

BOARD OF MAYOR AND ALDERMEN

October 17, 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, and Hirschmann

3. Presentation of the "Spirit of Manchester" Award.

Mayor Baines requested Jane Beaulieu to join him at the podium. First of all, with Jane coming up here, Jane has received this "Spirit of Manchester" Award on occasion. As you know, she's out there working very hard to keep our community beautiful and the flowers as we go by them throughout the City it's because of the hard work that Jane has put into this and plus the many volunteers that we are going to honor this evening. The "Spirit of Manchester" Awards for October are awarded to the following volunteers who take pride in their city for their outstanding work in maintaining the flower barrels around the City of Manchester. the Adopt-a-Barrel project is a "for Manchester" Beautification program. this program is in it's third year thanks to the many contributors throughout the City and all barrels are planted and maintained by volunteers. Over 500 volunteer hours were given up to bring color to the streets and smiles to the residents, workers and visits of the city. One volunteer, Jessica Richards, with the help of her husband Brian, cared for all the Canal Street flowers...watering, pruning and fertilizing. Alix Robitaille and friends cared for 16 barrels on Market Street - what a display of color all summer long. Janet Desmarais from the Manchester Flower Studio maintained the barrels at the intersection of South Willow and Cilley Road. She parked the car at the intersection with her flashing lights on, jumped out of the car, emptied 9 gallon jugs of water all in a quick minute. I thank the city drivers for being patient with us while we help make Manchester a better place to live. Mary Cavanaugh helped bring color to North Elm Street Greg Saltz and Linda and Nat Brunning risked their lives at the busy intersections of Elm and Salmon Streets, Hooksett Road and Campbell Street and Mammoth and Candia Roads. Thanks to Deb Freeman and Jay Collins and children, for assisting us in planting the barrels. A big thanks to YDC volunteers and Jack Wholey for the muscle used in placing the barrels around town. Thank you Demer's Garden Center in working with us throughout the season. And, a big thank you to the guys and gals at the Manchester Highway Department for picking up the barrels. All barrels are being stored at the Parks

and Recreation Department for the winter. Thanks for the storage space. And a special thanks to Amy Collins for helping Jane Beaulieu with all of the Beautification Committee logistics, and for maintaining barrels at the City Hall building. Funding and volunteers are always needed to continue this project from year-to-year. Anyone needing more information please phone the "For Manchester" office or contact Jane at Jane & and Beanstalk.

Ms. Beaulieu stated unfortunately I did not notify these recipients until last Friday so there is only one recipient here this evening and it's Mr. Greg Saltz, so if you want to come up to receive the award.

Mayor Baines stated, Greg, thank you very much. On behalf of all of us and all of the citizens of Manchester and all the volunteers who assisted you.

Ms. Beaulieu stated I want to thank all of the volunteers, all of the people that supported this project and again next year we're going to be doing it again and we do need funding and we do need funding and we do need more volunteers. So, thanks and see you next year.

4. Presentation on Voices and Choices by members of the Task Force for Manchester's Future.

Mayor Baines stated we now have a special presentation...Mary Mongan and representatives from my Neighborhood Initiative Voices and Choices are here this evening to give you an update on the progress they have made so far and it's been considerable. Mary will introduce those who address you but before she does I want to thank Mary and co-chairs Dr. Sylvio Dupuis for working to put this together. Mary, in particular, has been the driving force behind this project...I'm grateful for her work which the citizens of Manchester will benefit from in years to come. I learned many years ago that if there is a job to go, give it to Mary and once again she's coming through for all of the citizens of Manchester. Mary, welcome to City Hall.

Ms. Mongan stated good evening, everyone...the Board of Mayor and Aldermen, thank you very much for having us here tonight. It's been about five months since we were here to talk about Voices and Choices and what it was going to do and what we were planning to do. Sorry, Syl couldn't be with us tonight he had a prior commitment. But, I do have with me tonight some people who are going to tell you all about it. Voices and Choices is alive and is doing very well and because of Manchester citizens themselves. They do care about this community and they'd like to get involved and that's what's been happening over the past five months. Although, as all things happen in this community you need some leadership. Leadership drives what's going to happen and I think that's

what we have here sitting with me tonight...Albertine and Steve who are going to give you some input as to just what has been happening and how far it's gone. I'm very pleased at what they have done. They have worked hard and they have really been able to get some people involved. So, I am going to turn it over to Albertine and Steve and they're going to tell you a little bit about what's happening and I do have some packets that I am going to hand out to you with some information that brings you up-to-date as well. So, I'll let them do the talking. If you need me to answer any questions I'll be here. Thank you.

Ms. Albertine Morrissette stated good evening Mayor Baines and members of the Board of Aldermen. Steve Johnson and I co-chair the All City Steering Committee for Voices and Choices. I am here tonight to review for you why this committee came into being and to report the progress that we have made. First, thank you for inviting us to give this report on the progress we've been making toward developing a program to let the citizens of Manchester let their voices be heard. When plans are made for the future of the City as it grows and prospers during this new millenium. Shortly after taking office in January Mayor Baines asked one of his predecessors Sylvio Dupuis to head up an effort called Future's Planning. Mr. Dupuis was joined in this initiative by Mary Mongan a past Commissioner for Health & Human Services. Together, among their other works they established the committee on which I am serving "Voices and Choices". The purpose of Voices and Choices is quite clear. We are charged with developing and opening the lines of communication by which citizens in all parts of the City may let their voices be heard. Our goal, the goal of all of us...we the committee who opened the lines of communication and you as the officials who will lead the City during this year and in the years ahead. We the All City Steering Committee have been holding regular weekly meetings, planning and getting ready to implement those plans to bring together the citizens of Manchester to express themselves about their thoughts related to the City's future. First, the City was divided into five neighborhood sectors...the north end Wards 1 and 2; the center-city Wards 3, 4 and 5; the east side Wards 6 and 7; the south side Wards 8 and 9; and the west side Wards 10, 11 and 12. Then, we began planning for what is called community profiling. Each of the five sectors will be site of a two-part meeting of the residents there. They will come together on a Friday night in a large group setting to voice their opinions about specific phases of life in the City. Later that evening, they will break down into smaller groups. Then on the following Saturday morning residents will meet again to bring before the entire group the beliefs and convictions of the individual groups. Finally, when all five neighborhood meetings have been held in this same format there will be an all City meeting attending by neighborhood participants as well as newcomers who are invited to take part. For example, the first neighborhood profile meeting will be held in the south end on Friday evening, January 19th and Saturday morning, January 20th at Memorial High School. The comments from

the meeting will be assembled and presented to the city-wide profile session along with the comments from the other four profiles. The resulting benefits of these profiles can be: community newsletters, Downtown revitalization, enhanced master planning, open-space preservation, and natural resource conservation. Among other items of business we have engaged in during our weekly meetings are those such as promotion and publicity, discussions on how to maximize citizen participation, how to generate and maintain citizen interest in the program and how to report our findings in a meaningful manner. Right now, our greatest effort is focused on developing wide-spread attention to the mission Mayor Baines has charged us with. This phase of our program is proceeding very well. At this time, the south side steering committee of which I am also a co-chairperson has been organized and we meet bi-weekly in a conference room at the Airport terminal building. This committee's work must proceed vigorously in light of the fact that this City sector (south end) Wards 8 and 9 is the first to have a profile meeting scheduled. Other City sectors meetings are being held regularly and their profile meetings will follow in rapid order. We the All City Committee members have become enthusiastic about our mission. We can see quite clearly the far reaching value to the City of Manchester and its officials the work we are doing will have. The information we will gather, given openly and in public discourse by the people who have the most interest in the direction the City grows during this new millenium will have a value beyond measure for the planners and the doers who will guide the Queen City down the long road to the future. Thus, we have become most appreciative of the value the findings will have for those who will lead the City into its future development. At this point, I would like to introduce a benefit to the City of Manchester that is my own personal belief, the most important outcome of this Voices and Choices...that is, nearly two years ago when I was involved in organizing the community in the south end of Manchester to convince your body, the Board of Mayor and Aldermen that Pine Island Park was and is a natural recreation resource that should be preserved for all the residents of Manchester to use and enjoy, a unified citizen effort that was successful, as you know. We would have been delighted to have had the support of a resident organization such as the one that will automatically be in place made up of the citizen alumni of Voices and Choices. From the year 2001 forward there will be in all neighborhoods of greater Manchester a body of citizens who have distinguished themselves through their participation in this program. They will have felt the democratic power that comes with letting their voices be heard, talking together on how they want to live today and in the future. We are guided and directed in our work by the energetic and experienced staff of the UNH Cooperative Extension who have generated similar programs in other cities and towns throughout New Hampshire; none, however, being a project as extensive as this. We are most grateful for their valuable assistance, but we are especially grateful to Mayor Baines for fulfilling the campaign promise he made that individual citizens must be given avenues for communicating their needs, their desires and their dreams for the

future of the City. Each of you will be invited to attend the neighborhood profile in your wards either as a spectator or a participant and, of course, you will be invited to attend the all city profile at a date in April. In the meantime, your support is once again solicited...we would appreciate you helping us to make all the citizens in your wards aware of what Voices and Choices is and how their voices can be heard by taking part in one of the community profile meetings when it is scheduled in your district. Again, our thanks to Mayor Baines and to you the Board of Aldermen for your vision and confidence in the citizens of Manchester and if I may leave you with one final thought...the Mayor's words from the dedication of the John Stark Statue..."John Stark's bronze representation is a monument to the notion thought little revolution every once in a while is a good thing that can bring lasting results. When the citizens of Manchester pass the statue, I hope they are empowered by the General's example to challenge their government to be more responsive to their needs." The Mayor said "I am not suggesting that anyone take on, I'm suggesting that they raise their voices and roll up their sleeves to sustain their noble experiment in democracy that so many people have died to preserve." Now, if you have any questions Dan Reidy, myself or Steve will be happy to answer them.

Mayor Baines asked are there any questions by members of the Board.

Alderman Levasseur asked do you keep minutes of the meetings that you...could you send the minutes to us so we could see what's going on.

Mayor Baines replied we could send them to the Clerk's office where they could be distributed to the Board.

Alderman Levasseur in reference to attendance asked could you please let us know if the people that we appointed are attending. If not, then we could appoint some new people...this is kind of a serious organization, so I want to make sure that my guys are showing up and if not I'd like to appoint some other people.

Alderman Vaillancourt asked can you tell us what the attendance has been. I guess each of us appointed two people. For example, you mentioned weekly meetings, can you tell us the average attendance at a weekly meeting.

Ms. Morrissette replied the average attendance varies from week-to-week because a lot of people have other commitments and some come one week and don't come the next, but the average attendance is about ten, eleven people right now and we are hoping to generate more.

Alderman Vaillancourt stated so about a third of the people appointed attend.

Mayor Baines stated we thank you very much for coming and if people are interested they could contact their Alderman in their wards plus Mary and the two co-chairs. Thank you very much.

5. Presentation by Southern New Hampshire Services regarding the Fuel Assistance Program.

It was noted that this presentation had been made to the Board during the Public Participation session.

6. Presentation by Parks, Recreation & Cemetery regarding the status of CIP projects.

Mr. Ludwig stated we will try to move this along as quickly as possible. We know that everyone is in somewhat of a hurry, however, our department is...basically, this construction season since April when we began expedited projects...at the present time we have about 17 projects in progress ranging from the area of \$50,000 on the small side to \$1.3 million. We felt it was important at some point to try and get to you and report to you on the status of each and everyone of these projects...they span just about all 12 wards and in some cases they are regional projects that may span one or two or three wards in particular. Before I go any further and we go into the small presentation we have I'd like to introduce some members of the staff...Ron Johnson, I'm sure most of you are familiar with the Deputy Director and to his right is Ed Wojnilowicz who has over the last year or so now been involved with the on-going Enterprise projects which are projects that effectively we have to be creative and earn money to pay for bonds, so just to clarify some of the issues as it relates as to how those bonded projects are paid for in Enterprise we must "earn our own way" so to speak...I just want to clear that up because I know in the paper recently there was some confusion about are you putting "X" amount of dollars into this project and, quite frankly, the answer to that is yes as we can afford to do it by generated revenues. One other person that I think is important for us to introduce tonight is Chuck Deprima. About three and a half months ago he was a new member added to our staff to assist in all of our construction projects...the monitoring of the projects...he's out there on a daily basis taking digital photos, talking with contractors and trying to develop a better rapport and keep our projects moving a little bit more quickly and trying to get the problems before they arise and become major issues. I, as much as anybody, can tell you that projects move along at different paces and some seem to follow along quite nicely and others, in some cases, given the construction climate do

not follow along as nicely as we would like to see them always happen. Before we get into that I'd just like to say to you on behalf of a few people here thanks for you the Aldermen and previous Aldermen and Mayors as well for funding these projects because we see thousands of kids using playgrounds and thousands of people walking and running on tracks and soon to be three tracks. Not one track in a state of disrepair over at Memorial and thank you for soon the kids will have a place by this spring certainly to go skateboarding and thank you for all of the people and the seniors who now use the tennis courts over on the west side of Manchester two mornings a week. So, people are using the facilities that are now coming to fruition...all funded by the likes of each and every one of you. So, not so much for me, but thank you from them because I think they all appreciate it and if you ride around the City I think you see what I mean which is happening. So, with that said...and again with some credit to our new person on board, Chuck Deprima because he really helped put this presentation together and was the one that went out and did a lot of the leg work to help us to do. Ron Johnson will review some of the projects that we have here and I think we can flip right through this really quickly, I think pictures are worth a thousand words, so we'll take it from there.

