objection to the pending sale of land of approximately 39, 000 square feet by the Boston & Maine Railroad to a third party (Ciment Quebec).

#### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

- AF.** Recommending that a request on behalf of The Downtown Farmer's Market seeking authorization for the closure of streets, a no parking ban, reinstallation 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, be granted and approval under the direct supervision of Police, Fire, Traffic, Risk, Highway, and City Clerk.
- AG.** 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 O'NEIL, DULY SECONDED BY ALDERMAN PINARD, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.**

- C.** Communication from Guy Beloin, Finance Analyst II, submitting copies of the Proprietary Fund Statement and Balance Sheet for period ending March 31, 2000.

Alderman Gatsas stated I look at the report...is there anybody here from Water Works or Finance that can help me. If you take a look at the report that was given to us, it shows that the first quarter at the Water Works there is a \$3.5 million loss and I was wondering if anyone could give us an explanation on how they lost \$3.5 million in the first quarter.

Mayor Baines stated I don't think there's anybody here to answer this question this evening.

Deputy Clerk Johnson stated the Clerk could request Water Works to come to the next meeting and give an explanation, if you'd want to table this item pending.

Alderman Levasseur moved to table Item C pending future appearance by Water Works for response. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

**M.** Communication from Alderman Vaillancourt relative to a request for a breakdown of civic center legal expenses from the law firm of Craig, Wenners & Craig.

Alderman Vaillancourt stated I assumed you received the packet of material I sent out last Thursday. I believe it was late in the meeting a couple of weeks ago when I brought up a point...you challenged me that you want to jump through hoops, Alderman Vaillancourt, well that's precisely what I've spent the last couple of weeks doing is jumping through hoops trying to get this information. Representative Welch was correct in some of the comments he made during the public session tonight. I haven't had a chance to investigate this further episode of a lawsuit but I do have in my hands the documentation you have regarding the \$250,000 that apparently has now been put in a security deposit because our law team mishandled the whole condemnation of the Staples site property. And, it all ties in together because the information was apparently...there was an attempt to keep this from us and the billing records of Craig, Wenners & Craig...if you will note the fourth page of the document I sent you clearly the invoice from Craig, Wenners & Craig to the Manchester Housing and Redevelopment Authority said \$48,600 to be paid for Phase II of the Civic Center and then if you'll fast forward to the letter that Jay Taylor sent to me why he could not get the records from Craig, Wenners & Craig it was because that was not going to be paid from Phase II funds...this is the Jay Taylor document that he sent me. However, since the most recent Craig, Wenners & Craig invoice will not be paid from Phase II funds I do not have nor have I seen this billing. So, the suggestion he makes is that this is now not going to be paid from Phase II funds...in the next sentence he goes on to explain that the reason is because this is related to the construction phase of the project rather than Phase II. I suggest, at the very least, we are being kept in the dark again after you, your Honor, made that miraculous comment that meeting in January that never again would Aldermen be kept in the dark about important a project as this. We've been kept in the dark about the \$48,600 in legal fees and where they're to come from, we've been kept in the dark about the \$250,000 security deposit for the settlement for the Staples payment and who else knows now what's going on that we've been kept in the dark about. I suggest this is a travesty...I'm not sure what the correct way to go about doing this is, but I suggest a motion might be in order that absolutely everything come to this Board of Mayor and Aldermen; that

one page document that is being handed out at Alderman O'Neil's request certainly has diminished to almost a document of nothing in the last couple of weeks since we moved into the next phase. I suggest that the response has to be here tonight, there has to be some questions answered. For example, I called the City Solicitor's office today because Jay Taylor told me that it was the City Solicitor who had requested that this not be paid from Phase II but rather the Phase III. The City Solicitor told me they said nothing of the kind. So, there is something very wrong here and the people have a right to know and certainly we have a right to know and get to the bottom of this whole thing. Did the City Solicitor tell Jay Taylor not to pay this out of Phase II or did he not.

Mayor Baines asked isn't this a communication to go to the Special Committee on the Civic Center and, therefore...and asked is there a motion on the floor.

Alderman Hirschmann moved that Item M be referred to the Special Committee on the Civic Center. Alderman Lopez duly seconded the motion.

Mayor Baines stated if we can make sure all of the parties are at that meeting so that Alderman Vaillancourt can get his answers would be appreciated by all.

Alderman Vaillancourt asked did I have a question before the City Solicitor that was going to be answered tonight.

Mayor Baines stated let's stay with the motion and then I'll come back to you for questions.

Alderman Vaillancourt stated I think my question was prior to the motion.

Mayor Baines stated I already accepted the motion and I'll come back to you for your question, Alderman Vaillancourt.

Mayor Baines called for a vote on the motion.

Alderman Vaillancourt stated if you will notice in my letter I'll read the final couple of words from paragraph 1, 2, 3.

Mayor Baines asked are you speaking for or against the motion.

Alderman Vaillancourt replied I'm speaking against the motion. "The Aldermen are being kept in the dark. By putting this into Phase III we're already \$48,600 behind or is simply an exercise to hide the ball again. If indeed it is, it is going to be hidden once again by going to this Special Committee." Things going to the Special Committee and it's like going into a dark hole and it never comes out the other side. Have we ever heard what the Special Committee did about the Labor Agreement, has that ever come back to this Board for a full agreement, I don't think so. Nothing ever comes out of that Special Committee. It's time to get accountability here before

the public. Some people may not care about \$48,000, but to me fifty thousand here, two hundred fifty thousand there and it all adds up. Now, some people like to go on and on for hours about saying maybe we shouldn't spend this much for the school portables or this much for that and we can talk hours and hours and get questions answered here in the public view, but when it comes to the Civic Center...no, people just want to put it into that black hole so that nobody will ever hear about it again. So, I certainly oppose this and I have some questions that I think deserve to have the light of day shined upon them.

Alderman Levasseur asked doesn't everything that goes to committee also come to all of us in our regular communications. So, we do receive all the items, it just gets referred to the committee for discussion. If that wasn't true then I would agree with Alderman Vaillancourt, but I do believe that we do get all of the communications.

Alderman Vaillancourt stated it seems that you only get the communications when I ferret them out and manage to do some of the jumping through hoops to get them. There would have been no letter from Jay Taylor acknowledging that this was going to be in Phase III rather than Phase II if I hadn't ferreted this out. There would have been nothing about this Staples site if I hadn't been ferreting it out. It sat on somebody's desk for about a month before we got that, well, if you'll read this very document which is a condemnation of our legal team, I think a motion might be in order not to pay the \$48,600 at all. They've been misrepresenting us every step of the way.

Alderman Hirschmann stated as you said at the ground-breaking, your Honor, it's really time for all of us to come together and I know that everyone has been coming together to a degree, everyone's been going to the Civic Center Committee meetings. In fact, Mr. Welch has been videotaping them for the public's benefit. I don't think there's anything hiding under a rock or whatever you're insinuating. Whatever you're insinuating isn't correct. So, let's just go on with the motion, your Honor.

Alderman Cashin stated the firm of Craig, Wengers & Craig is a very well-established firm in this City and they're very well respected and the Alderman has a right to say anything he wants to say, but I would appreciate if something like this is going to happen at least they be here to defend themselves. I think it's very unfair.

Mayor Baines stated that was my understanding that if this went to the Committee people would be there to respond and the only thing the Chair feels compelled to say is that I have not found anyone reluctant to be forthcoming with information on this matter including Attorney Craig who I have a very professional relationship...and has been very responsive to every question that I've had regarding this project, has been very, very forthright, honest and candid. So, I'm not sure exactly what your point is but I'd like you to go to this Committee meeting...I don't have the same impressions of that Committee and get the people involved and let's get the answers because I don't think anyone is trying to hide any information from anybody, at least that has not been my experience.

