

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(PUBLIC PARTICIPATION)**

August 7, 2000

7:00 PM

Mayor Baines called the meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by Alderman Vaillancourt.

A moment of silent prayer was observed.

The Clerk called the roll.

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

Absent: Aldermen Wihby and Thibault

Mayor Baines advised that the purpose of the special meeting is to give residents of Manchester the opportunity to address the Board on items of concern affecting the community; that each person will be given only one opportunity to speak; that comments shall be limited to two minutes to allow all participants the opportunity to speak and any comments must be directed to the Chair.

Mayor Baines requested that any resident wishing to speak come forward to the nearest microphone, clearly state their name and address when recognized, and give their comments.

Barbara Hagan, 154 Winter Street, Manchester, NH stated:

buy bottled water. Well, with a family of nine, bottled water for a week is going to add an additional \$30 a week at least to my grocery bill. I think that is a very uncaring position for a public official to take with respect to families and children and I would like to ask you as servants and as people who are charged with doing what is good for the public to please look into this and please ask for the studies before we allow Manchester Water Works to put this highly toxic material into our drinking water and I thank you for the opportunity to speak this evening.

Claire Roy, 26 Belmont Street, Manchester, NH stated:

I am here this evening to speak about the building of a new senior center for our seniors. Over the years, the City of Manchester has built athletic fields, swimming pools, hockey arenas and a ski are for the enjoyment of the populace of this City. The City more recently has built new football fields, new baseball fields, new tennis courts, new soccer fields and tracks for the youths of the younger generation and the youths of Manchester. Our seniors have toiled through the depression era and over many years in the mills, shoe shops and many other trades. Even today, many work part-time in grocery stores and department stores and are still paying taxes. Many seniors volunteer every week in many capacities when called upon and not only at City Hall. What the seniors ask of your members is to have a new senior center building built for their enjoyment during these so-called golden years. A home away from home to socialize and to live life to the fullest. We do not believe that it is too much to ask. One step further, the seniors do not want an existing building and they do not want to share this building with any other agency. They have paid their dues to this City and it is time that the City recognize their contribution and reward them in their later years and build a new senior center to serve them. Thank you.

Lucille Bayka, 625 Chestnut Street, Manchester, NH stated:

I am here this evening to speak about the future senior center. Many, many months have gone into the planning of this edifice. Written surveys have been done, senior facilities have been interviewed, and AARP groups have been visited just to name a few. The consensus of opinion is that we erect a new freestanding building apart from all and any

the-art showplace that will be a credit to our community and a thing of beauty for the City of Manchester. Let's stop dragging our feet and move on. Thank you.

Irene Robie, 1046 Hayward Street, Manchester, NH stated:

I am here only to support the other two speakers tonight. In 1999, when I first spoke to the Mayor and Board of Aldermen I mentioned that the seniors were extremely unhappy with what they had for centers and at that time I told them that I thought we should have a self standing center that would be used by the seniors and only by the seniors. Even at that time we said we do not want an existing building. We do not want to share a building with any other agencies. We have had bad luck with the centers that we have been stuffed into and had no opportunity to grow. You must remember that this generation is on its way out and for every one of us that passes away there are several baby boomers who are becoming seniors so we have to have a large piece of land. We have to have a large building so that can grow along with the growth of the population. I repeat, please stop wasting time bringing forth buildings to see if we want it. We do not want it. We have done our job with the steering committee that the Mayor appointed and we have handed the rest of it over to the Aldermen. All they have to do is chose a site and then we can get going. Thank you very much.

Lucille Stevens, 100 Woodcrest Court, Manchester, NH stated:

I am here tonight representing the Concerned Taxpayers of Manchester. At a recent meeting, the members voted unanimously to do what was necessary to eliminate the At-Large seats on the Board of Aldermen and School Board. When the referendum first appeared on the ballot, members of the Concerned Taxpayers put up signs in opposition to the At-Large seats. Working with very little money, we made the signs ourselves. We were opposed by a well-financed group that covered the City with signs in favor of the At-Large posts. The referendum passed but many people voiced their opinion that the referendum was very clearly worded so that if you voted yes it meant no and vice versa. We believe that the At-Large posts are just another waste of taxpayer money. With an Alderman representing each ward, constituents can contact their own Alderman. How many people actually contact the At-Large Aldermen other than their personal friends?