Mr. Johnson stated as Ron mentioned we wanted to go ahead and update you on all of our CIP projects. Through the CIP process we have five major areas where funding was authorized this year...the Park Improvement Program which looks at major capital improvements within the large City parks throughout the City; the School Park Improvement Program which looks at a lot of the school facilities, the athletic facilities such as West High School and some of the other projects that we are doing for the School Department; the Community Development Block Grant Program which is federal funds that are targeted in certain areas of the City; we're also appropriate a small amount of City cash for projects that have been either deemed too small for our operating budget or too small for the large CIP projects and not large enough for the operating budget; and then the Recreation Enterprise fund which Ron and Ed will go into a little bit at the end. But, I would like to go through some of these projects. The Park Improvement Program...we had \$1.1 million approved this year through CIP...it addressed five projects: Pine Island Park, Prout Park, Piscataquog River Park, the Manchester Skate Park, and then the on-going work over at Livingston Park. At Pine Island Park we actually received an additional funding this year combined with funds that were appropriated last year and we did some improvements there with new playground equipment, new benches, upgrades for the nature trails and as Albertine mentioned in her presentation I think it's been well-received by the residents of south Manchester bringing in a neighborhood park and access to Pine Island Pond. The Mayor came out for the dedication which was in August and we had a lot of the residents come out to the park to enjoy the new facilities. Over at Prout Park, we completed the first phase of improvements this summer and we're now working on the Phase II work. We had a neighborhood meeting with Alderman Shea last

week to plan those improvements, but the first phase has again been well-received by the neighborhood...we put in the new playground area mainly aimed for the younger children, a new parking area, and some lighting upgrades in that park. The next phase is going to focus on the Babe Ruth Field which is adjacent to the playground...a lot of the improvements were built during the CCC in the 1930's and they haven't seen a lot of upgrade since that time, so we're going to focus on the Babe Ruth Field. At Piscataquog River Park we're now in the process of doing the design/engineering...the project is going to involve some wetland permitting through the state, so we're working on that...we have the application submitted to the state at this point and we're going to be looking at bidding the project in November and then construction this winter into the spring. This is an existing park with...if you're familiar with that area at the end of Precourt Street, Precourt is the road coming down through...we have soccer fields on either side...there are safety issues of access and then just expansion of the field for the growing soccer leagues down at Piscataquog River Park. Over at the Manchester Skate Park we've been working there...the project has been kind of a combination of City and private funding. We have done fund raising for the project, but now we're into the construction mode...we have been working on the site work this summer, it's taken a little bit longer than we anticipated but they began pouring the park last week...this is the base of the park and the large bowl and the contractor's tried it last week and they'll be finishing up hopefully to get all of the concrete before the snow flies and we anticipate opening the park in the spring once it has cured through the winter. The next project within this, the last project, is Livingston Park which we've done...this is actually Phase IV...we're working on improvements along the DW Highway, some site work, some new fencing and drainage and we're also putting in the Musco sports lighting for the new athletic fields that have been put in. This shot here shows the area that we'll be focusing down along the DW Highway and we also did some wetlands permitting here...this is the entry drive right by Dorrs Pond where we're hoping to do some improvements there are Livingston Park. The next large project that we received funding is the School Park Improvement Program and these are projects associated with the School facilities in Manchester. The largest portion is West/Memorial Field...if you folks have driven by they've been working over the last couple of weeks in getting the base of the track put in and that is actually Phase III that is on-going right now with the astro playfield being put in this fall we did the base track and landscaping...the track will be finished up in the spring of 2001 along with the grandstands and this is the new field with the astro play, it's a synthetic grass surface that's being put down...the black that you see underneath the field is a rubber surface, it was placed on sand and gravel base and actually a polyethylene knit carpet. The Mayor was over along with several of the west side Aldermen last week to see the operation going in...we're hopeful that this will be well-received. It's going to provide a lot of opportunity to increase play for West High School and be a premier athletic facility for West High School and the City.

Mayor Baines interjected, Ron, will you mention that it's going to be lined for three sports.

Mr. Johnson indicated the primary sport will be football, but the yellow lines that you'll see going in will be for soccer and they'll also line it for field hockey. So, the school can actually get optimum play there. This is just some earlier shots of the field going in and the fabric actually going down. The field itself should be done in the next week or so and then as I mentioned the track will be finalized in the spring. We're also doing some work right now over at Memorial High School...we're actually improving the existing track that's there. We've scraped off the old rubber surface and they had to do an overlay and they will actually be recoating the track beginning the end of this week and into next week, so that should be finished for this season and ready for spring track over at Memorial High School. We also worked at Webster School, we did the design/engineering and the planning for Webster School...the funds were actually put into the Highway Department this year for the construction, but we oversaw the construction of the new drop-off area and playground improvements. There is also some funding allocated for Gill Stadium to upgrade the locker rooms inside Gill Stadium...\$100,000 was appropriated...they were able to expand the locker room facilities and provide new locker/storage areas for the football teams; that project was completed at the end of August ready for this current season. We also received money for community development through the Community Development Block Grant Program which is federal funds allocated to the City and several agencies in the City do get funding. We had three projects approved: Kalivas Park which is located right behind the Civic Center, Enright Park on the corner of Merrimack and Lincoln, and the Beech Street School playground opposite Beech Street School...the projects that have been approved. Over at Kalivas Park we're actually using a couple of year's worth of authorizations for the work, the project is currently out to bid. We're going to be improving the walkways, creating a new central plaza, new lighting, benches and landscaping and this is to compliment the work that's on-going over at the Civic Center site and the revitalization right in that neighborhood and this is just an aerial view of that park there. Over at Enright Park we're anticipating improving the playground and basketball court and then redoing some of the landscaping there. It's a small neighborhood park that gets a lot of use and it does need some upgrades and that will be going out to bid later this fall with construction continuing into the spring. At Beech Street School playground we're going to be improving the area opposite the school with new playground equipment, fencing upgrades, new game courts, and some landscape improvements. We've met with the school and we'll be doing the design/engineering through the winter, getting back with the school and it would be scheduled for construction next spring and through the summer while the school is out on vacation and that area will be finished for the next

school season. As I mentioned earlier we do get a little bit of city cash projects for various ones. The Piscataquog Trailway, the \$35,000 City match which was appropriated this year actually matches a New Hampshire Department of Transportation (NHDOT) grant which was appropriated. The total project is \$370,000 and we're receiving 80% from NHDOT to construct a new recreational path along the abandoned rail corridor on the west side and we also, a few year's ago, the Planning Department saw the need to allocate some funding in what they call a Park Improvement Program for projects where we don't receive adequate either in the operating budget or for small projects such as fencing projects or color coding of school areas. So, that is what that funding was for. The Piscataquog Trailway...we did receive an initial grant about six years ago to begin the planning of the land acquisition of the rail corridor which has been completed. We removed the old bridge on Second Street and complete a master plan; that was finished last spring. This year the new grant of \$370,000 of which the City's matching \$35,000 is actually for the design/engineering and we've just started working with the consultants who are VHB from Bedford and we will be having a public meeting on November 15th at Parkside Middle School with the neighbors to discuss this project and that would be...the first phase is actually going to focus on the section of the old rail corridor...the shot at the left is taken at Third Street looking west toward Main Street and we'll be focusing on that area between 293 and South Main Street. Again, creating a bicycle and recreational path along the corridor...eventually it will tie in with Piscataquog River Park and go out to the bridge at Piscataquog River near the Biron Bridge, the old trestle. The Park Improvement Program...we were able to put out a bid this summer to re-color code 11...actually, we ended up doing Webster School again, so 12 of the elementary schools received all new game courts and colored basketball courts and we were able to do a project over at Youngsville Park over on Candia Road where...for a small amount we did the two existing tennis courts, overlaid and new color coding and again this have been well-received by the principals and the kids...new color codes and games throughout the school yards. The last project...I'll probably turn it back over to Ron to talk a little bit about the Recreation Enterprise Fund...this year five projects were approved...the Recreation Enterprise Fund are for those areas that do generate revenue for the department. they are McIntyre Ski area, the Derryfield Country Club, JFK, West Side Ice Arena, and Gill Stadium. So, I'll turn it over to Ron Ludwig to explain a little bit about these projects.

Mr. Ludwig stated I don't think you should panic as you see these numbers because typically these numbers are a bit of pie in the sky that we asked for. None of these bonds are activated unless we can actually say that we can pay for the project going forward once the City sells the bonds that are necessary to complete a project. So, again, it's a little bit different in the Enterprise...McIntyre Ski area...we did a master plan here a couple of years ago...the master plan basically identified that you have a nice area since

1971 and everybody that uses this area have had a great time up there...a lot of people don't know that the area still exists, so we really need to do some things to improve the look of McIntyre, a sense of arrival, safety concerns...there wasn't enough parking and while this shot doesn't show everything that we did on the site, it does address now so that we can bring in enough people and as we add amenities to the ski area down the road as we can afford them...more snow making, maybe a tubing park and those kinds of things we'll be able to accommodate the people that park there versus pulling into the likes of Smyth Road School, St. Paul's Church...that wasn't in all cases well-received although they are both good neighbors...we now have the area. We're moving with studies that are addressing snowmaking(not here at the golf course), but other issues, but again they're slow...some of that involves new airless equipment and getting electricity out on the hill at different locations and as we can afford them we'll do them but they are ticket items that we need to be able to afford and we need to generate revenue for...a couple of snow seasons haven't been too productive and we have to kind of play that by ear. This is an improvement on the golf course that we made...this is the 8th hole. Basically, it was a total renovation tee to green, we haven't made a renovation of this magnitude at Derryfield for the 65 plus years that it's been in existence. The other thing that you don't really see here is that there is all new irrigation on this hole, in fact, there is a new irrigation system down on Mammoth Road that we'll be connecting into in the next month that will feed the entire west side of the road including five holes of which this is one of. So, this improvement to the 8th hole improved the overall playability of the hole, the texture of the green, the grass...that was an old swamp, if you remember, with shopping baskets, tires and the likes of those things years ago. This is a shot from the 8th tee looking back at the 7th green which has been difficult for the greens superintendent to maintain over the years. Typically, ice would sheet down off the hill, stay on the green and cause a great amount of damage and difficulty in trying to bring the green back to any kind of playable surface. So, this is a whole new look to that whole and the golfers are really excited about it and again this is on the west side of Mammoth Road. In the future all the holes as on the west side of the golf course will receive double row irrigation system. The new pump station...now, you probably see a little hut as you go by on Mammoth Road which would be way down this hole and to your left...will be a whole new system that eventually we can expand off of and feed the entire golf course system. This system for irrigation at the Derryfield Country Club was originally installed in 1962, so it's old and it's tired. In our Enterprise we weren't awarded a lot of new facilities to upgrade but we are trying to do it on a piecemeal basis as we can afford them. I brought this to your attention because last year...this is something that maybe a lot of people would ride by the JFK many times and look at and say it looks like the same old JFK to me and you're right it does, but I want to bring the attention of a particular alderman once who went outside when he used to smoke and said hey, look at the condition of those arches and this building is going to fall down soon. Well, \$175,000

went into reconditioning those arches last summer. It was huge project and they were almost at a point where they needed to be cut off at the appendage of the roof and done. We came real close to losing this building. So, the point that I want to make here is \$175,000 went into arches that I doubt a lot of people really ever noticed was even fixed, however, we would have received a lot more recognition for putting in new dasher board, glass and a lot of other things but this was something that we had to do...\$175,000 bonded by the Enterprise system and again I doubt if a lot of people recognized it. We did put brand new lighting into the JFK as an energy efficient measure as well to the tune of about \$65,000, but again it's a project that not everybody would recognize if they are not out and about the City and looking at and I think that you all need to recognize that in the Enterprise system up until this year we were asked to carry five swimming facilities over about a five-year period which cost the Enterprise about \$1.2 million and swimming pools really don't generate a lot of money back to us...there's mixed thoughts on whether we should charge for kids to go swimming in this City or not...the general consensus of this Board at that time was that we really don't go that route. So, Enterprise now does not have the operational expense of the swimming pools in it any longer. This is a façade improvement and more than just a façade improvement to the grandstands at Gill Stadium. The first two rows were structurally unsound, the railing was very poor and we were actually able to fund this project through a combination of enterprise money and some ADA federal funds to make the facility handicapped compliant which it now is. For years, we were faced...this is not just the grandstands, but the toilet facilities are now...people handicapped can use Gill Stadium and this is a highly used area three, four thousand people or more use this area so this is a wonderful thing to take care of all of the people that try to use Gill that are unfortunately handicapped. So, this is a huge improvement to the ballpark. There are more improvements that need to be done to the grandstands and in some cases to the field, it's a highly-used facility, but I think this is a significant improvement that we've made this year at Gill Stadium. That about wraps it up. We tried to move along as quickly as possible and I'll just wrap up with saying that we would be happy to answer any questions either now or in the future by any Alderman.

Mayor Baines stated before we open it up to the Board, I just want to commend the previous Board of Mayor and Aldermen for making that kind of an investment in the community. We are making it a more livable City and when you see it unfolding like that it's very impressive indeed. I made a comment to a couple of the aldermen that you're not aware of all of the things that are going on in the City until you see a presentation like that, so this I think, is very beneficial for the Board and also the community.

Alderman Wihby stated I had some constituents calling about shuffle board at Kalivas Park, are we going to be putting something back over there, are we going to be putting it at Livingston or what are we doing with it.

Mr. Ludwig replied I have a feeling shuffle board would not be going back at Kalivas Park.

Alderman Wihby asked are you going to have something.

Mr. Ludwig replied we are going to try...when you select a site for the Senior Center, maybe. We talked a little bit about it maybe even at Livingston or at another facility. The people that use shuffle board, for whatever reason, we never really happy at that area.

Alderman Wihby stated but, we should have it somewhere else because I know we've gotten a couple of calls on it. The other thing...the speakers at Gill Stadium when I was there the other night. If you're standing on the sidelines you can't hear anything.

Mr. Ludwig asked specifically where were you, Alderman.

Alderman Wihby replied in the end zone.

Mr. Ludwig stated you should not have difficulty through the spheres that are suspended.

Alderman Wihby stated you couldn't hear anything.

Alderman Shea stated I want to publicly commend Ron Johnson for all of the help that he has extended, he has been more than willing to come to neighborhood meetings, he's arranged for the architect to come, we've worked together on Prouts Park and, Ron, I want to thank you very, very much on the part of my constituents.

Alderman Clancy stated, Ron, I want to thank you for getting the projects done but I want to tell my constituents that Beech Street School...that the playground will be ready by next school year. Also, a few people have contacted me and said how about a walkway from Beech Street School overhead in Sheridan-Emmett Park, that's a good idea. Something like the Elliot Hospital has, an overhead walkway. Kids going from the school onto the playground is very dangerous and you all know that, so that's food for thought if you're going to fix the playground maybe if it's more money to get that walkway would be nice.