Alderman Vaillancourt stated if I may respond to Alderman Hirschmann...the meeting that he referred to...it was not meetings (plural), it was meeting (singular) that was taped and it was a meeting that was limited to only one subject. I went to that meeting wanting to bring up other items and I was told...this was the meeting that Alderman Wihby was not there for was chaired by Alderman Pariseau...that only one topic could be brought up at that meeting. I want to know if this money, this \$48,600 is going to be paid out of Phase II or Phase III and who decided that and clearly according to my letter I asked that it be referred to the full Board, not to the Special Committee, so there was every indication that I wanted this done tonight.

Mayor Baines stated we need to move forward. The thing I want to caution people about...this Board has always had procedures...that things go to committees for good discussion and I'd like to urge us to remember that and I don't see anybody that reluctant to attend Committee meetings at the Board of Mayor and Aldermen level, so if we could keep that in mind we can deal with the City's business in an expeditious manner.

Alderman Levasseur stated I've said this before and I'll say it again. I am happy and glad that Alderman Vaillancourt is on top of this issue with the Civic Center because there is a lot of things that go on and there are a lot of things that happen to this Board and a lot of things that we are responsible for and to have this gentleman of Ward 8 who is very serious and cares about this issue as deeply as he does is good for us because this man goes out of his way to inform this Board of what's going on. I feel very confident, Mr. Vaillancourt, that nothing is going to sneak by you on this issue. So, I appreciate your passion about this and I feel confident that he's here, that he doing this for us.

Mayor Baines called for a vote on the motion.

Alderman Vaillancourt requested a roll call vote.

Mayor Baines stated, Alderman, I don't think it's necessary to yell into the microphone like that. I'm very gracious in acknowledging roll calls and things of that nature, but I'd like to be able to at least take the motion and move.

Alderman Vaillancourt interjected I just called for a roll call because the last time I asked for a roll call you kind of got by me last week and I didn't get the roll call. So, I'll make sure that when I ask for a roll call I'll make it verbally known.

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

**O.** Report of Committee on Bills on Second Reading recommending that ordinance amendment:

"Amending the Code of Ordinances of the City of Manchester by amending §97.34, Encumbrances Prohibited, and §130.24, Public Drinking, providing for licensed establishments located in the downtown area to serve alcohol on city sidewalks, subject to additional conditions as necessary."

ought to pass.

Alderman Levasseur stated the only reason I asked that Item O be removed is that I have to abstain from that vote because it does directly affect my business on Elm Street and, of course, I'm one hundred percent for this. So, if you could have a vote without me (abstaining) I'd like that.

Alderman Wihby moved to accept, receive and adopt the report of the Committee. Alderman Hirschmann duly seconded the motion. The motion carried with Alderman Levasseur being duly recorded as abstaining.

**V.** Report of the Committee on Human Resources/Insurance advising that it has reviewed recommendations made by Yarger, Decker and McDonald with regard to Item 3, Assessors, as enclosed herein. The Committee recommends denial of the recommendation presented by Yarger, Decker and McDonald.

Alderman Lopez stated I would like to explain this particular subject this evening because the recommendation...the Committee recommends denial, but more of an explanation has to be put into perspective. The Committee recommends denial of the recommendation presented by Yarger, Decker...I want you to know that only two people voted to deny, the other three abstained during this process. I strongly feel that after reading Decker's position and taking into consideration that these positions were originally placed in the same grade at the urging of all its members of the Assessors; that was good for them. I feel that we must do what's really good for the City. Just as the Board of Mayor and Aldermen would not approve the appointment of a City Solicitor that did not have a law degree or was not a member of the New Hampshire Bar, it should expect its appraisers both residential and commercial to possess the necessary education, training and experience especially being officers of the City. Therefore, your Honor, I move to accept the Yarger, Decker recommendation through attrition, they would remain as they are...when they retire and leave we would go with the qualifications that so was recommended by the Yarger, Decker Report.

Alderman Cashin duly seconded the motion.

Alderman Levasseur stated I believe the man who is in charge of the Assessors could come forward and at least talk to us, Mr. Tellier, and explain what's going on with this. It's very important.

Mr. Tellier stated in responding to the recommendation by Mr. Floyd Decker of that firm I found several inconsistencies in that report. In the initial review he placed the Board of Assessors in an equitable manner at a Grade 26. After a lot of forethought and several hours of discussion with the Board additional certification was recommended as part of his letter that was proposed to you. Now, I sat in that room for over three hours with Mr. Decker. Upon occasion, he suggested or inferred that possibly an A-step or a grade increase might, might be in order for the position of someone that has possession of commercial attributes that lend itself at a higher skill level for the position of Assessor.

Mayor Baines asked, Mr. Tellier, just for the people that are listening...Grade 26...what does that represent in terms of salary.

Mr. Tellier replied a Grade 26 is approximately \$60,000 to \$84,000.

Mayor Baines stated \$60,000 to \$84,000 would be the salary range for people in your office.

Mr. Tellier replied that is correct...holding the position of Board of Assessors, a member of the Board. If I could ask the members to look at page 3 of 15 on Item V...his recommendations are inconsistent inasmuch as in Part B when he states "the City's economy is flourishing and the volume and sophistication of expected work of the Board of Assessors is increasing..." it is absolutely inconsistent with reducing that grade. Furthermore, with the actions predicated a class action suit by the City of Portsmouth and the other donor towns the active increase in visibility and level of expectation and professionalism accorded the Assessors in every town and city in the State of New Hampshire with the actions that came about as the School funding issue, it's just not consistent and I don't believe it appropriate. In closing, I certainly would agree with adding the additional certification (CNHA) and the level of appraisal supervisor that's denoted in the Department of Revenue Administration's Appraisal Guidelines...I'm absolutely for that, but the decrease in grade is not consistent with what he said, recorded, accepted in documentation or inferred in our discussion.

Mayor Baines stated for further clarification for members of the Board...decrease in classification would result in...talk dollars and cents now.

Mr. Tellier stated it wouldn't affect a decrease in salary, it would effectively red line the members on our Board. Additionally, I truly believe it would limit the level of qualified applicants that would come forward in the event that there is a vacancy in that position.

Alderman Lopez stated I would like to hear a comment from the Deputy Human Resources Director.

Mayor Baines noted Mark Hobson is ill.

Mr. Tawney stated the grade difference between...I believe what Alderman Lopez is recommending is that the present holders of the office would remain all at a Grade 26 and continue to receive their increases on an annual basis. What he is proposing as our discussions earlier was to change the grades of any new occupants of the office so that an appraiser would be at a Grade 24 and a Commercial Appraiser would be at a Grade 25.

Mayor Baines asked talk dollars, Howard.

Mr. Tawney stated there is a seven percent (7%) difference between a Grade 26 to a 25 and a Grade 25 to a 24. I don't have a calculator on me to give you the exact numbers, but there is a seven- percent difference.

Alderman Lopez stated I think it's very important for this Board to realize as we move into the future that we have to appoint these officers and we should make sure that they are qualified and Decker has given some good qualifications for the Assessors. I think by the Assessors admitting that they should have all of these qualifications sort of goes in line with what Decker is saying and in the future...this Board appointing an Assessor who is an officer of this City, I think that officer of this City has to be a good, qualified and some stipulations as to how he gets appointed just like how we have job descriptions of people who get appointed to commissions. I think that we have to do that because if we're going to get the best quality of people whether they're 24, 25...if they have the qualifications I think that they are going to do the job and I don't see anybody leaving the City for Boston or anything like that and the comparison is way beyond as far as Boston is concerned anyway.