\$1 million for contamination removal. I also mentioned that I think the people representing the taxpayers of Manchester from our City Solicitor's Office and our Finance Officer are not representing the people of Manchester properly. It was proven by Alderman Vaillancourt and then when he asked Alderman Pariseau if the contract they signed read November of 2001, the answer was no. They signed a contract after giving the \$300,000 bonus to the construction company that they signed a contract for year 2002 in January. I also, not knowing everything, mentioned the fact that it is about time the taxpayers from Manchester were given a break and I think tonight, if possible, I don't know if it is on your agenda or could be put on your agenda, but I think the Mayor and Board of Aldermen should possibly finally hold public hearings on this civic center issue. It is money galore. I heard after that the Civic Center Committee has the checkbook. As well as you people have given them the checkbook, you should have taken it back by now. You are running a big corporation here and it is all taxpayers money and it is about time we find out who is getting these lucrative contracts as far as insurance and what the Civic Center Committee has paid to buy out the leases of Staples and the automotive company. I think it behooves you gentlemen and ladies tonight to finally, before the month ends, to hold a public hearing and get all of the City employees involved and the Civic Center Committee and let's get everything out in the open. Even The Union Leader is begging the question. Thank you.

Murray Onigman, 324 Walnut Street, Manchester, NH stated:

I did not speak at the last meeting, but something did come up. There is another paper besides The Union Leader. It is called The Boston Herald. This is dated four days ago, "Toxic Waste Endangers New Fenway Ballpark". A toxic load of cancer causing agents is lurking below ground on part of the site where the Red Sox hope to build a new ballpark. That could prove troublesome to the team, which was denied a State financed environmental contingency fund as part of a \$313 million government subsidy bill approved by the Legislature last week. Records show high concentrations of dangerous benzylphirine and a half dozen other hazardous compounds detected last year following an underground fuel oil spill at 1265 Boylston Street. It is right near the ballpark. Now as you got into the story, they talk about...the soil tests performed last year at that

Leona Dykstra, 21 Tennyson Drive, Manchester, NH stated:

Before I start, I see that our City Solicitor isn't here so hopefully he is out looking up the meaning of conflict of interest. I certainly hope so. I believe there will be a vote for reconsideration on the Charter amendment to send the Aldermen At-Large positions to a public hearing. I am in support of a public hearing. I think it is important. The Mayor, your Honor, vetoed the right of our citizens to have a public hearing. The two At-Large Aldermen were allowed to vote. Under our Charter and you were a Charter Commissioner, and our Ordinance that I had drafted in 1988, which certainly still is in force, they certainly were in conflict. The Mayor certainly has the right to veto, but he does not have the right to allow our laws to be broken. The Assistant City Solicitor ruled that there was no conflict. He was wrong. Only the Mayor can make it right. Article I (g) under Law Enforcement Authority of our Charter says, "The Mayor shall enforce or direct other officials to enforce ordinances of the City, the Charter and all general laws and special acts applicable to the City." Under Article 9 and this is something that Lucille Stevens had mentioned, under Standards of Conduct it says, "No city official shall participate in the decision-making process of any matter in which the official has a direct personal or financial interest." It goes on further to say that "The Board of Mayor and Aldermen shall make a determination." Never mind the City Solicitor, the Aldermen can make that determination if a conflict exists. "The official shall not participate further once that conflict is decided." Under the Ordinance that I drafted and I have a copy of it and it is in your book of ordinances, it mandates that the Board shall vote so any member of this Board can just ask for a vote. You don't need a second and a vote shall be taken. I exercised that vote years ago when Alderman Doman wanted to vote on his own pay raise and the City Solicitor ruled that we had to vote. At that time, he recused himself which was the right thing to do. I ask that a vote be taken tonight. I know some of you are friends, but your duty as an Alderman must come first. I hope that the At-Large Aldermen would recuse themselves from voting. If they don't, they will set a terrible precedent for future conflicts. If there are not enough votes to override your veto, your Honor, you win and the people lose.

Jackie Domaingue, 102 Donahue Drive, Manchester, NH stated:

the Mayor, but the City Solicitor's Assistant has said no conflict. What are you doing asking him? He works for you. Better you should get an independent appraisal of the situation or better still read your own Charter as has already been cited and I will not repeat it. Now the new Charter also gave the people recourse when a conflict of interest arises and that is called a Conduct Board. I know that because I am a member. Interestingly enough, the Conduct Board has never been called to meet. They are supposed to have an organizational meeting and it was supposed to occur early in the year 2000. It was supposed to have been organized by the City Solicitor's Office. We haven't had one and I am wondering whether the people are aware that any issue of conflict of interest, from my understanding, must first pass before the Board of Aldermen before it can be sent on to the Conduct Board. That is a little like the foxes having had a chicken dinner in the hen house so I submit to you that there could be several areas that even after a couple of years might need review. Any time an elected official deliberately chooses not to allow the public to speak, no matter the issue, any time that elected official feels he or she knows what the voters are thinking and doesn't need their input, that elected official should be replaced and since there is a majority of men on the Board perhaps we need to consider replacing it with a majority of woman. As for your two-minute rule, I am very curious as to why this Board goes on until midnight sometimes but only allows the public two minutes.