Mr. Johnson stated we looked at the school several year's ago and that issue came up and we did make some improvements to the sidewalk and I know they have a crossing guard there, I think it's an expense issue but we can take a look at it. I know you would probably have to come from the second floor and look at the access there and coming down and when you get to the other side there might be a grade issue about getting back down. So, I think with the expense of the walkway it might be an expense issue, but we can take a look at it.

Alderman Clancy stated the parking lot to the coliseum is in tough shape. I know that all of these carnivals and circuses drill their holes and stuff like that and I drive through there quite regularly and it probably needs resurfacing. Have you thought about that.

Mr. Ludwig stated we know about that, Alderman, but again it comes down to how does it fit into our plan and the Enterprise. It is an Enterprise lot, it goes along with the JFK, I guess it's part of the Beech Street School teachers parking lot as well, but it comes down to having the money to do it and I suppose you're argument to that could be well, do you want somebody to fall down in it or lose a car in it...I'm not sure, but it will have to be moved up eventually on our priority list just because of the reasons you're speaking of. To back up on one other thing, we did meet with the principal at Beech Street School, some of the staff...I'm not sure if you went with us on that walk or not but Nancy over there was very agreeable to allow us to come even a month in and start construction before school got out; that would be a huge benefit to us and maybe we'd move kids onto the central practice field for a month during that time. She was very agreeable to that and if we could get in there a month early say mid-May that certainly gives us a better opportunity to be gone by Labor Day. There are tight construction timetables when you're dealing with schools, but I think we can work it out over there.

Alderman Levasseur stated myself like Alderman Wihby have had phone calls from many people thinking that there was a new shuffle board being built at the Kalivas Park when the whole thing was designed. When I came on as Alderman one of the first phone calls I received was from people not only from the two buildings that abut that area, but also from 300 River Road where a lot of my elderly live in those high rises over there expecting that that shuffle board was going to be put in and they were very nervous about the fact that the Civic Center was being put in and that was going to be taken out. So, I would voice their concerns that there should either be one put there or put somewhere and I don't know if you really know...are you planning on putting one at the Senior Center if we do decide on where that's going to go. You're kind of leaving these people up in the air because a lot of them thought that was going to be done already.

Mr. Johnson stated when we had the meeting for Kalivas Park we did meet at the Kalivas High Rise and the folks that did come out for that, the residents of both the Kalivas and the adjacent high rise really did not use Kalivas Park, they perceived it as being an unsafe area. We did touch base with the seniors that did come to Kalivas to play shuffle board...they were mainly from the surrounding neighborhoods throughout Manchester, so at that point I did go to Alderman Shea's Senior Center Committee and did express the need for recreation at the new Senior Center and suggested that shuffle board courts along with some other recreation be included. So, we have discussed that.

Mayor Baines interjected we can talk about that during the next planning and budget process.

Alderman Levasseur stated you're doing a great job on all these projects but the question that I have here is who's responsible for mowing along Canal Street, Commercial Street and the side streets in ward 3 there's weeds growing out of the trees...we've talked about this with the Mayor in a meeting...we've really never had that finalized on who was going to end up taking care of that. I know you only have 11 people working for you or a small number like that...are you responsible for also taking care of the side streets and those things also.

Mr. Ludwig replied I am not a hundred percent clear on specifically what you're talking about...like an island on Canal Street, for instance, we would mow that to the extent that it grows...there's no irrigation or anything there. So, to answer your question through that area yes, we would be responsible for doing that. Now, side streets, if you could help me a little bit here.

Alderman Levasseur stated you saw that video that I prepared for you...those trees with all of the weeds coming out of them...I was expecting them to be at least weed whacked by now as all of the leaves are gathering up inside them and it's starting to look even worse.

Mr. Ludwig again as I may have expressed at that meeting, at the same time that they were creating a far more laborious situation as it relates to weeding and those plant things we weren't keeping up to speed at it relates to having the people to do those jobs. It can be done in a few ways (i.e., contract out and do it), spraying is really the best method to attack a problem like that and not weed whack it. You can weed whack it and it would look better for a time, but not long.

Mayor Baines interjected it is certainly something that we will have to address, there's no question about it.

Alderman Levasseur asked is it something that is going to be done. I was hoping we would have gotten something started on that, your Honor.

Alderman Lopez stated being a Parks and Recreation Commissioner for 18 years, I know how good and the hard work that you do do. There's two things I'd like to bring to your attention: one, is the West Side Arena...could you explain for the public the heating aspect there because some people think that you can turn it on if there's one person there and you have to have so many people in order to turn it on. Could you explain that for the public because I've received a lot of calls on it over the past years and this year because it's cold in the West Side Arena, so maybe you can explain what your policy is.

Mayor Baines asked is that related to the ice being in that place.

Alderman Lopez replied no, the heating over the stands.

Mr. Ludwig replied as you know it's an ice arena and there are several issues...when you're trying to remove heat...this is what you're doing...from a sheet of ice and at the same time you're trying to pump heat on top of people you have unhappy compressors that work harder to do that and you have unhappy skaters especially hockey skaters who become very hot on the ice and I've played the game myself and I can tell you that it gets quite warm out there. But, to try and find that balance between the spectators who I am now one of to watch my own kids, it's a very delicate balance. Several years ago we went away from a central type of heating system to infrared gas units and we have located about five of those gas units along the length of the entire arena. Therein lies the problem in that we asked the attendant to use his judgment as it relates to the number of people in the rink and how many of those should be turned on. On a Saturday morning at five there maybe five people in the building and typically the rule is you can turn one of those one but those five people have to stand under that one heater. If I want to stand at one end of the rink and you want to stand at the other end of the rink and you want to stand in the middle of the rink we won't turn three heaters on. We have to get along and stand under one. The flip side of that is that if there is a game we turn a couple on and provide sufficient heat. They're cost effective for us, they seem to do a good job, we don't charge a quarter to operate them as many rinks do, so I don't think we're out of line there.

Alderman Lopez asked, Ron, you said that after all of the cement is in the skateboard park how long does it have to sit before people can get on it. I know we're going into the winter months, but how long do you think it would have to sit.

Mr. Johnson replied it's recommended to cure for 28 days from when the last pour is done. I think what we'd like to do is see what the weather situation is and then play it from there to see when we can open it up. If we do get snow and rain then we would prefer to wait till the spring to open it up.

Alderman Vaillancourt asked did I hear you say that they're coming to do the track at Memorial this weekend.

Mr. Johnson replied yes. It was scheduled the beginning of this week but because of the rain and the cold weather they have been delayed, I believe, Thursday they're coming in.

Alderman Vaillancourt asked is that Southwest Recreation Industries for the polyurethane surface.

Mr. Johnson replied that is correct.

Alderman Vaillancourt stated I have a letter that you wrote back on August 23rd saying that they were going to do this in September and there was apparently a problem with the Pop Warner team. Was it delayed because of this problem.

Mr. Johnson replied no, the contractor...it's the same contractor that's doing the project at West and there was a situation there where they were delayed and they had to resolve that issue before they got going. We've contacted the Sabers and they're actually away this weekend and have worked out their schedules. They are actually using the Central practice field this week during practice and will be away next week, so they've been accommodated.

Alderman Levasseur asked are you going to have a football game at West this season.

Mayor Baines replied there was some talk about that. I talked to the Athletic Director, Butch Joseph, Mr. Adamakos and the Principal at West about that. One of the issues is the last game against Trinity is Trinity's home game, so that may be a problem and I know that Mr. Joseph was going to talk to Mr. Smith and I'll have to follow-up on that, but there was some discussion on that, but it doesn't look probable at this time.

Alderman Levasseur stated that would be nice if we could get that.

Mayor Baines stated it would be and Mr. Hirschmann is definitely pushing that idea.

Mayor Baines stated that for approximately the next two minutes or maybe three we're going to outline the budget process for Fiscal Year 2002. Outlining for the Board of Mayor and Aldermen this evening and also for the public and we have been working on this basically since the last budget process ended with the Mayor's Advisory Council made up of department heads and headed by Wayne Robinson who has done an absolutely extraordinary job in that capacity. So, we'd like to outline the process to you at this time. Some people will tell you that government cannot and should not be operated as a business. The truth is, government is big business. Government is about the most important business of all - it's about the business of the people. Government exists to serve the common good. As Mayor, it is my intention to operate City government in the most professional, successful, business-like manner possible. As I recently announced, the Fiscal Year 2002 budget process will be one part of a long-term strategic planning process for City government. The "big picture" of our process has three components: (1) a long-term strategic plan for City government supplied by Voices and Choices (that you heard about this evening); (2) department business plans which are measurable standards of service; and (3) a realistic annual budget that deliver quality public service. The budget process begins immediately. Our primary focus in this year's budget process is cost-effective service delivery. The bottom line of City government is not only about tax dollars. The bottom line is about how well and efficiently those tax dollars are used to deliver services. To begin the process, each City department will identify their functions. Functions are assembled as groups or business units. Functions may appear, in name, to be similar in several departments. For example, every department will have administration as overhead for conducting business. Supporting these functions, are established department programs that deliver the activities and services to our customers. Program expenses are the cost of conducting the City's daily operations. For example, the functions and programs of the Public Works Department may appear in the following manner. With the Program Highway Construction/Sidewalk Construction, Solid Waste would include collection, drop-off facility; Engineering would include design and survey; and Support would include equipment, maintenance and administration. You're going to hear a lot about maintenance throughout the budget process because we're going to work with each department that has a maintenance component to clearly identify what it will cost the City to maintain our existing facilities and to protect them in the long-term instead of waiting sometimes 20 or 30 years for attention. As each department has functions and programs, each department has operating expenses, or a budget to support functions that deliver programs. Each department will assemble their budget in the following manner: salaries, benefits, operating expenses, capital improvement, and revenue. Each City department, including the School District, will delivery a snap-shot or overview of their budgets to me no later than November 15, 2000; that's November 15, 2000. From November 15, 2000 to January 15, 2001, I will work directly with City department to complete the budget and

develop a solid and realistic business plan of operation for each department for the next fiscal year. Shortly after January 15, 2001, the Mayor and each department leader will explain and defend the budget to the public through various forums. As we deliberate and make a final decision about the budget and government business operations, we must focus not only on the expense of government. We must focus on the delivery and needs of quality services to the taxpaying customer. Revenue projections a very important dimension in this year's budget procedure. An important aspect of our operating budget is revenue or sources of income. Due to the timing of our budget process, the Mayor and Board of Aldermen may only make a best projection of the revenue stream. In reality, revenue of the School District and of the City are verified and confirmed by the City's Finance Officer and the School District at the New Hampshire State Department of Revenue in November of each budget year - long after the Board of Mayor and Aldermen's budget deliberations; that process is in place now. Therefore, this year, I am establishing a prudent, business like approach for revenue projection. I am establishing a Revenue Review Team of economists and business experts that will work with each City department to establish a realistic revenue projection. That Revenue Review Team will report their analysis to each City department and my Advisory Council. This analysis will also be forwarded to the appropriate committee of the Board for review and comment. I am directing all department heads and city officials that any proposed changes to revenue or expenses of City government in this budget must be delivered to the Mayor as budget officer. I will then forward any changes through appropriate channels to the Board. In summary, our budget process timeline is aggressive but manageable. We must have the highest of expectations to meet our goal of making Manchester City government the most efficient, professional business possible for our people. I will continue to inform the Board of Mayor and Aldermen, city employees and the public on the status of our process. And, finally, the components will be the annual budget with a business plan and a strategic plan and we look forward to working with you over the next several months to deliver this budget to the public. Thank you very much.

Alderman Wihby stated Mayor, I want to comment you for bringing a budget process forward and I have one concern, your Honor, and that's on page 3 where you underline must...City official, I take it you mean Aldermen must deliver to you anything that we want to do as far as change.

Mayor Baines replied no, that is during the budget process before it's handed over to the Aldermen.

Alderman Wihby stated so you're talking about before the March 31st deadline...anybody that wants to come up with any ideas of something.

Mayor Baines replied any changes that are coming forward through the Mayor and we present it through that process.

Alderman Wihby asked do we know who the Advisory Council is.

Mayor Baines replied that is the department heads I've had in effect since I've joined and they're been deliberating this.

Alderman Gatsas stated I believe in your statement you said something about November that the City meets with the Department of Revenue way after the budget process is in place. What does that mean?

Mayor Baines asked Mr. Clougherty to explain the process he is going through right now to get ready for that.

Mr. Clougherty stated each year for the establishment of the tax rate we have to submit forms to the Department of Revenue Administration. The forms consist of reporting to the DRA what the appropriations adopted by the Board have been and we have to give them copies of the resolutions. We also have to give them the revenue projection for the year. I certify that as part of the presentation and my responsibilities as the Finance Officer.

Mayor Baines asked what about the School District.

Mr. Clougherty answered the School District has their own set of forms that they submit and then the third piece as you know is the valuation estimate by the Assessors. There are three separate pieces.

Alderman Gatsas asked do we get to see that before you go to the Department of Revenue.

Mr. Clougherty answered yes. We are planning to provide you with that information. We are in that process right now and we are working with the School trying to get their MS form so that we can make that available to you in the next week or so.

Alderman Wihby asked next week or so does that mean we are going to be handed something or are we going to have a meeting.

Mayor Baines answered it is distributed as I understand it has been done in the past.

Mr. Clougherty stated we can do it either way, Mayor. Whatever the Board wishes. We hand out the forms and the DRA forms are presented to the Board.

Mayor Baines asked how have you done it in past years.

Mr. Clougherty answered the forms have been put on the agenda for the Board to receive. The revenues in the past for the most part, Mayor, have been what have been adopted in the budget process. We haven't changed them. They have pretty much been what was adopted.

Alderman Levasseur stated I think it would help a little bit more if you clarified what you saw in your first year going through the budget process to us. What your concerns are and why the change.

Mayor Baines replied there aren't a lot of changes other than we are starting a lot earlier because I am here. The other aspect of working with the department heads very closely through the advisory approach and helping to put together a plan and also looking at bringing some people together to help us verify and project revenues, I think, more accurately than we were able to do early on in the budget process. That idea came forward from some of the meetings we have been having with the department heads on the advisory as a prudent approach to make sure that when we are developing the budget we have the best numbers possible recognizing as we found the last time that there are some variables that change. It is really more of an expedited process, especially on the School side, Alderman Levasseur. We did not have the information from the School as early as any of us would have liked. For the first time they are being directed to have their snapshots to me by November 15 and their final budget to me in January.