Alderman Vaillancourt stated this is all very interesting and creative thinking as always welcomed in any body. I do recall that about 10 minutes ago I was being chided, ever so gently and I appreciate it for an attempt to subvert the Committee structure that this Board has so long lived with. I find it a little ironic that the Chairman of the Human Resources Committee, having been outvoted by his Committee would bring this creative new idea here before us tonight rather than try and bring it back to the Committee. So, I would suggest that since this is some new information that we send this back to the Human Resources Committee and maybe they could look at it again and then come back here and do the right thing without us going through an hour of looking at it tonight. I do have to note that when this was before the Human Resources Committee there was an affirmative vote, some people chose to abstain, but it was a most definite vote. We had a lot of information, I asked the Human Resources Director very pointedly if, in fact, he was willing not to go along with this particular recommendation and he made it very clear he wasn't. So, we crossed every "t" and dotted every "I". If the Chairman of the Committee would like it back before his Committee I would certainly not object to having it back there, but I think it would be precipitous to this Board to move tonight to pass this other than the way the Committee recommended it.

Alderman Hirschmann stated what I'd like to do is have the Chairman of the Board of Assessors establish with the Personnel Committee the qualifications of those future positions. I believe

they are important positions but there has to be rigid qualifications in writing to justify the pay grade 26.

Mayor Baines suggested if we want to refer back to Committee for further deliberations we would need to have Mr. Lopez withdraw his motion and Alderman Cashin withdraw his second and would accept a new motion that Item V be referred back to the Committee and asked is there a willingness to do that.

Alderman Cashin withdrew his second to the motion.

Alderman Lopez stated I will withdraw my original motion but this is such an important issue noting that Yarger Decker is creating so many problems, the problems being the political people or the individuals calling the Aldermen and not giving the exact information, but I will take it back at Committee and make sure that all three Assessors are there to get a true viewpoint of this.

Alderman Vaillancourt moved that Item V be referred back to the Committee on Human Resources. Alderman Hirschmann duly seconded the motion.

Alderman Levasseur stated Alderman Cashin has stated on many occasions that we are a Board of Committees and when the Committee brings it up we represent that because it is well-informed, but I have a problem with the fact that with five members of that Committee, three abstained and two voted on it and then it comes up to the Board. I don't know what that representation means. If three people abstain on a Human Resource question that's kind of scary with only two people on the Committee. What can we do with that. Why are we abstaining from voting.

Alderman Hirschmann stated we are sending it back to Committee with some direction saying that we do want to justify the Grade 26 and we're having the Chairman of the Assessors do that.

Alderman Levasseur stated I agree with that and I would like to send it back to Committee but if there's only two out of five that are going to vote on it.

Alderman Vaillancourt stated maybe the City Solicitor could answer this. It's probably different at the City level, but I do know that at the State level you are not allowed to abstain if your in the room when a vote is called at a committee. Are you allowed to abstain at the Committee level. Obviously, people did. Were they abstaining legally or not.

Assistant Solicitor Arnold replied I don't believe there is any rule against that.

Mayor Baines stated you have a right to abstain on a vote.

Mayor Baines called for a vote on the motion to refer this item back to Committee. There being none opposed, the motion carried.

- W.** Report of Human Resources/Insurance Committee advising that it has reviewed recommendations made by Yarger, Decker and McDonald with regarding to Item 4, Police Department, as enclosed herein. The Committee puts forth no recommendation on this item.

Alderman Shea moved to have a reconsideration of this item at the next HR meeting. Alderman O'Neil duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

- Z.** Report of Human Resources/Insurance Committee advising that it has requested further review of ordinance amendments suggested in the April 10, 2000 Yarger, Decker and McDonald Report. The Committee also advises that it has tabled Items 13 and 18 of the report relating to Police Supervisors and Highway Department longevity concerns.

Alderman Hirschmann stated unfortunately this is another Yarger Decker consultant problem. It says that Highway and Police Supervisors...I guess this is a report that was tabled. Are they just informing us that it is tabled?

Deputy Clerk Johnson stated the Committee actually took two separate actions that are reflected in Z and one was to have further review of some ordinance amendments that were presented as part of the report and they also tabled the items 13 and 18 relating to Police Supervisors and the Highway Department. Those are still in Committee and they have not reported those out as of yet. That is just an informational item for the Board in case they were wondering what happened to the rest of the report.

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

Alderman Vaillancourt asked could you give us the vote out of the Committee on the motion.

Deputy Clerk Johnson answered I don't know, but I could find out for you.

Alderman Vaillancourt stated I think there was at least one against the tabling.

- 4.** Communication from William Whitmore submitting his resignation as a member of the Safety Review Board due to conflicting scheduling needs.

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

5. Nominations presented by Mayor Baines.

**Personnel Appeals Board**

Virginia Chandler to succeed herself, term expiring March 1, 2003.

On motion of Alderman Wihby, duly seconded by Alderman O'Neil, it was voted to suspend the rules to confirm the nomination. There were none recorded in opposition.

On motion of Alderman O'Neil, duly seconded by Alderman Wihby, it was voted to confirm the nomination of Virginia Chandler to succeed herself to the Personnel Appeals Board, term expiring March 1, 2003.

**Safety Review Board**

Philip Hebert to fill the unexpired term of William Whitmore, term expiring March 15, 2003.

Mayor Baines stated as per the rules of the Board, this nomination will lay over until the next meeting of the Board. Your consideration of this nominee is appreciated. Also, I would like to advise the Board that I will be making several nominations at the next meeting regarding the Zoning Board, Airport and any others that are coming due. As always, we encourage people to send letters. I appreciate receiving recommendations from members of the Board related to various appointments that are coming up for consideration as we try to have a fair and good process for the citizens.

6. Confirmation of the nomination of Brian Duplessis to succeed B. J. Perry, Sr. as a member of the Airport Authority, term to expire March 1, 2003.

On motion of Alderman Pariseau, duly seconded by Alderman Vaillancourt, it was voted to confirm this nomination.

On motion of Alderman Thibault, duly seconded by Alderman Shea, 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**

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

“Amending the 1999 & 2000 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the 2000 CIP Project 610700, City Employee Mortgage Assistance program –CEMAP.”

ought to pass and be Enrolled.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to accept, receive and adopt the report of the Finance Committee. None were recorded in opposition.

- 10.** Communication from Alderman Vaillancourt requesting that the Board consider a House Bill repealing the Legacy and Secession Tax which was amended in the Senate and also suggesting that the Board consider asking the House to bring back HB 1626 relative to Derry Representative Sapareto's so-called property tax circuit breaker which would provide approximately \$1 million in property tax relief.

Alderman Clancy moved to receive and file this item. Alderman Pariseau duly seconded the motion.