Chris Dodd, 113 North Eastgate Way, Manchester, NH stated:

I have a few things to mention tonight. We have heard the civic center mentioned a few times tonight. I am not going to discuss the vote. I think that most of you know how I felt last fall on the vote but there are a few things that popped up over the past couple of months and I am wondering why the question wasn't asked at the time. Looking at an article from back on January 20 and I will quote Howard Baldwin as saying, "As soon as someone tells me it, meaning the deal is done, let's go, we are digging a hole in the ground, we are there and then we will see some fun with this thing." Not four months later in a press release from the Los Angeles Kings, it said they have reached an agreement to purchase controlling interest from Howard Baldwin in the new Manchester.

that proceed. For putting no money up and reaping a profit, that makes good sense for them but bad sense for the taxpayers. Another situation is I noticed the Manchester website is being updated and I have asked the Mayor and the Board of Aldermen if there is not funding available if we could prepare or have some volunteers come forward to update the website so that the citizens of Manchester can see exactly what you as a Board of Mayor and Aldermen are doing. I hear a lot of questions out there as to what exactly does this Board do and what is the purpose of the Board of Mayor and Aldermen and what is the City Charter. We have heard it mentioned a lot tonight, but it takes a lot to do to get that information out there. I am asking if before any important decisions are made that information can be put out there whether it be the At-Large membership or fluoride in the water. The City Charter can be put on line so that people can see exactly what the role of the Board of Mayor and Aldermen as well as the different Boards that are out there is.

Alice McDonough Wallace, Manchester, NH stated:

I am here to briefly speak about the senior center. Somebody asked me last night if I was for the old Sears building. I was originally and I thought it was going to be a god idea but when I went down and saw it because my ophthalmologist is there and I have been all through it and I don't think it is going to be what the seniors want. There isn't enough room and there certainly isn't enough parking space. I have been to Derryfield Park and I know that you people are probably against that because you don't want to cut the trees down or something, but it is great up there. I have walked around and rode around. There is a beautiful view of the mountains and I think that would be ideal if we could have that.

Billy Dodd, 181 Mammoth Road, Manchester, NH stated:

Tonight's topic is Yankee Ingenuity. I grew up down south and it is ironic but my mother's maiden name is Yankee. She is a pretty smart lady but I kind of wonder if the spirit of Yankee ingenuity is alive in these chambers. Manchester Water Works. They want to shut down the Deer Neck boat ramp next year because of a possible spill from an oil tanker. That is the only place that people can go with their kids

Everywhere in the Memorandum of Understanding where you see Ogden's name for the civic center it says "or designee". That should have put off a red light in somebody's head that they were going to sell this thing. How come we didn't have something in the contracts that we would get a percentage of that? Same thing with Mr. Baldwin. The owners of the Staples site walked away from a contaminated piece of property and we got stuck with the \$1 million cleaning bill. Do some thinking before you guys vote on things. On the senior center, the one place I hope you don't put it is down in the rail yard or anywhere near Singer Park. That is the last rail yard that we have for industrial development. If you put the senior center down there it is going to create conflict. I can tell you the one thing you better do and there are plenty of seniors sitting here. You better have the doors swing open on a senior center somewhere before the civic center because if any of you guys are thinking about reelection, they are a pretty tight knit group and they have a lot of friends and they vote. One last thing I would like and I will address you, Sir, if you could talk to this Board as a courtesy when you have the pledge of allegiance to the flag I hope you would stress to the Board members that out of respect they face the flag and not look around the room and say the pledge of allegiance with some meaning. It is a little disheartening to see people looking around and not paying attention.

There being no one else present wishing to speak, on motion of Alderman Pinard, duly seconded by Alderman Clancy, it was voted to take all comments under advisement and further to receive and file any written documentation presented.

On motion of Alderman Pinard, duly seconded by Alderman Clancy, it was voted to adjourn.

A True Record. Attest.

City Clerk