Alderman Hirschmann stated I have had the luxury of working on the past five budgets as a member of the revenue administration committee and what I can tell you is that I think the City has done a very good job the past five years with respect to revenues. We have always come in over budget. We have always put money away for rainy days. We have put money into that revenue stabilization account every year for the past five years. We have done an outstanding job. The only thing I am asking you as part of your team really make sure that our Finance Department – Joanne Shaffer, Randy Sherman, Kevin Clougherty, they are in the loop and so am I because we have a track record of really being on track with revenue.

Mayor Baines replied Kevin is a member of the team.

Alderman Hirschmann responded I would hope that they all are, your Honor.

Mayor Baines stated well Kevin works through his department and he represents his department and has been part of the discussion since day one.

Alderman Lopez asked can you tell us a little more about the strategic plan. We received your letter and with all of the department heads on there you indicated in your letter that there would be officials. The reason I want to ask this question is the elected officials are the ones that get calls about what is going on and in that strategic plan is there any indication of consolidation? Is that what you are talking about so that we are well aware of what is going on?

Mayor Baines answered when we get involved from our side in terms of the relationship between the Mayor and department heads, we are going to be working on a plan that puts all issues of government on the table for review and consideration. Certainly, efforts in looking at ways to consolidate and make government more efficient and cost effective will be high on that agenda. Anything, as you know, that we have been doing will ultimately be brought to the Board of Mayor and Aldermen. This is also recommended by the Total Quality Management efforts that are going on throughout the City as well.

Alderman Lopez replied I am familiar with that and that is why I raised the question. At what point do you think you will be appointing elected officials to your committee.

Mayor Baines responded we are talking about that now.

Alderman Vaillancourt stated just to follow-up I have concerns in the vein of those concerns and Alderman Shea expressed concerns, I believe, when the Voices and Choices was formed and now I see that Voices and Choices rather than simply being a public relations type of vehicle to get input from citizens across the City and I think we all support it with that in mind, is now going to be involved in the budgetary process of the City. We did hear tonight that only about one out of three people attend their meetings. I am a little concerned that this organization is being elevated to that kind of scale as opposed to elected officials being involved there. Could you offer us some reassurances in that regard?

Mayor Baines replied yes. I would like to offer a lot of reassurances. Again, if you heard during the presentation this evening, what is going to be happening with that is they are actually carrying on neighborhood meetings in which neighborhoods will be invited to participate during a Friday and Saturday session where you and others will be involved in inviting your neighbors to participate in the planning of those efforts and it will be just further information that will be recommended to the Board of Mayor and Aldermen to

consider as we do planning for the City in looking at what the needs are from the neighborhoods. I can assure you that the process is very much inclusive and as they said whenever you have a group like that it doesn't mean 10 or 11 people participate in the planning, that is what the average attendance is. We have more people than that participating.

Alderman Wihby stated I want to get back to the forms that have to be filled out. Your Honor, are we anticipating that the number is going to be different than what this Board had set?

Mr. Clougherty replied I expect it could be, Alderman. The three elements as you know are evaluation and we expect to have that number from the Assessors on Monday I believe. The other two pieces are the School Department and as I said they are revising their forms. They have told me that I will have them by the end of the week and then when I have those pieces I can do our form. So, early next week we will have them.

Alderman Wihby asked is there any way we can have a special meeting just to talk about this budget problem and where the School Department is and where our evaluation is before October 31.

Alderman Levasseur stated I have a follow-up question on the strategic plan meeting that you are having. I noticed by reading that you are meeting with all department heads. Am I to assume that prior administrations never had the Mayor sit down with department heads to discuss what the plan was going to be for the City?

Mayor Baines replied we are just involved in a much more comprehensive planning process coupled with the Total Quality Management process.

Alderman Levasseur stated it would be ordinary course of business to meet with your department heads on a yearly basis to decide what the plan will be. Do you see some different...I know there was a Master Plan saying your plan before we came into office. Are you making some changes or are there some ideas or thoughts that you have on that?

Mayor Baines replied we are just at this point in time outlining what the strategic planning ideas are and what the issues that people want to get out as managers are in terms of the way the government is functioning. It is really an open book at this time in terms of the issues that we are going to be narrowing in on. It is a management issue at this point in time.

Mayor Baines advised that they would now deal with the Cable Contract negotiations. He noted that the Committee on Administration met and referred the matter to the full Board.

Alderman Gatsas requested Deputy Solicitor Arnold to address the Board.

Deputy Solicitor Arnold introduced two people from MediaOne, first was Tim Gage, and Jennifer Farrell stating as the Board knows the process began about two years ago with ascertainment hearings by the Committee on Administration, the City has been involved in moving towards formulation of a new cable franchise contract for the next ten year period. We've been actively involved in negotiations for about eight months now and the team, the City's consultant Peter Epstein and myself along with various members of the committee on Administration, I have a contract proposal for you tonight which I am about to go over and after that I would be glad to answer any questions, and Mr. Gage would also.

Mayor Baines called a recess to allow a presentation set up.

Deputy Solicitor Arnold proceeded to go over the main points of the contract as presently proposed utilizing an on-screen presentation stating a draft copy of the proposed contract had been distributed. He noted that the major parts of the contract, which he would cover briefly because it was about 65 page document. The contract was with MediaOne of NH Inc. it is offering services AT&T Broadband, it is owned by ATT as you know, as a result of the franchise transfer that was done last year. It is a proposed 10 year non-exclusive contract, what that means is that it does not give a monopoly to MediaOne. If we were to have another buyer come into the city that wanted to offer cable service, the City would be free to do that. There is what we call level playing field language in the contract that basically provides that if another contractor comes in that we can't give them terms that are more advantageous than the ones that we are extending to MediaOne, if MediaOne feels that that is happened there is provisions in the contract to deal with that through public hearings and that type of mechanism. One of the concerns of the Board of Mayor and Aldermen was making sure that cable subscribers here in Manchester are made aware of the lowest cost service that they can get. There is language in the contract that states that anyone who calls MediaOne that calls to inquire about basic rates will be informed of the lowest cost cable service and its availability, and also at least once a year at minimum MediaOne will distribute a written rate brochure to all Manchester subscribers and that shall contain the lowest cost of cable service and it shall be clearly listed and clearly displayed.

Alderman Vaillancourt inquired what page.

Deputy Solicitor Arnold replied page 32 and 33 in the copy the aldermen received. Deputy Solicitor Arnold noted one point he missed was that the contract does provide for a franchise fee payment to the City of 5% of gross annual revenues to the City. That 5% comes directly to the City, there is not a provision in this contract like there was in the last where the City in the present contract gets 3% and 1% went to MCTV, in this contract we are getting 5%, but that comes directly to the City, and of course the Board of Mayor and Aldermen can make appropriations yearly. In addition to the franchise fee there is also \$900,000 worth of funding for the purchase and lease of PEG Access equipment and facilities, that is contained on page 25 of the contract submitted. This money is basically for MCTV to use. We anticipate that by the beginning of the next fiscal year that MCTV will be a non-profit corporation with a board of directors who would have access to this money for the purposes of funding equipment and facilities for MCTV. As you can see the first \$250,000 of the \$900,000 will be paid within 14 days of execution of the contract. \$400,000 on January 31, 2001, and \$250,000 payable on June 30, 2001. MediaOne has agreed that this will not be a line item or pass through to cable subscribers in Manchester. As you are probably aware the 5% franchise fee is a pass through. For PEG Access and the number of Channels that PEG Access will have. Presently PEG Access has two channels here in Manchester, Channel 16 and Channel 9, MediaOne has agreed and you have probably already seen the notifications, to move the present Channel 9 where we have had reception problems to another Channel, I believe to Channel 22 and that is in the process of being done. Upon execution of the contract, PEG Access, presently MCTV, will be entitled to three channels, after three years and upon meeting certain conditions specified in the contract, they will be able to apply for a fourth channel and if necessary a fifth channel. That is also contained on page 25 and 26 of the contract. If you look at the top of page 26, letter B essentially lays for the conditions that the city would have to meet to get the fourth channel after three years and subparagraph c lays out the conditions for getting the fifth channel. I would note that the bottom of paragraph c is editorial, it was put in there as we negotiated this particular provision and that will be removed in the final contract. We've also provided in this contract that if MediaOne digitizes most or all of its channels that they shall at minimum shall maintain all the PEG channels that the city is entitled to, or give the city an equivalent amount of bandwidth to provide for those possible five channels. That is page 27, item j. Right now the contract also provides that the PEG access channels have to be in the basic tier of service, meaning anyone who subscribes to cable here in Manchester will get those channels, they are analogued because it takes different equipment to receive digital channels. So this provision is somewhat looking into the future, right now they have to be analogued and digitizing those channels is not a concern it would only become a concern if and when the next ten years MediaOne were to digitize all or substantially all of their channels. Deputy Solicitor Arnold noted these were the major points of the

contract, the contract has a number of provisions dealing with service standards, hookups and those kind of items.

Alderman Wihby stated there are a few things, like on page 23, where it says open, that was something that we are still discussing that this point, or.

Deputy Solicitor Arnold replied the date you have in there has been agreed to. Back a number of years ago, then Continental Cablevision, I believe as a result of overcharging entered into what is called a social contract with the federal communication commission, the FCC, that particular social contract had a number of provisions in it, one called for the provision of internet access to all public schools. The social contract expires on January 1 of this coming year, and what this provision does is extends the benefits that the schools are presently receiving through June 2002.

Alderman Wihby asked with the first contract did it go the whole time frame, why we were only going to 2002.

Deputy Solicitor Arnold stated this was not a negotiated feature of our present contract. This was a social contract between FCC and Continental. That provision was not in our last contract.

Alderman Wihby asked if they would not want it to go further , longer.

Deputy Solicitor Arnold stated it was a subject of negotiation and we basically arrived at what we figured we could agree to.

Alderman Wihby stated they wouldn't agree to anything further.

Mayor Baines responded no.

Timothy Gage, Director of Legal and Government Affairs for AT&T Broadband addressed the Board stating just to expand on that question because it does take focus on exactly what that means and Tom was correct in his statement in that the social contract was a deal between the FCC and Continental Cable Television which was the predecessor to MediaOne and AT&T Broadband. And basically what it was was a settlement of some rate cases wherein we agreed to provide this internet in the schools, when available as a service in the community for the schools for a stated period of time and that period of time ends on December 31 of this year. What it doesn't say is that there is an industry wide initiative to provide that same service that we currently participate in also. So basically what this does is ends our commitment on the social contract, because it really

should end on December 31, 2001, but it doesn't say that we will not provide it, because we do provide it as an industry wide initiative anyway. I do not see an end date to that initiative, it is a voluntary effort on behalf of all cable companies across the country to provide internet access in the schools.

Alderman Wihby stated since this is a ten-year contract can we change it to say 10 years if it doesn't matter. What I'm telling you is that the social contract that is specifically referenced in that document is a contract that is set to expire and we are discussing the difference between it being mandatory on December 31 and it being a voluntary company wide initiative thereafter. And Tom had stated, it was not an item that need to be negotiated, because I can almost as I sit here guarantee you that that industry wide initiative isn't going away, but I don't have control over whether that is the case or not, but what I will say is that we did discuss this at length, it was the subject of a negotiation, this has been available to the City of Manchester, we discussed it at length during the transfer process and we think it's a fair alternative, given the fact that if you look at this contract as a whole, there certainly enough in it for the community.

Alderman Wihby referred to page 26, stating you are not agreed to the trigger, it's still open.

Mr. Gage responded yea, as Tom said as of this morning there was no agreement, but what you have in front of you is a document that we have agreed on. So if you see these areas that says that MediaOne has not agreed, this is open, everything in here is closed as of this evening in terms of our negotiations with the committee that you set forth that we should negotiate with.

Alderman Wihby stated so that should be okay. Alderman Wihby referred to page 31, stating that is the same thing that should be okay, or 8/3 late payment recomputation, what are we doing there.

Mr. Gage replied we have agreed to.

Alderman Wihby stated so that's okay to.

Mr. Gage stated yes.

Alderman Wihby stated and page 33, that's an okay.

Mr. Gage stated correct.

Alderman Vaillancourt stated I think this is probably the most important thing this Board will do this year, maybe in the next several years, I do object to getting this document tonight and having it scheduled in this manner, but I do have enough questions to keep us here a long time and I'm not going to hurry through these. Let's start on page 26 if we could please. And I'll deal with just this one block of questions and then defer to somebody else for the next block. You refer to three channels, obviously channels 16 now, channel 9 is moving to 22, we do appreciate that I know there are several housing developments that can't get channel 9 so that's good. What's the third channel going to be when this is immediately signed?

Mr. Gage responded he could not answer that question as of today, the issue is that it has to be in the basic tier.

Alderman Vaillancourt requested he define basic tier.

Mr. Gage replied the basic tier is defined in the contract as the broadcast channels plus any of the access channels, so if we have an ABC, NBC, FOX affiliate that's a broadcaster either is a must carry or a re-transmission consent broadcaster plus the access channels, that is what you define as basic.

Alderman Vaillancourt stated my colleague to my right is saying that would be the cheapest rate, anyone paying the \$9 rate would have to get all three channels.

Mr. Gage replied correct.

Alderman Vaillancourt stated so even if it were to go on a different frequency, Channel 22 for example, even if they are only going up to 21 now they are going to somehow get 22.

Mr. Gage replied correct. They will get the access channel in that basic.

Alderman Vaillancourt stated and why is it if this contract is suppose to take effect and this third channel is suppose to come on board as I read this when it takes effect, why is it you can't tell us what frequency that will be now, when will you be able to tell us that.