Alderman Vaillancourt stated I have no objection to the motion to receive and file because I plan to abstain on it whether you vote on it or not but I felt that it was incumbent upon me to bring this before this Board since two weeks ago this Board voted, and I believe it was 13-1, to pass Senate Bill 401 or at least to advise the Manchester delegation to pass that, which would add another \$6 million hole to the State's budget problem that we have. I feel it is incumbent upon any honorable Representative or Aldermen if you are going to start blowing a further hole in the budget that you ought to have a solution. The House, two days from today, will deal with a solution to the budget problem. It is the so-called amendment to the Legacy and Secession Bill sponsored by Senator D'Allesandro from Manchester and Senator Klemm from Salem. It would allow gambling machines, expanded video lottery, at the four racetracks and at a couple of the hotels up north. I think that if you are going to contribute to the problem of a growing deficit you ought to be part of the solution as I mentioned a couple of weeks ago. Do you want an income tax? Do you want a sales tax? Pick your poison. Do you want the evil of expanded video lottery? I just thought it would be very a good idea for me to give some direction to the Representatives as they take on this monumental task of deciding Thursday afternoon whether they are going to pass the Legacy and Secession Tax with the amended version. I also thought it would be very important for this Board to go on record supporting the Sapareto Bill, which I handed out last night at Memorial High School to everybody because Alderman Cashin asked me two weeks ago how much SB401 would cost the City of Manchester. I did manage to find out how much this bill would provide in tax relief and it is \$1 million exclusively to the City of Manchester. A \$10 million relief overall for the State. I thought it would be very important to go on record urging that that be brought before the House again so that they could vote in favor of that and I was planning to abstain on the gambling bill because I will be having an opportunity to vote on that two days from now, but I thought that you might want to recommend that Manchester go on record as supporting this. I will vote against the motion and then abstain on the next motion if it comes.

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

Mayor Baines stated I want to apologize to the Board for missing the Spirit of Manchester Award that I should have presented at the beginning of the meeting but we didn't have it on the agenda. I apologize to the recipient because everyone is watching "Who Wants to Be a Millionaire" right now, but this will be on tape and shown frequently over the next month or so. It is my pleasure to inform you that Elias "Skip" Ashooh has been chosen by the judging committee as the May recipient of the Spirit of Manchester Award. The Spirit of Manchester Awards Committee represents For Manchester. The Spirit of Manchester Awards Program was developed to recognize individuals and groups in the community who have contributed to the quality of life in Manchester. The judging committee feels that Skip Ashooh embodies all that the Spirit of Manchester Award stands for. Skip Ashooh is a native of Manchester and a graduate of Bishop Bradley High School and St. Anselm's College. Mr. Ashooh taught Social Studies at Southside Junior High School before becoming a stockbroker and registered investment advisor 21 years ago. Today Mr. Ashooh is the principle of his own registered investment advisory firm, Elias Ashooh, Inc. Skip Ashooh is past President of the Queen City Rotary Club where he played a key role in their annual fundraisers over the last 16 years. Mr. Ashooh is a Board member of the Manchester Chamber of Commerce and has also served on the Mayor's Taskforce on School Violence. Mr. Ashooh's work as Chairman of the MDC Civic Center sub-committee has been instrumental in the progression of the civic center. His contribution to this process on behalf of the Manchester Development Corporation will help to insure that Manchester's downtown will thrive and be a benefit for all. Alderman Wihby will now join with me to present this congratulatory certificate and honorary pen to Mr. Ashooh, along with the Chairman of the Board, Alderman Cashin.

Mr. Ashooh stated I would like to take a few minutes only because when I got a call saying that this was being offered to me, I refused it and I refused it because I was uncomfortable accepting something for a volunteer when there are so many other volunteers in the City of Manchester that do the same work that I do. After thinking about it, I decided that I would accept this on behalf of the people who serve on the Water Works Commission, Police Commission, Highway Commission, Riverwalk Committee, Intown Manchester, etc. There are hundreds of people who do the same thing that I do and they all do it for the same reason and that is because they think they can do something to improve the City of Manchester. That is why I am here and that is why the other people on the MDC Board are here. I thank you and I accept this on their behalf.

11. Communication from Real Theroux requesting permission to move a house over City streets from 5 Pamela Circle to 4259 Brown Avenue.

Deputy Clerk Johnson stated the law would require that the Board approve this subject to Police, Fire and the Building Department where the permit is actually issued. We need Board approval for them to issue the permit.

On motion of Alderman Wihby, duly seconded by Alderman Shea, it was voted to approve this request.

**12. Resolution:**

"Amending the 1999 & 2000 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the 2000 CIP Project 610700, City Employee Mortgage Assistance Program-CEMAP."

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted that the Resolution pass and be Enrolled.

**13. Notice for reconsideration of motion relative to Appropriating Resolution:**

"Amending a Resolution 'Approving the Community Improvement Program for 2001, Raising and Appropriating Monies Therefor and Authorizing Implementation of Said Program' as Further Amended."

Deputy Clerk Johnson stated there was a memorandum forwarded to the Board regarding this item. Alderman Gatsas has provided notice for reconsideration and under the rules here any other member of the Board having voted in favor would be entitled to move for reconsideration of the vote. The reconsideration is on the motion to enroll the CIP Appropriating Resolution. Therefore, if there was a motion to move to reconsider and that motion passes, the motion on the floor at that time will be the enrollment.

Alderman Wihby moved for reconsideration. Alderman Hirschmann duly seconded the motion.

Alderman Vaillancourt stated the Mayor has a right to veto any motion. Does the Mayor have a right to veto a motion for reconsideration as well?

Mayor Baines answered yes.

Alderman Vaillancourt stated so it effectively takes a vote of 10 to pass this should it be vetoed.

Mayor Baines replied that is correct.

Alderman Wihby stated I had these numbers that were passed out today; the potential addition to the McLaughlin School. After we had the talk yesterday from a lot of people and talking about portables and spending \$500,000 on portables, it made sense to investigate if we had an addition put on like we did at Parkside and as you can see by the numbers if we opened up the CIP budget and added the bonded debt for \$133,000 into the CIP budget we could save \$500,000 on the School portion of the budget. One of the things is if we don't move to reconsider the CIP budget, my feeling is that we won't be able to do this or at least look at this and it makes sense to spend \$133,000 to get an addition there rather than portables and save \$350,000 this year. Can the Finance Deputy Director answer whether this can still be possible if the CIP is passed?

Mr. MacKenzie stated the Board may amend the CIP at any time during the year subject to availability of funding. The Board may, if it so chooses, bond during the middle of the year during the process. We do encourage the Board to follow certain guidelines. The Board has stuck with that. If there are ways to finance that \$133,000, it is possible for the Board to do.

Alderman Wihby asked is that a yes or a no. If we say that everything in CIP is important and we pass what is there today assuming that we are going to do all of those things, can we still do this? What happens? Do we just bond the \$133,000 or are you saying we have to use the funds that are in the CIP budget?

Mr. MacKenzie answered again the Board could add the \$2.1 million that was identified in that report to the bonding. The Mayor has followed an alternative outlined by the Bond Council and Finance Department, which identified \$40 million over a three year period. You have two options. You can dip into that \$40 million higher than the \$13 million in bond that you have already looked at, which means in the subsequent two years you may have to reduce the amount you will be bonding annually or if there is a way to find alternative financing for that \$133,000 per year and I think you have identified financing it through removing it from the operating budget out of this year but you still have to find a way to finance that over the 20 year period. The two options are adding it to the CIP and, therefore, you will have less money in Year 2 or Year 3 of that or find alternative money.

Alderman Wihby stated I still don't know if that answers my question. If, in fact, we pass the CIP budget today and we assume that everything we want in there is in there and we are going to spend it for those purposes, are you saying that we can next week or next month open it back up and add a bonded amount to it.

Mr. MacKenzie replied yes.

Alderman Wihby asked so we can open up the CIP budget at any time during the course of the year.

Mr. MacKenzie answered yes.

Alderman Shea stated I think that what Alderman Wihby was saying was very helpful. The only problem with that is the fact that during the course of this school year the children who were going to McLaughlin School would have to have their needs met so I am not sure whether that would be a solution but I wanted to address another concern. I did vote to reconsider the CIP budget at the last Board meeting and that was predicated upon my lack of information relating to the multi-year section of the Community Improvement Program, primarily the Strategic Planning Process. That is the Consolidated Plan for the City of Manchester and it is developed on priority needs, actions and strategies for the next five years. I realized that Bob MacKenzie and his department have draft forms that are being requested by the Chairman of the CIP Committee for our perusal and I think that members of the Board should realize that when we

adopt the CIP budget we not only adopt a budget for the current year but we also have as part of that a five-year strategic plan. We should be aware of when we are voting on the CIP because that is very instrumental in making sure that we understand what is going to be taking place over the next two, three or four years and I did attend one of the hearings...there have been five hearings conducted but one of the hearings was conducted in the Chambers here last Thursday afternoon and Mr. MacKenzie was there along with Jay and another member of his department and thanks to Artemis Paras who gave a very fine explanation, I think that it allowed me then to gain an insight into what is going to be planned and what obstacles your department faces. That is really why I wanted to reconsider and why I voted yes but I am not going to vote yes this evening.

Alderman Levasseur stated I agree with Alderman Wihby about opening the CIP budget because if we were going to change our minds...I got to see our first portable yesterday and it makes sense that if we had the opportunity to put an addition on now instead of putting these mobile homes in we should do that now and it would also, I think, affect the school's payments and what they would expect in their budget. If we were going to be able to save them \$460,000 for their first payment this year, we would be able to get that money out of them now and be able to cut that budget down and we would also be able to get that taken care of at this time. I also agree with Alderman Shea that if we were to do this we probably want to expedite it as quickly as possible. I think it would make sense that we should discuss this because if we have an opportunity to get an addition on instead of this ridiculous portables, this is the perfect opportunity to do so. Also, I think the School Department would want to know what we are going to do with those numbers. I don't think they want to wait and see what we are going to do in June or July if we are going to open up the CIP again.

Alderman Sysyn stated I didn't realize you could open the CIP budget at any time.

Mayor Baines asked Mr. MacKenzie to explain that further.

Mr. MacKenzie answered in essence, unlike the operating budget, which has certain Charter provisions that you do have to follow, the CIP budget is changed throughout the year. We get new grants in and there are changes that we have to do for various Federal programs so in effect you are not reopening the CIP budget, but you may amend the CIP budget at any time.

Alderman O'Neil stated my understanding was that McLaughlin needs the portables this coming fall. If I read this construction schedule here, the building wouldn't be done until the following fall. I commend my colleague and this may be the way we need to go in long-term planning, but I am not convinced that eight classrooms is enough as we saw with the Parkside addition, which for the first time in a long time we did right. This doesn't solve their needs this coming fall, but I commend them.

Alderman Thibault stated if already we have received one of these portable classrooms, I wonder if the School Department is already committed or they already paid.

Alderman Wihby replied no. They just leased for a year.

Mayor Baines stated I don't believe they have paid for anything yet.

Alderman Shea stated I agree with Alderman O'Neil that you can't take eighth graders or sixth graders coming in and I am not sure how many there are going to be, but you can't take whatever they plan on having and put them nowhere. You have to put them somewhere this year. I agree with Alderman Wihby that an addition is a necessity. However, you have to have someplace to put these children and if there is a need for eight portables or eight classrooms, you have to get them. You can't keep them at the elementary schools because they are overcrowded.

Mayor Baines stated just a point of clarification. I know the School District almost a year ago actually came forward with a proposal to build another middle school because the numbers are projecting down the line that there is going to be a need for an additional middle school so the School District may not prefer this method of adding on and that is another issue that would have to be discussed and deliberated just so people understand that. I think it was about a year ago because I remember being a bystander at the time and hearing that proposal for an additional middle school.

Alderman Shea stated just to comment on that, the more middle schools we build, the more expensive it is going to be.

Mayor Baines replied I am not saying that is the right thing to do. I am just saying that that is an issue that is out there because of increased enrollment.

Alderman Lopez asked, Mr. MacKenzie, could you clarify the 2001-2006 Master Plan that is on the CIP that has been an issue with telephone calls. The way I understand and correct me if I am wrong but that is not set in concrete. Anything can be changed in any given year. We have been changing things and amending the CIP budget right along. Am I correct?

Mr. MacKenzie answered yes, that is correct. That is really for planning purposes. Nowadays it takes so long to get projects going that you have to look five years down the line in order to make sure that you are planning that far ahead to get things done at all. It is not set in concrete. It is up to the Board. The Board reviews it every single year to see if it is still appropriate and I think this year we recognize that the strategic planning process that the Mayor wants to go through will feed into completing the five-year plan sometime later this year.

Alderman Wihby stated I want to thank Wayne for these numbers and taking the time to do it. The proposal was that we wouldn't just pass this today but we would send it to the School Department and let them decide if this was the way to go. It made some sense to do it and we heard from some administrators saying that they preferred this. We would have to rent additional portables for a year until the addition was done but we would still save a lot of money

by doing it. Just to verify what I heard, I heard that you can always amend CIP when Alderman O'Neil asked is that amending it by adding at any time money or just changing what is there?

Mr. MacKenzie replied given that it is bond money, which is different than the CIP Cash, you cannot do that with CIP Cash but you can add bond money provided that you do have a hearing as indicated by the City Solicitor. We do encourage you to follow the financial guidelines that have been set out by the Bond Council and that is something that we would have to look at more closely.

Alderman Vaillancourt stated as I understand the motion it is to reconsider and discussion should be limited to the motion on whether or not we need reconsideration. Perhaps all of this argument proves that we do need reconsideration because there seems to be several questions that need to be answered. I only want to speak to the motion, which is whether or not we need reconsideration. Two weeks ago when this came up I asked Alderman Wihby at the time if he had anything specific in mind because I think the CIP Committee did a relatively good if not exceptional job in preparing this and labored long and hard and I think in order for us to go forward and shoot them down and say we need it to be reconsidered we have to have specific things in mind and barring that I voted not to reconsider. Now if I thought there was a lot of money that could be saved the City maybe it is the thing we need reconsideration on. However, I will ask the same question tonight. Other than this McLaughlin Middle School have any other items come to mind that need reconsideration?

Alderman Wihby answered I can just speak for myself. I have concerns with spending \$4 million+ on the West Side for a library. I think that we are putting money there and not even taking care of the library that we have on this side of the river.

Alderman Vaillancourt replied I alluded to some things earlier tonight about monies that I think are being wasted on other projects so I would gladly vote to reconsider this if people would also vote to reconsider the \$50 million for the civic center at the same time.

Mayor Baines asked so that is a condition.

Alderman Vaillancourt answered that is a condition, your Honor.