Mr. Gage responded we've had discussions, and if you note I think it says we will make available those channels, and we are in the process, until in fact, what had to happen to move channel 9 you see the masterations we had to go through to move channel 9 to 22 and 22 to 67 and 67 back down to 8, we have a whole committee of people that have to take a look at this and they fill a room as much as you folks, and from every department

talks about the ramifications of doing that from engineers to marketing folks, that has been sent to them for review. They are basically going to look at your channel line up, and they are going to say who do we have a contract with that we cannot break, who is out there in terms of channels that we are just carrying because there is a subscribership for them, and who is going to have to move. We are full up. When you add an access channel, we will have to move programming or delete programming. So there will necessarily be folks who may rather be watching x, y, z programming rather than access programming but that is a call that is going to have to be made.

Alderman Vaillancourt stated well am I correct that even though you are full up you agreed to go to this third channel immediately when this is signed.

Mr. Gage stated we said we would make it available and there is a procedure to do that, it will probably be with, there is no specified period of time, but we understand that it is where to get this thing going immediately.

Alderman Vaillancourt stated so even though you are full up you have some idea of what it is going to be.

Mr. Gage responded we have an idea that it has to be in the basic tier, we are currently reviewing the contracts in that tier, who's a broadcaster, who's not, who do we carry just because there is a subscribership, those people who are carried without a contract are people/channels I should say, will be the ones that we will focus in on.

Alderman Vaillancourt stated and the MediaOne/AT&T has no idea, no concern what will go on any of those three channels you will just provide them and it will be up to MCTV to decide for example, if they want to have government access on one, community access on another, and maybe a bulletin board on another, you wouldn't be concerned about that.

Mr. Gage responded that you will see a standard for the fourth and fifth channels. The first three channels are card blanche for the access corporation and the franchising authority. We do not maintain editorial control on those channels we are basically turning them over to be programmed as they see fit, now there are federal regulations with regard to obscenity, etc. that would require us to step in at a point, but we do not constantly monitor the channels and discuss with them what they are going to put on it.

Alderman Vaillancourt stated so I think I here you saying that there could be a channel devoted to a bulletin board.

Mr. Gage stated there is some language in here that says. Let me back up a little bit. When we are negotiating with a community what we are looking at is to decide is this in the best interest of the subscribers to have programming, access programming is programming, and so we go out and do surveys and that's how the ascertainment process comes into play. In this case the city has come to us and says there is a need for this there is a need to have this extra channel. We've gone along with it in terms of this contract and that's why you see a trigger in the fourth and fifth. Because we are basically saying you must fully utilize the assets that are allocated to you before you can go and ask for and take up another channel that could otherwise be programmed for the citizens of the community. To answer your question directly I do not see that there is a prohibition on the first three channels in terms of the bulletin board. We have gone to lengthy discussions with the negotiating committee in terms of what we think is maximum utilization of the channels and we've indicated that, that most likely would not be the case. I don't think you can meet the triggers on the fourth and fifth channel by having that channel fully a bulletin board. When you maintain those three channels as they are you are not seeking additional channels, I see that there is an opening for that to possibly take place.

Mayor Baines asked that other aldermen be given an opportunity to ask questions and he would come back around after one more question.

Alderman Vaillancourt stated he had two, but would skip to section b for the fifth channel stating he had other questions regarding the fourth channel but this was more important. About midway through paragraph C it refers to non-duplicative locally produced programming, 75%. I'm wondering what that is because if there were not a debate tonight Larry King would be on CNN and it would be duplicative because they would run it again in the middle of the night and then again in the middle of the night, so Larry King on CNN is...do you mean to say by this that MCTV would not be allowed to rerun its programming, would that be considered duplicative and not just CNN that does this, but Hannity & Colmes on the FOX Network...duplication is so common among commercial television are you setting a higher standard for community television now.

Mr. Gage replied no, in fact, we're not. In fact, what we are saying here...first of all, there is no limitation on the duplication on the channels before you get to the fifth trigger actually and what we're saying here is that we are asking that you not come to us and ask us to remove another program and add access channel(s) unless you meet the standard and the reason for non-duplicative is if you don't state that, and first of all you can see that we defined what those hours are...it's 10:00 AM. to 10:00 PM. There was a scenario where we would have left those available cable cast hours to the full 24 hours a day which would have been an absolutely impossible standard to meet. But, through

negotiation we agreed to limit it those times when people are most likely watching and the answer is you can duplicate program(s) as much as you want, but you cannot use that duplicated programming to meet the 75% trigger. So, if in the other times between ten at night and ten in the morning you want to show that show 22 more times, that's fine. If you want to show it during the day between 10:00 AM and 10:00 PM, you can show it ten times, as long as you meet that 75% non-duplicative trigger between 10:00 AM and 10:00 PM.

Alderman Vaillancourt stated so you are setting a standard for MCTV that CNN and FOX and every other commercial network would be unable to meet.

Mr. Gage stated that's their one channel. You're talking about five channels for local access which is extraordinary.

Mayor Baines interjected I think the question's been answered and called upon Alderman Levasseur.

Alderman Levasseur stated I hope we can hear from Dr. Grace Sullivan before this is over, I see her shaking her head over there, so I want to make sure she gets her opportunity to speak. Have we decided what it is going to cost to add the additional (I believe) eight schools, Alderman Gatsas, to the I-Net, did we come up with a price on that, we heard two different prices and I'd like to know what that price ended up being.

Mr. Gage replied no we don't have an end price for that. Grace Sullivan did call me this afternoon and said she was doing her best to work into that, but no, we don't have that price as of yet, I don't believe.

Alderman Levasseur stated I think it's very important that we know that. Looking at the numbers, would it be fair to say that you're going to collect around \$15 million a year from the fees that you will collect from the constituents in this City...at \$40.00 a pop times 35,000...does that sound about right.

Mr. Gage replied yes, your numbers are pretty close.

Alderman Levasseur stated what we receive from that is 5%, so over the ten year period my numbers show it's remaining constant without any increases in constituents or prices you'll be pulling in \$150 million and we'll be getting \$7.5 million...I'm a little worried about the \$900,000 you're giving us so that we can have...so that she can purchase new equipment, vans and such to hook up and do things...if it's going to be \$230,000 to put those other eight schools on the I-Net makes a big difference to what she can buy, plus

I'm also worried about the fact that all that money comes forward in only two or three years and for seven more years she doesn't have any more capital money; that doesn't sound to be a very fair exchange because we know that the growth is not going to stop, we know that technology is only going to get better as it has in the last ten years. You're not giving her any more money for capital improvement down the road and I guess I'll make a statement regarding Alderman Gatsas (you couldn't have found a better negotiator) but it seems like you really have our hands tied as far as the money you're going to be giving us and it doesn't seem to be a very fair amount of money that you're going to give us. Do you have any other...I mean the Social Contract...and you have no idea about how much you're going to take away...\$230,000 to get us in the I-Net or is could be \$75,000...it's kind of scary that you're really taking away that money from us to be able to do more capital improvement. I guess what I'm saying here, your Honor, is at this time I'm not really too thrilled with AT&T and the contract they're proposing to us. I don't think it's fair to this City, I don't think the amount of money that we're getting is appropriate.

Alderman Shea stated I have a few questions. First of all, maybe you could help me, Tom. At present, what franchise fee does MCTV receive from the cable provider.

Assistant Solicitor Arnold replied under the present contract the City receives 3%, MCTV or the access provider receives 1%.

Alderman Shea asked weren't they asking for 2.5%. According to the paper we don't get any information, but the paper indicated that. Was there some negotiation at one time that MCTV would receive 2.5% and the City 2.5%.

Assistant Solicitor Arnold replied there were a number of figures discussed, I thought.

Alderman Shea stated let me help with this question. Who decided that MCTV would not receive a percentage of the gross cable revenues, who decided that, did you decide that or did...

Mayor Baines interjected what I'd like to do is...Mr. Gatsas as Chairman of the Committee to address the issue of the information to the Board and the process that was used for negotiations, Mr. Gatsas.

Alderman Gatsas stated, Alderman Shea, I believe this whole Board did during the budget process.

Alderman Shea reiterated the whole Board did during the budget process that MCTV would not receive any revenues at all.

Alderman Gatsas stated I would assume that the budget that they came to us with that we approved would have told you that.

Alderman Shea stated I probably didn't read properly because obviously when the budget came in I'm sure that MCTV would not agree to get nothing back if they were getting 1.1%.

Alderman Gatsas stated they're fully funded. As a matter of fact, their budget is somewhere \$325,000, they asked for \$402,000, we gave them \$325,000 and I believe the \$77,000 that was removed was for rental. One percent was \$120,000.

Alderman Shea stated you're saying that they agreed with our figures, is that correct.

Mayor Baines interjected let me just clarify. What Alderman Gatsas said is true. During the budget process there was extensive conversations, as I recall, about an appropriation being made to MCTV. They were fully funded upon their request with the exception of the rental fee, but it was not a guaranteed percentage; that was discussed during the budget process.

Alderman Shea stated this is a concern that I have now is that over the next years MCTV is not being guaranteed anything. In other words, if this Board decides that we don't want to allocate any money to them they're out-of-business.

Mayor Baines stated the only thing I'd say to you...

Alderman Shea asked is that correct or not.

Mayor Baines replied yes. But, that would be the same case with the schools, fire, police and every other agency of City government. I do want...

Alderman Shea stated excuse me for interrupting you, but they belong to the School Department now, is that correct.

Mayor Baines replied we are in a transition period, as you know. Right now, we have kept the existing structure in effect. I informed the Board of this on several occasions. The plan is to support the community planning process strategy of making it a non-profit entity attached to the schools; that is going to take (we think) right up to about July 1 of

the next fiscal year, so they will remain in tact with their existing relationship until that time; that's our plan.

Alderman Shea stated let me go onto other things. I agree with Alderman Levasseur that \$900,000 for equipment over the next ten years is grossly inadequate. We had five young people here at the last meeting indicating that the equipment is almost nine years old. Now, we don't use textbooks, I hope, that are nine years old.

Mayor Baines interjected "point of order". Ronald Reagan was still President of West High School when I left.

Alderman Shea stated "point of order" there was never that problem at Hallsville School because I made sure that the books were updated. But anyway, what I'm saying is any industry couldn't function the way they are being asked to function because their hands are being tied. I totally disagree with this contract the way it's written, they should receive at least \$2.5 million, at least that. What I'm saying is Hallsville School is not connected to the fiber optic I-Net, however, other elementary schools are connected. I can name Webster School is connected, but Hallsville School is not connected, so I say that all of the schools should be connected, they should treat all of the schools fairly and under this contract, I believe, that they are not going to be connected, is that true.

Deputy Solicitor Arnold replied to go back a step. With respect to the \$900,000, just to put that into perspective, I would note that in the last contract the City signed, the City got \$250,000 in grants over ten years. With respect to the I-Net, the I-Net is not included in the present contract. What will happen is the last contract provided for an I-Net with certain listed City buildings to be hooked up. A number of schools...you're entirely correct that at present (I think) eight schools are not hooked up to the I-Net. What will happen is all of the buildings listed in the last contract will be hooked up to the I-Net in accordance with that contract...the I-Net will be tested to make sure that it is operating properly and once we are sure the I-Net is operating properly and all of the buildings provided for in the present contract, not the proposed, have been hooked up, the City will be given a Bill of Sale for that I-Net and the City will own the I-Net and be responsible for it's operation and maintenance and expansion if that's what the City chooses to do.

Alderman Clancy asked are all of the City departments going to be hooked to the I-Net.

Deputy Solicitor Arnold replied no. As I said, what will happen is that the buildings called for in the present, not the proposed contract, the present contract that was negotiated when the I-Net was negotiated will be hooked up to the I-Net.

Alderman Clancy stated the reason I say this is because if all of the municipal departments were hooked up that way we could have had class on the HTE system. Another way is if the Fire Department is hooked up to the I-Net they could have a class a central headquarters and all the apparatus doesn't have to come to central to have a class, they can just sit in their own classroom, have the TV on and watch it.

Deputy Solicitor Arnold stated I would certainly agree with you that there are benefits.

Alderman Clancy interjected other cities have this.

Deputy Solicitor Arnold reiterated I would certainly agree with you, Alderman, that there are benefits to having additional city buildings on the I-Net. As I say it's not part of the present contract that if the City chose to add buildings to the I-Net then we could bring in the engineers and expand the I-Net just like you do with other city services or buildings.

Alderman Clancy asked are there any departments that get free TV right now with this contract.

Deputy Solicitor Arnold replied there is going to be an addendum, unfortunately, due to the short time frame it wasn't attached... basically, the present city buildings that get cable will continue to get it and that new city buildings as they are erected will receive it.

Alderman Clancy stated now you're saying all City departments will get it, free TV, is that right.

Mayor Baines stated let's go... this has been going... I've been very pleased on how things have been going, let's keep it going in that direction.

Alderman Levasseur interjected I think we should clarify something...

Alderman Clancy asked do they have to pay for the cable TV in all departments in the City.

Deputy Solicitor Arnold replied I would have to speak to Diane Prew, I don't believe so.

Alderman Clancy stated other cities and towns get free cable TV. I know that for a fact, so what's good for the goose is good for the gander. I think we should get it here in the City of Manchester.

Alderman Pariseau stated I just wanted to know if we were successful in getting this contract approved retroactive to July 1st.

Deputy Solicitor Arnold replied, no, it is not.

Alderman Pariseau stated we weren't successful in that endeavor.

Deputy Solicitor Arnold stated it has been discussed up-to-date because we're here with a contract tonight, no it is not retroactive.

Alderman Hirschmann stated I have four points that I would just like to make comment on. The four points are: with regard to rates/prices that the users and homeowners pay we were not able to negotiate that. Attorney Epstein, on our behalf, told us early on that rates were not part of the negotiations, so that was one of the disappointments...that comes under federal guidelines and federal controls. The second point was an excellent provider...AT&T Broadband is an excellent provider, there's no question of that. The third point was MCTV capital...I want to commend Alderman Gatsas from Ward 2 for negotiating \$900,000 in capital for MCTV to use as their new board sees fit. And, the fourth point would be...one percent of new revenue to the City which means approximately \$10,000 a month, your Honor. So, those are my four important points of this contract.

Deputy Solicitor Arnold stated if I could go back for one second to Alderman Clancy's question. If you look at page 22 of your contract, the reason I hesitated, Mr. Clancy, is it does provide that City buildings will get free cable. I hesitated when you said all City departments because what the contract provides is one drop per building, the City could expand that to the various departments.