Alderman Gatsas stated I am sure that whoever has turned off their TV or tuned into the Millionaire show is a taxpayer and the taxpayers that are watching are certainly looking at the 15 people sitting in front of them to come back with a tax rate that is sound, prudent and livable. We received on March 7 a CIP budget from a newly elected Mayor who worked very hard and very diligently to put it together. He did that in roughly 62 days. I will give him 67 days from the printing time. There were four new Aldermen that were elected that didn't have any idea of process of what should be in the CIP budget, when you could act on it, when you could remove something or when you could add something. This CIP budget that was presented to the Mayor hasn't had one hair separated. It is intact as it came to this full Board. There are things that are

on there like bond resurfacing...I asked the question last week, it is a \$550,000 item that could be moved to bonding instead of cash. That is a 14-cent difference on the tax rate. Again, the CIP budget has nothing to do with not being opened up and looked at so that every citizen in this City has an opportunity at the best value that we can deliver to them. There is no rush. We have expedited the items that we needed to expedite. Everything else in here should be on the table for discussion and if that means taking something away from something else that may be near and dear to somebody's heart, whether it is the east side of the river or the west side of the river, as I look at it this City is one entire City. It has nothing to do with East Side or West Side and no Aldermen should be elected or re-elected because of what they delivered to a ward. In turn, your Honor, I would say that this CIP budget is...everybody is saying that we did a lot to it but all we did was take the Police Station and amend and cannibalize that to whatever we wanted to do. When Mr. MacKenzie says we can amend, I see the amending as taking money from projects that some Board or another Board doesn't see fit in completing and cannibalizing it to what fits their needs. I think we owe the citizens of this City the opportunity and the right to look at every single item in the CIP budget. It doesn't need to be passed any sooner than the entire operating budget so why are we rushing this.

Alderman O'Neil moved the question. Alderman Shea duly seconded the motion. Mayor Baines called for a vote on the motion. The motion carried with Alderman Vaillancourt being duly recorded in opposition.

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

Alderman Wihby moved to refer the communication to the School Department for their review and consideration. Alderman O'Neil duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

14. Notice for reconsideration of motion relative to a 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.

Alderman Vaillancourt stated I think I have made my point that this Board is willing to spend State money but not try to help raise State money so I withdraw my request for reconsideration.

Deputy Clerk Johnson stated there is no need to take any further action.

#### **TABLED ITEM**

15. Communication from Manchester Water Works advising that the Board of Water Commissioners has considered the request regarding elderly exemptions and has tabled the matter pending further information.  
(Tabled 4/4/00)

Alderman Pariseau moved to remove the item from the table. Alderman Thibault duly seconded the motion.

Alderman Pariseau stated I am removing it from the table because of the response we got from the Water Works stating that they can't change their 2000 budget now because it is on a calendar year basis and also that what they have proposed to do instead of the little bit of refund is to take care of those people within the City limits that don't have City water.

Mayor Baines called for a vote on the motion to remove this item from the table. There being none opposed, the motion carried.

On motion of Alderman Pariseau, duly seconded by Alderman Thibault, it was voted to receive and file this item.

Alderman Gatsas stated I would like to know first who made the suggestion that we are going to hook up. I didn't remember making that communication at all to Water Works about free hook-ups for anybody out of town or in town. I think that it is certainly a play on words when the Manchester Water Works says that they don't have the ability to open up the budget. I am not looking for them to open up the budget because the cash flow that they will have within the course of this year will certainly suffice any senior citizen discount that they would elect and I noticed that they talked about a 10% senior discount and that is not something that I was talking about. Looking to get the seniors \$16, I think, would be ludicrous on my part to even ask the question. I think that they should be a little bit more empathetic and community minded about giving senior citizens discounts and if it is 50% then they should look at it and I think that this Board at some point if we are building senior centers and we are looking to put that money forward, then we should start talking about where we can reduce costs for seniors. Let's not just take this and say the Board says they can't. Remember that I was a Commissioner there and I will tell you that there will be a profit again at the end of this year and I am not talking about opening their budget. I am talking about running on existing. For them to say that they don't have the ability it is going to take them six to eight months to give you an answer so maybe they should come here and tell the people when the Millionaire show isn't on why they don't think they can do it. Maybe we should request that they come to this Board just like we do everyone else and tell them why.

Alderman Hirschmann stated I fully agree with Alderman Gatsas. Something in the area of a 50% water reduction...they gave us a chart showing what the water costs for a senior would be on the average and they can afford to absorb 50% for someone that is over 65 and, your Honor, I would advise you or I would ask you to support us in this because you are a voting member of the Water Works Authority and on behalf of the elderly in the City I want to see them get water reduction rates. The sewer charges in this City are awful. The water rates are stable, but if you add the two together...a woman came up to me this week and you know what she told me, she said Alderman Hirschmann you are voting on a senior center. If you don't fight for holding the line on water bills and tax bills, you might as well build a Bed & Breakfast because the elderly

won't be able to afford their homes anymore. So, this is pretty serious. We are asking the Water Works to help us for the citizens of Manchester.

Alderman Wihby asked can't we just have them attend our next meeting in two weeks. What is wrong with keeping this on the table and having this come up in two weeks?

Mayor Baines stated even if this were received and file, you could bring it up as an issue. It will just disappear from our agenda is what would happen. That is about it. Whatever you want to do.

Alderman Pariseau stated I just want to clarify a comment that Alderman Hirschmann made that because the Water Works could issue a discount for senior citizens that wouldn't affect the Environmental Protection bill.

Alderman Hirschmann replied that should be discounted to.

Alderman Gatsas stated that might be the next issue we are looking at.

Alderman Pariseau stated I don't anticipate running for State Senator or State Representative and I think that is the purpose of these things coming up.

Alderman Gatsas replied I think I made that perfectly clear long before you might assume that I am doing something. Wasn't this item tabled since sometime in March? That motion was made a long time ago and it was made five years ago when I was a Water Commissioner. I was looking for water reduction rates for everybody in the City.

Alderman Shea stated I am kind of baffled. How much are we talking about in terms of saving a senior citizen?

Mayor Baines replied the only thing we are talking about right now is receiving and filing.

Alderman Shea responded my father used to say it is the principle of the thing. Are we talking about a reduction...like the average amount here is \$107.51 and I am not sure if we are talking about that? Could you explain that?

Mayor Baines replied I would like to suggest since they are coming to the meeting that we could have this discussion with them here and get all of the issues on the table and have an open discussion. Alderman Hirschmann's comments are right on. That particular fee is tremendous and it is increasing rapidly and I do hear a lot about that in my own household.

Alderman Lopez stated I think that Alderman Gatsas is absolutely correct. I think he has the expertise in this particular area, having been a Commissioner. I think there is something here and I think that we have to get straight answers even though they are their own authority I think

that the City of Manchester Water Works owes a lot of explanations to a lot of things. I think it should be put back on the table and we can get the people here.

Alderman Pariseau withdrew his motion to receive and file. Alderman Thibault withdrew his second.

On motion of Alderman Wihby, duly seconded by Alderman Gatsas, it was voted to retable this item.

Alderman Vaillancourt asked is there any special Committee this should go to since we are following the Committee structure.

Alderman Gatsas stated I would love to see it come to the Committee on Administration.

## **16. NEW BUSINESS**

Alderman Hirschmann stated I have a communication from an Attorney Ross who is representing the Intervale Country Club Golf Course. They are asking the Aldermen to send a communication to Senator Bob Smith to prevent erosion of the golf course. They need \$300,000 of river stabilization at the banks. They are losing half of their golf course. If we could just send a communication that we support this.

Mayor Baines replied I have also asked David to be in touch with Senator Smith's Office.

On motion of Alderman Hirschmann, duly seconded by Alderman Cashin, it was voted to send a letter to Senator Bob Smith from the Board of Mayor and Aldermen stating support for Federal funds to be given to the Intervale Country Club.

Alderman Vaillancourt asked could we all have a copy of that letter.

Mayor Baines answered yes.