Alderman Clancy stated the reason I say that is maybe they could have something at the Library that all of the other departments could tune into, they might be having a seminar or something like that.

Deputy Solicitor Arnold stated I just wanted to point out that the contract does provide for one hook up to each City building.

Alderman Lopez stated one the questions was asked about the contract is going to be effective when we approve it and we lost that \$10,000 a month (which is at about \$40,000 right now). Did I hear you correctly in reference to community service about the I-Net that this is something even though it is not negotiated in the contract for everything that it is an on-going possibility that the I-Net would go to the schools.

Deputy Solicitor Arnold replied I think you misunderstood, Alderman, what we were talking about is internet hookups, not the I-Net.

Alderman Lopez asked is that a community aspect from your portion, Sir.

Mr. Gage replied correct. The Social Contract that is mentioned in the contract did specifically state that which I said expires December 31, 2000, but the industry initiative that we all as cable providers take place in, cable providers who provide high speed modem access...we have an industry initiative that does the very same thing that would not expire on December 31st.

Alderman Lopez stated what you're telling me then is other contracts that you have out there with MCTV that you do provide that service.

Mr. Gage stated it is not MCTV. I can tell you that in Manchester that the Social Contract benefits have been available probably for two or three years. As of this date, I don't think a Manchester school has been actually connected as a result of the Social Contract and we tried to work through that in the transfer processes...was basically a matter of request by the City and I have to assume that they're getting their internet access through another method because I'm assuming that the School does have it. But, again, we would make it available under the Social Contract back lines through that 2002 date. But, as the industry initiative there is no end date, it's just a voluntary industry initiative. So, on June 30, 2002 I can't tell you exactly what's going to happen, but I can almost (as sure as I'm sitting here) tell you that the industry initiative will still be in place and it will be seamless as far as internet connections at the schools.

Alderman Gatsas stated I want to thank the committee members and most of this Board: Alderman Pariseau, Alderman Thibault, Alderman Hirschmann and Alderman O'Neil, and I can tell you that at one time or another either a good percentage of the Aldermen or most of them have attended the meetings that we've had on this contract and I just want to extend a thank you to everybody that did participate in it and thank you for the hard work, thank you.

Alderman Shea stated I just wondered...am I under the misconception, but I thought that the I-Net was within the City, but is not being utilized. I might stand to be corrected but, I believe that it has been connected to all City buildings. My understanding is it's not being used. Am I under the wrong perception.

Deputy Solicitor Arnold replied my understanding, Alderman, is the I-Net is being used by the School Department. It is not, at this time, being used by the City referring to it as separate from the schools.

Mayor Baines interjected can we have Dr. Sullivan come up and she can respond to other questions.

Dr. Sullivan stated the long-awaited contract, I haven't seen it yet, so I'm kind of at a disadvantage to be honest with you.

Mayor Baines stated you are here to respond to questions that the Board might have.

Dr. Sullivan stated I have been trying to take notes in some of the things you've asked about.

Alderman Shea asked is the I-Net connected to all City buildings and to many of the schools except for the seven schools listed.

Dr. Sullivan replied ten years ago when we were putting the I-Net together and I was part of those negotiations the majority of City buildings are connected, many of the fire stations are connected, many...I know that Public Buildings, Police Department, City Hall...I don't have the map with me, but the majority of the buildings are. The wires are out on the pole, the connections are not there. So, for example, in our strategic plan, out 10-year plan that we put together with our planning process we asked for live connections, the actual modulator to be put in that AT&T provide those live connections. During the last contract that MediaOne negotiated out in Raymond, Raymond got six live connections. I'd like to know are there any live connection provisions in this contract which is one of the questions that I have.

Deputy Solicitor Arnold replied as I stated the past contract provided for essentially 25 drops on the I-Net...they will be installed and the system will be tested and prove to be operational so that all of the buildings listed in the last contract, if the Board wishes, I can name those buildings for you now.

Dr. Sullivan asked are those just the connections there or are they just the drops there. If you're going to have live connections at Gill Stadium we'll be able to go live from Gill Stadium, we'll be able to go live from Central High School.

Mayor Baines stated what we would like to do is have the people before us this evening respond to questions that the Board might have.

Dr. Sullivan stated that's the question. The question is will there be a modulator, a live connector at Gill Stadium, will there be a live connector at Central, Memorial, at the Police station, at Public Buildings...I'm going to list them all. Are there going to be live connections at the new Civic Center, Singer Park...the cable is out on the poles. But, in the old contract the cable's out there, do we have a live connection. Raymond got six, do we have any live connection.

Mr. Gage stated I think I can just add to that and I think, Grace, the I-Net was not the subject of negotiation for this contract. Basically, what we're doing with the I-Net is we're looking at the old contract, we're fulfilling our obligations under the old contract. You will have an I-Net as stated in the old contract. When we looked at (I think there were 25), there were five in question. We had techs go out and find...in some cases the wire was looped at the pole and it wasn't actually in the building. The answer to Grace's question is that they will have live capability when you put the equipment on them you will have drops that will be tested and can be active, however, you get those signals back to MCTV or City Hall and then out to our head end that's going to be the City's responsibility.

Dr. Sullivan stated you will not be paying for that connectivity unlike in Raymond.

Mr. Gage replied we are abiding by the former contract which you can read which requires that we place a drop at those locations.

Dr. Sullivan stated I have read that contract...

Mayor Baines interjected the format is that the Aldermen will be asking questions, this is not a "whatever" is taking place there.

Alderman Vaillancourt stated I will follow up with Dr. Sullivan's line of questioning because I think it's a very astute line. You're going to provide the drops. How much additional money is it going to take for each drop to become capable of going live. For example, we have a great football coming up between Memorial and Central and MCTV eight years from now has more people than you could ever believe that want to broadcast football and it's a great thing for the community, probably better than watching the Patriots or the Red Sox. How much is it going to cost for us to activate that drop into a live capability.

Mr. Gage stated I don't have the answer to that; that was not the subject of negotiations, so I can't answer the question on the cost but I can say that you can take a portable modulator and connect it up to the drop that will be active.

Dr. Sullivan asked will that portable modulator be paid for by AT&T.

Mr. Gage replied that portable modulator will be paid for with the funds provided under this contract, I assume, or possibly funds that you have in the bank, but it is not the subject...you have to understand that the I-Net in the old contract said that we would provide you with a bill of sale, handing it over to you in the status as per the last contract; that is exactly what we will do, that is exactly what your committee has negotiated. They have held our feet to the fire in terms of what we said we were going to do. We've agreed to test all of those drops to make sure that they are active and they will not take the bill of sale until they know that this thing is the way that it should be.

Alderman Vaillancourt stated if I might just follow-up. In the world of reality then let's not look into the future...how much did it cost to make it capable for us to go live from City Hall after the drop was done here. I guess we could assume it's going to be the same at another location.

Mr. Gage replied I don't have the answer to that question.

Dr. Sullivan stated in terms of modulators and demods it could be anywhere between two and four thousand dollars, so in terms of just the...how many drops do you want and we're going to have to cover that cost out of that \$900,000.

Mayor Baines stated Jason thinks he has a better idea.

Mr. Jason Cote stated I just wanted to give you...for the modulator it's about \$3,000 and when you're talking about sending fiber to the station and then sending it back to their end it is astronomical in that sense that it's not under the way they we're talking paying back the I-Net, we're talking what \$660,000; that won't even cover 25 drops, it might but we won't have any money for anything else.

Alderman Clancy asked can you define a drop.

Mr. Gage replied it is the termination of the fiber which has no live components on it. So, basically we bring the fiber into the building...

Alderman Clancy stated in other words if you drop a live drop at the fire station all they can get is within City departments, they can't get any other channels.

Mr. Gage stated I think you may be confusing the terminology here. We're talking about the institutional network drive which is in the case a fiber connection that is sort of a fiber ring that goes between department buildings...

Alderman Clancy asked can that be interchangeable with TV.

Mr. Gage stated you can put a TV signal, you can put anything over that fiber, you just need the right equipment on the ends to make it happen. Now, that's separate from the cable television drop that will be at those locations also. They are two separate items.

Alderman Gatsas stated let us understand about the I-Net because I think it's very important that we're kind of mixing this thing up. The last contract that we had stated that (I believe) and correct me if I'm wrong as I go here that MediaOne would do the connections for a ten-year period. At the end of a ten-year period once they were all done...and some of them (we understand) have not been done, at the end of that ten-year period they said we're all done, we're not going to maintain it, we're not going to add any more, here's your bill of sale. So, I think everybody has to understand that this isn't something that we're negotiating to try and redo because the first contract says here's your bill of sale at the end of ten years. The City owns it, so that's as far as we can go. Now, maybe the two attorneys there...Grace you're giving me a look like...

Dr. Sullivan stated having been there ten years ago I can remember at those meetings it was United Cable Company and I called Sam Phillips, Jr. today but he's hanging fiber in Massachusetts today to go through that and that contract put out the cable I-Net within the first year and the City owns that I-Net currently. The City already owns the I-Net, it's maintained by the cable company. Tom Clark's not here, but Tom was back there ten years ago too...does the City own the I-Net now.

Deputy Solicitor Arnold replied the City has never gotten a bill of sale for the I-Net...the maintenance is presently taken care of under an agreement with MediaOne for which the City pays a charge for maintenance.

Dr. Sullivan stated the Institutional Network which connects...and all of the schools except for, I think, six or seven are not connected...and at that time, during negotiations we were told go with these schools and at the next contract we'll connect additional schools that are at the outlying districts and this is the first time I've seen this, so I wasn't privy to the negotiations. So, there is cable out in front of the Fire Department,

somebody has got to pull it in and the City is going to have to pay for it and we're going to have to pay for the connection. There's about ten issues here...

Alderman Gatsas asked can somebody just answer the question.

Mr. Gage stated what Grace is talking about is conversations that she had ten years ago with somebody who negotiated the contract ten years ago. We are talking about what was negotiated, what was on the paper and what the committee discussed. We're not talking about what might have been and what somebody said in the past about what they would do in the future and that person sold the cable company and is gone. We are talking about the document on the paper. At the fire station we will connect the fire station, we will put it in the building as a drop. You will be responsible to add a modulator or whatever kind of end user equipment that you deem necessary in order to utilize that fiber connection. We have agreed and the committee has made sure that we have done everything that we said we would do in the previous contract. We will do it, we will test it and we will turn it over when that is done and the committee has said we are not going to accept it from you unless it's in the condition that you represented that it should be and that's what it is. So, don't mistake that piece of the puzzle for anything that's in the document that's before you because it's not mentioned...because we're dealing with finishing up the old contract. The City will then own the I-Net, you can do whatever you want to do with it and you'll be responsible for maintenance and you will be responsible for end user equipment.

Alderman Lopez in addressing Dr. Sullivan asked, Grace, hearing the comment that we just heard, let me ask you...do you agree with what the gentleman said. Dealing with the existing contract, not conversations.

Dr. Sullivan replied, Alderman, I'm going back to the City...the ascertainment, the strategic plan and the School District's request to hook up the remaining schools. I wasn't privy to negotiations. We at MCTV will do the best with what we get and so won't the City. This is the first time I've even heard of what's going to be in the contract. There are about 11 components that I have questions about and make no mistakes we'll live with this contract and we'll do the best that we can, but again, I haven't even read it. For example, when one of the components said...when AT&T goes digital they'll have us have digital...are we going to get the equipment to go digital, digital transmission equipment...I don't know whether that's in the contract. The specific channel...I will tell you now that the specific channel, the third channel is so we split government and education. It took us six years under the current contract to get the second channel and that was only because of the transfer. I will also tell you that yes, Tom Arnold was right...

Mayor Baines interjected hold on...Alderman Lopez asked a question and I think we got away from the question.

Dr. Sullivan stated there were specific questions asked earlier that I didn't have a chance to...

Alderman Lopez stated I'm only asking you one question in reference to what the gentleman just talked about in reference to the contract that was negotiated that we only had the document and people were there ten years ago...we only have what was written in the document, do you agree with what he said.

Dr. Sullivan replied, Alderman, of course I'm going to agree that it was the document ten years ago...whether it was conversations or not and one thing that I have learned a lot during this whole process is when somebody says something you'd better get it in writing and when somebody say's 2.5% guaranteed, I should have gotten it in writing.

Alderman Clancy asked how many schools don't have the hook-up as of now.

Mr. Gage replied I believe there are eight.

Alderman Clancy asked which ones are they. They had better not be Beech Street and Wilson, I'll jump off the bridge.

Dr. Sullivan replied there's Bakersville, Hallsville, Highland Goffs-Falls, Parker-Varney, Smyth Road, Weston and Wilson. The School District connected McLaughlin. McLaughlin was not connected, so we did it ourselves. Under the current cable contract McLaughlin is supposed to get free cable, McLaughlin doesn't.

Alderman Clancy stated now's the time to get it, speak up.

Dr. Sullivan replied I've spoken up, Alderman.

Alderman Levasseur stated I just want to kind of finish this up a little bit. The only thing I have a problem with here and we talked about this last night was...those eight schools aren't hooked up, the Fire Departments are not hooked up, various City buildings and that's going to come out of the capital budget. Now, we need to know is that going to be...Grace, if that's all you get is \$900,000 are you going to say okay, I don't want to use that money up for those other places that aren't hooked up.

Dr. Sullivan replied in the first place...in terms of...right now our status is currently a department under the School District, I don't know when the non-profits separate from the School District is going to be brought up...\$900,000 is for ten years and that's not a lot of money. The \$250,000 we got ten years ago was woefully inadequate...Newton Highlands...the following year from us with Continental got \$750,000 ten years ago with half the subscribers; that meant that under ten years ago...standards 10 years ago we should have gotten \$1.5 million.

Mr. Gage stated they do not get a 5% franchise fee and I can guarantee you that.

Mayor Baines stated there are differences and we're not going to solve the differences of contracts because we all know that there are different nuances in every City. We're not here to debate Mr. Gage or anybody else. We're here to respond to questions from the Board. I think I've been more than generous with the time that I've allocated.

Alderman Levasseur stated can I just caution the Board that I don't think we should move with this tonight, I think maybe we could table it until we know what the actual cost is because I've heard two numbers: \$230,000 to hook-up the eight schools or \$75,000 and it's such a disparate number that it could really make...it's a decision that has to be made and I just think that we should table this until another date.

Mayor Baines asked, Alderman Gatsas, what's the recommendation of your Committee in terms of this whole process.

Alderman Gatsas replied I believe we were looking for a contract this evening. I think we got it with the changes that we were looking for. I think that...it's certainly no disrespect to Mr. Gage or AT&T or anybody else, but when you attempt to negotiate a contract when there's only one provider it's really not a negotiation so, Dr. Sullivan, I would tell you that we made every attempt to get you as much as we could possibly get you, but when there is no other player on the field that means you just go with what you've got and hope you get the best you can get because the choices we have are saying we don't want this contract and tell the subscribers out there that they don't have cable tomorrow because they want to shut it off at the boxes. I don't know what other alternatives we have. When you're negotiating the contract it's not like you have...and, again, this Board certainly has had the opportunity to sit and ask questions and participate in this process for the last four or five months.

Mayor Baines asked in your view is this the best contract, I know we had a top notch negotiator, is this contract the best you feel that can be brought to the table and the second part would be...the issues that have been addressed by Dr. Sullivan and the other

members of the Committee this evening and the Board this evening...were they addressed and negotiated and this is basically the result of it.

Alderman Gatsas replied I think that is an answer that should come from the City Solicitor.

Deputy Solicitor Arnold replied I wouldn't recommend or I should say I wouldn't present it to this Board...a contract that I didn't think was the best I could get under the circumstances I have to deal with. A lot of these items were negotiated, some items were dropped in negotiation in favor of other items. As always, I did my best to take my direction from the Committee on Administration and the Board. There were certainly certain decisions and tradeoffs that had to be made in negotiating this contract. Did the City get everything I or this Board would have like to have seen, no. Do I think it is a reasonable contract, yes. We've put eight months into it. I can certainly say that I've put my best effort into it, I think Peter Epstein, the City's Consultant, who specializes in cable law and represents a number of communities both in this State and in Massachusetts...put his best effort into it and came back and feels that it is a good contract.

Alderman Vaillancourt stated I'm sure if we could point out a few minor things then maybe you could go back and do it a little bit better. I would like to talk a long time about the current contract as it affects the coming year, but I'm stuck in the future, I'm stuck on page 26. I believe that that word "non-duplicative" has made you more than somebody providing cable service, it has put you in the programming department and I'd like Dr. Sullivan to comment on this. It seems to me that paragraphs (b) and (c) on page 26 with the given amount of funding virtually mean that we will never get that fourth and fifth channel because...I was thinking of other stations. For example, the Comedy channel, they duplicate their programming every four hours and FOX TV which I mention not only run Hannity and Colmes several times the same night, they duplicate on Saturday and Sunday. You're trying to tell MCTV that they can't duplicate if they want another station. Dr. Sullivan would you comment on the way we run the cycle of programming at MCTV.

Mayor Baines interjected I want to make a point that we have made that point already and we're making it again and this will be the last time we cover that ground.

Alderman Vaillancourt stated we're making the point again...the point I was making is that I am certainly not willing to vote on this tonight until we take that word "non-duplicative" out of the contract.

Mayor Baines stated I appreciate that and I respect it, but you have been duplicative on that issue.

Alderman Vaillancourt stated only because I didn't get a good answer the first time.

Mayor Baines stated let's see if you get the one you want this time.

Dr. Sullivan stated I have an answer and I'll try not to be repetitive either. I will say that when I heard about this yesterday and again it was mostly rumors, I was shocked at that...we are held to a higher standard than TNT, than the Romance Channel, than...probably a good 40\$ of the pay channels, however, this is a City where people work, not just one shift and programming needs to be one second shift and also people work third shift and we got calls...we used to just run programming once. We got calls saying please repeat it. I get calls in terms of repeating the Mayor's meeting. Yes, we did. The first thing when I went in in the morning, first thing after the weekend somebody asked could you please repeat the Mayor's Night Out.

Mayor Baines asked where did you hear this information yesterday, I'm just curious.

Dr. Sullivan replied I saw in the paper, the 2.5% guarantee...that kind of thing. I will say I was at a presentation this morning that was the Business and Industry presentation that was funded to look at how arts information...how people deal with the arts in this state and economic development and during the presentation it said, it listed...they randomly sampled people in the Greater Manchester area and it said where do you get the majority of your information and very closely...firstly, it was *The Union Leader*, then it was the radios and then it was MCTV and then it was your broadcast channels. So, I think that the duplicativeness...I think it makes a lot of sense. The thing is that fourth channel...first you get a public access channel, you get an educational channel, you get a government channel. The fourth channel should be the bulletin board and then the fifth channel should be reserved for those needs that we cannot even guess with the new technology. We all use the Internet now, ten years ago we weren't. What do we need that fifth channel for...to have these kinds of qualifications...

Mayor Baines interjected okay, I think you answered the question.

Alderman Shea stated my concern is as I mentioned before "capital improvement" and I believe that as a Board we should realize that over the course of ten years \$900,000 isn't going to do the trick. At least, we should give them \$2.5 million. I commend the Committee that worked on this, I'm not being critical, but I would agree that \$2.5 million,

at least, is an appropriate...you have to buy equipment, you have to take care of needs that are unforeseen...we're talking about ten years into the future.

Mayor Baines asked could you respond to that and then come over here.

Alderman Wihby interjected I'd like to respond to that.

Mayor Baines acknowledged Alderman Wihby.

Alderman Wihby stated in the budget process we decided...when we voted in the budget that we were going to take the revenue and put it into our general fund and we were going to make them a department like every other department in the City and when they came to us we would decide what extra to give them or not want to give them. We can bond projects later on just like any other department. We can bond capital improvements...they're going to have to come to us, explain to us what they want, why they want it...just like any other department does and this Board would okay anything in the future that we wanted to do, so just because they have \$900,000 to start off with doesn't mean they're going to end up with \$900,000 over ten years.

Alderman Shea stated this is what...there's no guarantee though that they will get that \$900,000 over the 10-year period or that they will just need that amount.

Alderman Wihby stated that's right...then they would come back to this Board and this Board could...just like we do in CIP and do parks and playgrounds and everything else...we could say we want to give them CIP money to do that stuff.

Alderman Gatsas stated I certainly would have liked to have gotten \$5 million out of AT&T, but I don't think it's possible, I did try I can tell you that and the Committee tried on a lot of different avenues. One of the important issues that nobody's talked about here is that we pushed very hard for a senior discount. Some of the funds that we were talking about in that \$900,000 a portion of it was because of a senior discount that everybody on the Committee was very, very adamant about having. So, I can tell you that there's a 10% senior discount available on the lowest tier. Now, I can tell you that that was a hard fight because AT&T claims that they don't have a lot of senior discounts floating around in their contracts.

Alderman Shea stated on the Internet, if you look under Cleveland, Ohio you'll find that there's one under AT&T and other communities in Ohio that they are offering.

Mr. Gage stated there are senior discounts out there and there is one in Manchester after you sign this document.

Mayor Baines commented I'd like to commend the Committee for its hard work. I know that they received input from a variety of sources including looking at what the community had done with the planning that had been done through the process and they worked very diligently to strike a delicate balance between the needs of our community and also facing the reality of negotiations and having participated in negotiations we realize that in some negotiations you get everything that you want or nothing that you want or a combination thereof, it's a tough process. I want to comment Chairman Gatsas and his Committee for the work that they've done and I believe that it's time to act on this contract.

Alderman Wihby moved to accept the cable television contract between the City and AT&T Broadband and authorize the Mayor to execute same subject to the review and approval of the City Solicitor. Alderman Hirschmann duly seconded the motion.

Mayor Baines stated at this point in time I'm going to ask that the discussion be extremely brief, we've certainly discussed this matter at length.

Alderman Vaillancourt stated I haven't had a chance to read the 65 pages, so I certainly am not going to vote anything I haven't had a chance to read. I think the idea is outrageous...I'm still on page 26 and I still have several more questions. We were into the fifth year and I haven't had my questions about the fourth year answer yet. For example, and this goes to the heart of not doing this tonight. What on line 7, what is the meaning of the word "substantially programmed"...you can't get the fourth station until your top three are "substantially programmed". I haven't read the contract, so I don't know. Is that defined anywhere in the contract.

Mr. Gage replied it is not and I will tell you and, Mayor, if you can give me one minute because I think what I hear this evening is if you folks did this for a living and you went around to 200 communities like I do you will see that these people did a terrific job on your behalf. This contract is not the contract up until 10 minutes before I walked through this door that I would want to have signed. There were several issues that were not issues that AT&T was willing to agree to. We came to some conclusions on other parts and we gave in other areas, but I think if you did a survey and you looked around this is a substantial investment in this community by AT&T and the subscribers on its behalf to the tune of...in a static environment...\$850,000 a year in funds to the City; \$900,000 in equipment to MCTV...you will be hard pressed to find another community and folks in New Hampshire in particular that has anywhere near that kind of funding. This was a

nod in favor of what's going on at MCTV. I will tell you that what these people were up against were surveys that we had found information regarding this contract that may not have supported some of this stuff and had you gone to court over this issue you may not have had the support that was necessary, but it was a give-and-take and we were willing to look at other areas in terms of compromise. So, I will say that is a very good contract from a municipal perspective. It's a good contract for AT&T and that's a hallmark of a good contract when both parties can find something in it that makes them that they finished it. But, I would say that the comments that I'm hearing...those folks, if they were involved in the negotiations over the last ten month's they'd see that all of this stuff was addressed by their representatives and this is the subject of intense negotiations.

Alderman O'Neil stated I've been pretty quiet this evening, but I just want to review some points very quickly. We could have asked for less in the revenues and gotten more in capital. We chose to go after the 5%, I believe that was pretty clear from the Board, so we shouldn't beat up the provider on the amount of capital money. In my opinion with regard to the I-Net over the last ten years the City of Manchester has dropped the ball, it's been out there, it's been on the pole and we have done nothing with it. We have dropped the ball, not the provider and I say that about all City departments. With regard to the guaranteed funding...I agree with the statement that someone made earlier...we don't guarantee funding for fire protection, we don't guarantee funding for police protection, we don't guarantee funding for garbage pick-up or plowing our streets and we don't guarantee funding for schools, but if you look at the history here I think we've done a good job in funding those various departments and it's certainly clear to me that MCTV is very much supported by the community and it will be adequately funded in the year's to come. I know there's been some concern from the staff...are they going to have jobs and I give you my word that you're going to have your jobs and you're going to have the benefits to go along with those. In ten years from now you'll all still be working at MCTV. With regard to these triggers for additional channels...what I read into this is it challenges the community to step up. We've heard over the years that some of these...I remember going with Alderman Pariseau...public hearings, it seems like five years ago, it was probably only two or three year's ago...people are waiting, there's not enough room, etc. this allows us to step up to the plate and to go after the fourth and fifth channel, in my opinion. So, I think this is the best contract and I want to commend Alderman Gatsas for his work, I think this is the best we're going to get.

Alderman Levasseur moved to the question. Alderman Thibault duly seconded the motion.

Mayor Baines requested the Clerk to read the motion.

Deputy Clerk Johnson stated the motion recorded was made by Alderman Wihby, duly seconded by Alderman Hirschmann to approve the contract and authorize the Mayor to execute same under review and approval of the City Solicitor.

Mayor Baines called for a vote on the motion.

A roll call vote was requested by Alderman Vaillancourt.

Alderman 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.

Mayor Baines stated I do want to read a very brief statement. First of all, I want to commend the Board about that discussion that took place. I'd like to address a matter of significant importance to this Board and our City. I share the concerns that many have expressed to me personally. Many of you have expressed them to me that as we travel our City there is more discussion about the individuals in this chamber than on the issues addressed in this chamber. As a result, I believe there is a growing negativity toward government and public service. I am asking for this to change and I think we saw some of this change this evening already. To accomplish this we need the cooperation of each member of the Board of Mayor and Aldermen and I know that I must provide the leadership to make this happen. Let tonight be a new beginning, let's disagree without being disagreeable, let's conduct the public business based upon mutual respect, let's present a positive public image as we strive to unleash the potential of this great City during this period of unprecedented economic prosperity. Let's work as a team on behalf of the City that we all love and I'd appreciate if we could continue this dialogue that we had this evening.

CONSENT AGENDA

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

Approve under supervision of Highway

- B.** Pole/Conduit petitions submitted by Verizon
#649535 at Manchester Airport
#942339 on Chase Way

Informational, receive and file

- C. Minutes of Manchester Transit Authority meeting held August 29, 2000, the financial report for August 2000, and ridership/transit report for July and August of 2000 and financial reports for July and August of 2000.
- D. Minutes of the Mayor's Utility Coordinating Committee held September 20, 2000.

Informational, refer to Board of School Committee, Manchester Housing and Redevelopment Authority and Greater Manchester Mental Health Center

- E. Communication from Margery Mackinnon advising of various problems relating to the above referenced authorities.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- F. Communication from Sandra Gray lodging a complaint against the AT & T Broadband Cable.
- G. Communication from AT & T Broadband advising it will be making channel line-up changes in the City effective October 24.

COMMITTEE ON FINANCE

- H. Resolution:

“Authorizing the Finance Officer to effect a transfer of Twenty-Three Thousand Six Hundred Sixty Five Dollars (\$23,665) from Contingency to Police Special Projects (3319C10898) for a Local Law Enforcement Block Grant.”

COMMITTEE ON TRAFFIC

- J. Communication from Christmas Parade Committee requesting no parking on Elm Street and closure of Elm Street for the annual Christmas parade to be held on November 26, 2000, with an alternate of November 27 if weather does not permit on the 26th.
- K. Communication from Bruce Thomas of the Grace Church Property Committee requesting signs in the Right of Ways in five locations.

REPORTS OF COMMITTEES

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- M. Recommending that regulations governing standing, stopping, parking and operation of vehicles be adopted and put into effect when duly advertised and posted.

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

- I. Communication from Alderman Levasseur requesting the Board name the Civic Center site One Wieczorek Plaza instead of 555 Elm Street.