Alderman Pinard stated just to remind the Board, on Thursday night we are having a meeting on the pig farm on Bodwell Road. I am standing right behind the farmer because he has been there for years and years and I am inviting everybody to stand up behind Earl. I think we are going to have some good news from the Federal government regarding helping him. Also, the builder is going to be there to explain his side of the story. I invite the Board if you can make it. I know that somebody called a Finance meeting but I will be there.

Mayor Baines stated I want to commend Alderman Pinard for organizing that neighborhood meeting. That was probably one of the most successful meetings that I have seen around a controversial issue. There was great respect shown by that farmer and mutual respect with the

neighbors who are looking to work together on a solution. That was a good meeting on a very interesting subject.

Alderman Pinard stated also they point fingers and it is very easy to point fingers to the past but the developer has agreed to come Thursday night and say his side. I know we are talking about the development of homes in Manchester but the growth should have probably stopped a long time ago. It is now going to continue until somebody pulls the curtain down.

Alderman Levasseur stated I have two short communications. First of all, Mr. Kassel of whatever committee he is on this year came in to say that I made a statement that the two best reasons for being a teacher in the City of Manchester are July and August. Those were the old reasons for being a teacher. My point was to say that I believe our teachers are being paid very well and I thought that the numbers bore that out. Maybe not for entry-level, but for a good majority of the teachers that we have and I am proud of the fact that our teachers are being paid well and that was borne out last night by a woman who came to the meeting and said I will not apologize for getting paid well. My whole point in saying that was not to be derogatory to the teachers. I hope that all of the people who work for the City are paid as well as we can afford to pay them and I do think that they are being paid well. Number two, I had a lot of phone calls concerning the budget in the last week or so and one woman called me at my home Sunday evening at 7 PM and told me that she was very upset about the budget and the tax increases, etc. She also told me that she tried to call your house, your Honor, and she saw our phone numbers and the School Board numbers all rolling along on Channel 9 and Channel 16 daily, weekly and monthly but your number is not on there.

Mayor Baines stated I am in the process of dealing with that. There is a new phone book that is coming out but that is a personal issue. I will take care of my communications with the public.

Alderman Levasseur replied it is a communication issue, your Honor, that I feel I should bring to the attention of the full Board.

Mayor Baines stated you need to know that I spend about 16 to 17 hours in my office. I receive phone calls. I am out in the community. I am at the mall. I am on Elm Street. I will take care of my communication with my public and you take care of yours.

Alderman Levasseur stated that wasn't meant to be a derogatory statement at all. I didn't mean anything by it except that a public official...all of the School Board members and...

Mayor Baines interjected excuse me. I have an office here at City Hall.

Alderman Levasseur stated, your Honor, I resent the way you are taking this.

Mayor Baines replied I resent the fact that you are bringing up that issue.

Alderman Levasseur stated Mayor Wieczorek had his number listed and even when he was retired his number still is listed. I am not trying to be derogatory. We are public officials. My home number is public and so isn't everybody else's.

Mayor Baines replied I have an office at City Hall.

Alderman Levasseur responded and so don't we all.

Mayor Baines stated thank you very much but I will take care of my communications with the public.

Alderman Levasseur replied I am sorry that you took it the way you took it. I apologize if you are going to take it that way.

Alderman O'Neil stated the Clerk passed out earlier two communications from me. The first one was a response from me with regards to reading some minutes of the Manchester Development Corporation Board of Directors and I don't need to go into that one tonight, but the second one I really do think at some point we have to take a look at growth and its impact. The section of the City that I come from, Alderman Pinard is my Alderman and I keep hearing more and more about development. 95 houses here and 85 houses there. As the letter indicates, we have to build a new fire station out there and next year we are going to have to hire probably 16 additional firefighters, and buy a piece of fire apparatus. I just think we need to have some time soon a serious discussion about growth in this City. I know, for instance, in Bedford they have said to developers you can only build five homes a year. In some of our developments, they build 95 homes a year and it is impacting us and I hope that once we finish up the budget process we can have a serious discussion about the future of the City. Thank you.

Alderman Lopez stated I totally agree with Alderman O'Neil. That is one of the subjects that I wanted to bring up. I would even go farther that the Planning Board, Building Department and Assessor's Office should give to this Board a briefing on the situation and make recommendations on how we can solve the ever growing problem and report back to this Board within 60 days with some recommendation because I understand under State law there is a growth management procedure on this. It affects our Police and Fire and everything so I wish that the Mayor would take that into consideration and maybe this Board...I will even put that in the form of a motion that they report back to this Board within 60 days on the situation of the growth of housing in the City of Manchester because it is very important that we know and not wait until next year to find out it is a problem.

Mayor Baines stated I like the concept of a special committee and at some point we may want to ask the Chair to consider a special committee around that issue of growth.

Alderman Lopez stated I have two more things. On another subject that is very important and maybe this is something that the Chairman of Lands & Buildings should look at but I feel the

time has come to ask the Neighborhood Housing Director, Felix Torres, and I mean no disrespect because I think he has done a great job in the City, to brief this Board on a direction that he is going in. I know that he is doing a great job for the inner City, but I am looking at the things that are going on. For example, the project on Pine Street. He is to be commended for cleaning up the neighborhood, but at the same time there were 32 apartments in that building and they are only building eight houses. Where do these people go? Why can't some of these people get housing? I think that is another area that needs to be looked at to see if we are overburdening our City. We have to know exactly where he is going. The last subject I have which I think is very important is the bills that are happening up at the State level that come before us. I think it is very important that there are some bills that we should act on and maybe sanction or whatever the case may be but I think there has to be some type of process where your staff and the entire City looks at this to see what the impact is and if this is something that your Administrative Assistant and yourself and your staff could make a recommendation to this Board. There has to be some other procedure other than just receiving it. We have no direction.

Mayor Baines asked receiving what, Alderman.

Alderman Lopez stated I am saying anything that is coming down from the State to the Board of Aldermen. Any Alderman has a right to bring it before us but I think it should be referred to your staff so that the City can look at it and see what kind of impact it has. We could be voting on something we don't really know.

Alderman Vaillancourt stated as the Chairman of the Manchester Legislative Delegation, which numbers 36, I will continue to pass out any material that I deem relevant to the Mayor and Aldermen and I will not have to go through the staff to do that. When I tried to go through the staff before, it didn't even get to the people. I did want to say one thing, your Honor, regarding one item and I have to apologize in advance because while I was jumping through hoops and shining my flashlight trying to get to relevant things I missed something tonight. I meant to pull off item AE from the consent calendar because I certainly do object to Ciment Quebec putting those two towers down by the Riverwalk. We are spending millions and millions of dollars to build a Riverwalk and I think it is the ultimate hypocrisy that the Planning Board has gone ahead and done this. I agree with David Boutin and the three Planning Board members who did disagree with that and I had intended to pull AE off to express the objection of at least one Aldermen to those monstrosities down there by the Riverwalk; those cement towers. When I go to Montreal, I ride my bike along the Lachene Canal, one of the ugliest spots is where two cement towers are located. I certainly do object to AE and I apologize for not having pulled it properly.

Mayor Baines asked did you appear before the Planning Board or send them a communication regarding your opinion.

Alderman Vaillancourt answered I think I spoke with you about it.

Mayor Baines asked in terms of getting information to the Planning Board.

Alderman Vaillancourt answered as you have made quite clear, the Board does not vote on this. It was on the agenda tonight and I don't think we have a vote, but I do have a voice to express my objection, which I will continue to do.

Alderman Hirschmann stated while I was shining my flashlight on the Manchester Transit Authority's monthly minutes, one thing that was glaring on Page 2 was the fact that they buy fuel in bulk. They paid \$.48 cents a gallon last year and this year they are going to have to pay \$.83 cents a gallon. What I would like to do is refer this to our budget deliberations because I am very afraid of cutting the Police line items over 30% and then having our gas chargeback from MTA for the Police absorbing a lot of their budget. We really have to take a hard look at this and review the Police budget, your Honor.

Alderman Cashin moved that no new business come before the Board without the unanimous consent of the Board members present. Alderman Pariseau duly seconded the motion.

Mayor Baines asked could you clarify what items you are talking about.

Alderman Hirschmann stated he is trying to censor us.

Alderman Cashin replied I am not trying to censor anyway. Everyone has a right to speak but this is getting ridiculous. All I am saying is that it should be on the agenda and a lot of this stuff could have been on the agenda. There is no reason why it has to come on here tonight. All I am saying is that if this Board wants to accept anything new then it has to be by unanimous consent. If we don't get unanimous consent, then it would go on the next agenda.

Mayor Baines stated if somebody wanted to say something they would need unanimous consent to say it.

Alderman Cashin replied I would suggest that we try that for a while until we get some kind of order around here.

Alderman Wihby stated I guess we are trying to censor. I guess if someone has something to say we are going to tell them don't say it...put it in writing and send it to the next meeting.

Alderman Cashin replied that is not what I am saying at all. I am saying that a lot of stuff coming in lately...

Alderman Wihby interjected like what today.

Alderman Pariseau stated Alderman Lopez's stuff.

Alderman Cashin replied not only that.

Alderman Vaillancourt stated my stuff came in writing.

Alderman Cashin replied but it could have been on the agenda.

Alderman O'Neil stated my two items for instance.

Alderman Cashin replied yes. Those could have been on the agenda.

Mayor Baines called for a vote on the motion. Alderman Wihby requested a roll call vote.

Alderman Wihby stated you have to remember that when we meet once a month we are talking about delaying a whole month before something can come up and someone might have a good idea that somebody wants to jump into right away.

Alderman Cashin replied I am not so naïve as to think I am going to stop all new business from coming in.

Alderman Wihby responded somebody might. Just one person saying no is going to stop it.

Alderman Cashin stated I would like to give this a chance to let people know that there is a process to go through and let's use the process.

Alderman Wihby stated so if the majority of the people want someone to speak and one person says no, it is a no. That is not right.

Alderman Cashin replied it goes on the agenda for the next meeting.

Alderman Levasseur stated we have really done a good job. We are down to 9 PM tonight. I think we are doing a lot better, Alderman Cashin and maybe you are losing your patience with some of the new guys but sometimes we need to get in here and talk about some of these things. As a new person on the Board, I am still learning the process.

Alderman Vaillancourt stated I certainly agree with the spirit of the motion that things should be brought in in advance. That is why everything I send I send out typed and in advance so everybody will have a chance to deliberate but I cannot ever agree with a motion to cut off free speech. I value it far too much so I will vote no on this.

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

Alderman O'Neil stated I think Alderman Cashin's point is well taken and I apologize because very easily these two items could have been presented and come with the Courier this afternoon. The intent here is if you can get things out earlier it would make life a little easier for us.

Alderman Sysyn stated I talked before about the Zoning Ordinance changes that we did at the Planning Board last year. Are they coming up soon for the full Board?

Mr. MacKenzie replied there is a tentative workshop scheduled on zoning on May 17 and that will, I think, also begin to address some of the issues of growth that have been of concern to the Board.

Alderman Gatsas asked when are we going to start the budget process again and meet with department heads.

Alderman Cashin answered Thursday night.

Alderman Gatsas asked besides Thursday. Is there a schedule?

Mayor Baines answered May 15.

Alderman Gatsas asked is there any reason we are postponing these and putting them off for so long. We are going to come to the second week of June and I am going to be sitting here giving the same speech that I just gave this evening because we didn't have an opportunity to look at the budget.

Mayor Baines stated Alderman Cashin and I can get together tomorrow to set-up a meeting schedule.

Alderman Cashin stated I am not postponing anything, Alderman.

Mayor Baines asked what is the schedule going forward.

Mr. Robinson answered it is a make-up of the departments that didn't get to make a presentation a few Saturdays ago.

Alderman Cashin asked do you want to do it faster.

Alderman Gatsas answered I think we have a commitment here to sit down and whether it is every night to do this, I think we need to get it done. If it is more than once, I am sure there are questions that we need to ask of these people coming back in again. You have been here for 30 years and I certainly don't want to tell you how to run your business.

Alderman Cashin stated I called a Saturday meeting and I got flack for that and now you want to meet every night. That is fine with me.

Mayor Baines stated I will talk with Alderman Cashin tomorrow to work out a revised schedule.

Alderman Clancy stated we received two handouts tonight and they are both from parents at Central Little League and they are quite concerned about the injuries down there from the playground.

Mayor Baines replied we have a response to that. I called both of the parents and I had David follow-up on it with Ron Ludwig.

Mr. Scannell stated I spoke with Mr. Ludwig today who indicated that they would take care of it.

Alderman Clancy thanked the Mayor for the update.

Communication from Thomas Giovagnoli requesting a leave of absence.

Alderman Lopez moved to refer the communication to the Committee on Human Resources/Insurance. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Alderman Shea asked if there was a meeting on Thursday. The meeting date was confirmed.

Mayor Baines advised they had a joint meeting of both Boards [School Committee and BMA] scheduled in a week, noting the importance of discussing the school budget with both boards, as a follow up to the public hearing and the school district presentation.

Alderman Hirschmann commented on the budget deliberations, noting Alderman Cashin was appointed as Chairman, but we sit for seven hours and weren't allowed to make a motion, are we going to be allowed to make a motion and deliberate these things. Why sit for seven hours for discussion, we want to move the budget process along. I think there are some ideas at hand while we are in the room, and they are lost, and I think anyone that wants to make a motion and if it could pass that that's the way it should work.

Alderman Pinard noted he was asked about the shortage of apartments, noting looking around at MHA there have been some buildings vacant for a couple of years or longer and would like someone to look into what's happening with these low cost units.

Mayor Baines advised that he was holding a meeting on Thursday of key players on the housing issue in Manchester to talk about the availability of affordable housing in the community, what

the issues are, what the problems are, what the challenges are, and what the opportunities are, so we will bring that into that forum for discussion.

Alderman Pinard thanked the mayor noting that people go by Hayward and Maple and the building has been vacant for what seems like years, commenting on job site problems reported and noting it was still taxpayers dollars federal or city.

Alderman Wihby asked when they were expected to approve the school budget separate from the operating budget, or if they are not going to approve the school budget do they send a motion that they would not approve it.

Mayor Baines noted that his understanding in conversations with the City Solicitor was that it would be done as in the past, whatever the Board approves by resolution, amended or as is, would stand, and if nothing passed the Mayor's budget would stand under the charter provisions. No separate actions on the 112 million figure would be required. Mayor Baines noted that he could again review it with the City Solicitor's office, but the school district can present their budget, but the charter provisions of the Mayor's budget or budget adoption provisions by the Board would prevail.

Alderman Vaillancourt stated regarding the Voices and Choices Task Force communication from Mary Mongan, I worked hard to pick the two best people that I thought from my ward, and I'm not going to mention the ward but I noticed one ward had five people, I thought we were suppose to each submit two people.

Mayor Baines stated that was his understanding, and he would clarify it with Ms. Mongan and Dr. Dupuis, it was suppose to be two from each ward.

Alderman Pariseau moved to adjourn. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

A True Record. Attest.

City Clerk