Alderman Levasseur stated Item I doesn't even have to go to the Committee on Traffic because I spoke with Skip Ashooh today and he informed me not only are they going to try to sell the naming rights to the civic center itself, but they also feel that they may be able to sell the naming rights to the plaza itself. So, it will have a name on the building and a name on the plaza and they're expecting to get revenue from that and moved to receive and file this item. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Mayor Baines stated I did talk to former Mayor Wieczorek this past week because I was concerned that there hadn't been any discussions with the former Mayor about some of these issues and having to read about them in the newspaper I thought was unfortunate because I believe that we should do something very appropriate to honor what he has done for the City of Manchester and I would request, at this time, that any efforts to name anything at this point in time be tabled and we will come forward to the Board with some recommendations which I believe would be appropriate in recognizing Mayor Wieczorek's service to this community and will have the support of this entire Board and I would like to recommend that at this time.

Report of the Committee on Traffic/Public Safety

- L. Recommending that the Board of Mayor and Aldermen request the Manchester Housing and Redevelopment Authority to name a roadway in the Hackett Hill Corporate Park as outlined in the attached, "Raymond Wieczorek Boulevard" and to reflect such name in all documents at this time. The Committee further recommends the Board request the MHRA to refer to such roadway as "Raymond Wieczorek Boulevard" when the documents relating to dedication of the roadway are submitted to the City for acceptance in the future.
(Note from Clerk: Action by the committee was to refer to Raymond Wieczorek "Way" not Boulevard. However, the Planning Director advises "Way" in the City of Manchester refers only to private roads and the road under consideration will be dedicated as a public way at a future date when construction upgrading is completed.)

Alderman Pariseau moved to table Item L. Alderman Cashin duly seconded the motion.

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

Alderman Hirschmann stated I don't know how to start off here, this is a complicated issue. I'm trying to honor a man that served our City for ten years in the capacity of the Chief Executive and the highest person in the City who sat in this chamber many more nights than any of us and the whole topic was to honor this fellow. This issue came before this full Board (unanimously) we said alright, let's move it to Traffic, it's already been here, your Honor. It went to Committee, it didn't come out the way it came in. We wanted to honor him in a different way, it came out this way and it was a four-to-one vote, there was one dissenter who didn't believe in it happening at this time. But, what we want to do, your Honor, is simply honor a man...did we call Ray Wieczorek and ask him...this was supposed to be...you don't call a guy and ask him do you want a street named after you, okay. So, what we did was talk about it in Committee. The Aldermen that served with this gentleman respect him and want to name that street and the only thing I would like to do is make an amendment that it be named "Avenue" based on the Planning Director's comments, we cannot name it "Way" because a way refers to a private road and moved that it be named Wieczorek Avenue in respect to this gentleman.

Mayor Baines stated before I accept your motion I want to make a brief comment. I agree with you.

Alderman Hirschmann stated you're not debating me, your Honor.

Mayor Baines replied no, I will not debate, you can't debate the issue.

Alderman Hirschmann stated I can give statements of fact.

Mayor Baines stated I agree with you, but I think there's a more appropriate recognition here and something would be more in line with the service to the community and all I had asked, as I said earlier that we could come forward with a proposal that I believe could have the support of everyone on this Board that I think would be more appropriate. Maybe a street is okay and that's up to you and I have no objection; that I believe we can do something much better than this.

Alderman Wihby stated the reason I didn't want to table this is because I wanted to understand what ideas you have, do you have anything...a couple of things.

Mayor Baines replied one of the things that I talked briefly to the Chair about recently is that there are some nice traditions in other communities looking at sections of cities (squares, for example) that are named for the contributions of people that are quite impressive and as I look at the site, in particular, I think we might be able to start what I believe would be a very positive tradition here in our community...looking at sections of cities...and I'll give you an example of why I thought of this because about a month ago I was invited by the Mayor of Cambridge to the dedication of a square in Cambridge after a lifelong friend of my mother-in-laws, a woman who have lived in that neighborhood for 81 years and in 1956 when the neighborhood was changing and different ethnic groups were moving in and a lot of other neighbors were talking about moving out this woman by the name of Helen Shields went across the street to this African American family with a platter of food and said welcome to our neighborhood and all these years later that whole neighborhood came out and celebrated what this woman had meant to the neighborhood and that square is now Helen Shields Square and I thought there might be some opportunities to look at that in terms of that parcel of property, doing it appropriately. I've asked the City Clerk to research the tradition of the City in doing some things of that nature and that's why I want an opportunity to explore and perhaps present to the Board which I think would be a very fitting recognition for Mayor Wieczorek.

Alderman Wihby asked what is the time frame you're looking for.

Mayor Baines replied by the next meeting, I think. As long as we make sure we do it right and look at the procedures in the City. I'd like to do it right and I think it could be a very impressive thing for the City and it might start a nice new tradition as well because I have a couple of other things in mind in that regard.

Alderman Cashin stated in my mind the worse thing that could happen here tonight is if we table it, the Mayor comes in with a recommendation, if the Board doesn't like it he can go back to this, so what do we have to lose by tabling it.

Alderman Hirschmann stated the reason why I selected this particular avenue...all the parcels...this is going to be a Class A Corporate park, the biggest park in the City and this was Ray Wieczorek's action. He, in essence, directed us to buy the college property, move the college into the Millyard and turn that into a Corporate Park, this was his act. So, that avenue going up with all these parcels of land and all these companies building up there will, forever, have on their letterhead Wieczorek Avenue, many of them. So, I don't think this is a small act.

Alderman Levasseur interjected I agree with your, Alderman Hirschmann.

Alderman Wihby stated I would agree with Alderman Cashin at this point, I think it's probably better if we just waited till the next time and tabled it and see what the Mayor comes back with so long as it's within the next couple of meetings.

Mayor Baines stated I would like to solve this and do something very nice.

Alderman Wihby moved to table Item L. Alderman Pariseau duly seconded the motion. The motion carried with Aldermen Levasseur, Vaillancourt and Hirschmann duly recorded in opposition.

7. Report of Committee on Administration/Information Systems.

Deputy Clerk Johnson advised that there was no report of the Committee on Administration/Information Systems to be presented this evening.

- 8. A report of Committee on Lands and Buildings was presented recommending that a request to authorize the purchase of a parcel of land abutting the Rubenstein Property owned by the B&M Railroad at a cost of \$44,805.00 plus recording fees be granted and approved; subject to the review and approval of the City Solicitor.**

Alderman Cashin moved to accept, receive and adopt the report of the Committee on Lands and Buildings. Alderman Thibault duly seconded the motion.

Alderman Hirschmann asked what is the purpose for the property.

Mr. Thomas replied the parcel of land in question is located east of Singer Field/South Commercial Street Parking Lot and west of the Rubenstein parcel. By acquiring the railroad parcel of property it will allow the City to own a contiguous piece of land from the Boston & Maine Railroad main line down to the river. It will allow us to maximize the potential...say for parking on the Rubenstein property, for the parking lot facility...

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

- 9. A report of the Special Committee on Riverfront Activities was presented recommending that the City proceed with construction of the Seal Tanning Parking structure up to \$1.7 million, subject to acquiring a temporary construction easement from the abutter.**

Alderman O'Neil moved to accept, receive and adopt the first report of the Special Committee on Riverfront Activities. Alderman Thibault duly seconded the motion. The motion carried with Aldermen Gatsas, Shea and Vaillancourt duly recorded in opposition.

A second report of Special Committee on Riverfront Activities was Presented recommending that that the following actions in conjunction with the Riverfront Development Program be approved:

- 1) Rescind authorization on various tasks identified in the original contract for the Master Plan, which have not been authorized to date (savings of \$112,920).
- 2) Rescind the authorization for the Riverwalk Coordinator (savings of \$200,000).
- 3) Reduce the construction and engineering allocation for Phase 1B of the Riverwalk from \$800,000 to \$753,000 (savings of \$47,000).
- 4) Increase the construction funding for the Seal Tanning Parking Structure from \$1,109,900 to \$1,699,002.74 (cost increase of \$589,102.74).
- 5) Formally authorize the relocation of the PSNH lines from the Singer Field area to the Rubenstein Property (cost of \$50,000).
- 6) Formally authorize the water line upgrade from South Commercial Street to the Riverwalk (cost of \$20,000).

The Committee advises that it recommends purchase of the B&M Railroad property, subject to the review and approval of the Committee on Lands and Buildings and City Solicitor, and has referred same to that Committee.

Alderman O'Neil moved to accept, receive and adopt the second report of the Special Committee on Riverfront Activities. Alderman Lopez duly seconded the motion.

Alderman Vaillancourt stated I think some kind of explanation is in order. You have one item that is \$589,102, so I'd like some explanation as to the need for this.

Mr. Thomas stated the six items on the report were various actions that we were requesting the Riverfront Committee to take in order to provide adequate funding for the Seal Tanning Parking Garage and also for the purchase of the railroad property that we recently discussed. As noted, there were some rescissions of actions that were previously made by the Riverfront Committee that were either no longer needed or covered in other locations. It had also noted reallocations of funds, again, to cover the bid that was received for the Seal Tanning Garage and to do other work that has been authorized by the Riverfront staff committee, but not officially approved by the Riverfront Committee. So, we were just trying to get the funding squared away. In my correspondence that is attached to the Committee's action, on the back of that there is a fund analysis that details all of the cost of the Riverwalk to date assuring that all of the projects that have been identified and approved would be funded and constructed.

Alderman Vaillancourt stated this is the case that a couple of my colleagues don't even seem to have this documentation, I believe I received it this evening and it's just difficult

while other debates are going on to go through and read documents like this, but maybe you could explain to us how you have about a 50% increase in Item 4...that's a substantial increase according to my math about 50% from \$1.1 to \$1.7 million, what happened that we had a 50% increase in the projected cost.

Mayor Baines stated a point of clarification...all of the information that we're referencing went out to the Board last week.

Alderman Vaillancourt interjected this was sitting on my chair this evening.

Mayor Baines reiterated all of the information that you also got on your seat this evening went out to the entire Board when, Carol.

Deputy Clerk Johnson replied it was part of the Riverfront Activities communications that went out to the Board in advance of the meeting that was held on Monday evening.

Mr. Thomas stated the subject of the Sealing Tanning Parking structure was detailed in quite a lengthy discussion at the Riverfront Committee meeting. To give you a basic rundown...there were three bids that were received for the project; two of the low bidders were within a couple of thousand dollars apart. So, the bids were good. The reason why there was an increase in the cost...two main reasons: number one, from the time the original request was made for funding which was based on a preliminary look at the ground by the consultants there was a determination that there would be a need for pilings to support the structure because of the amount of fill and the type of fill; that is a filled in area and there are still foundations, etc. underneath the Seal Tanning Parking Lot which increased the construction costs by about \$200,000. The directive to the consultant in designing the facility was to maximize the amount of spaces that could be obtained at that location. As a result, 26 additional spaces were included in the design, so between those two major elements the price of the work did go up. We looked at alternatives, we reviewed alternatives with the consultants and after that review I recommended to the Riverfront Committee that they go ahead with the project and obtain the necessary funding. Part of my recommendation was that funding analysis that showed how that money could be taken out of the total appropriation that has been made to the Riverfront development activities without endangering any of the previously approved projects down there.

Alderman Shea asked, Frank, how much do we expect to get back in parking fees from Seal Tanning.

Mr. Thomas replied I don't have that figure...a set rate for leases...

Alderman Shea stated we will get the money back that we are putting into it in time whether it's over the course of five years or ten years or something like that.

Mr. Thomas stated this is not a project that revenues collected are going to offset the bonds and there was a long discussion on that issue before the project was approved the first time around. So, we're not using revenue bonds, regular general obligation bonds, I believe, that we're using and the revenues that will be generated will go to offset the cost, but it is not going to be self-sufficient, no.

Alderman Shea stated we will get something back for parking.

Mr. Thomas stated yes, the spaces will be leased.

Alderman Shea stated I can see that, but my concern is...and I know this will pass tonight, but my concern is the money that we're putting into the Riverwalk...in my humble opinion I don't see anyone walking down there. I go down there, I walk on the first phase...I don't see anyone using it. My constituents call me and say where is it, they can't find it or they don't want to go down there. In essence, we would put in almost a million dollars in the Riverwalk before we're through (IA and IB), just a ballpark figure.

Mr. Thomas stated that is correct and people are utilizing it. There was the Arts in the Park that had a function down there and there are people that are down there during the week and on weekends walking in that area. Now, you've got to remember we only have one small section of that Riverfront Walkway completed. We are in the process of awarding a contract to take us southerly of that point. Eventually, there will be a pedestrian bridge across the river in the area, the old train bridge, which will connect to the rail line on the west side and that the Parks Department has noted they're investing in upgrading now. In addition, we are under design for sections of the Riverwalk to the north of Granite Street.

Alderman Shea stated, Frank, you can spin it forever to me, but believe me we could use the money more beneficially if we repaired the roads that the people have to travel on and the highways, enough said.

Alderman Gatsas asked, Frank, how many additional spaces...that brings us up to how many.

Mr. Thomas replied there's 26 additional spaces, it will bring us up to a total of 240 spaces.

Alderman Gatsas stated no, what we're constructing...the total number that we're constructing.

Mr. Thomas replied there will be 96 new spaces...

Alderman Gatsas asked does that include the 26.

Mr. Thomas replied that is correct.

Alderman Gatsas stated that brings us out to somewhere around \$17,700 per space.

Mr. Thomas replied \$17,600 per space.

Alderman Gatsas stated \$697.93.

Mr. Thomas stated I didn't get that far, I rounded it off.

Alderman Gatsas stated that leaves us an additional, remaining amount once we fund everything and pay for everything of about \$276,000 left in this fund, is that what I'm looking at here. There was \$4 million that we started with, we've already allocated \$3.723 leaving \$263,182.

Mr. Thomas stated no. Looking at the financial analysis that's attached to the Committee recommendation you'll see that we've spent all \$4 million.

Alderman Gatsas stated the first one that says current and the one that's recommended is gone and we've spent \$4 million.

Mr. Thomas stated recommended is what the Riverfront Committee approved reallocating to Seal Tanning and the purchase of the railroad property is all included in the zero balance.

Alderman Gatsas stated I believe there is another...I'm looking where we can maximize our dollars. I believe we're talking about doing another one of these decks just down the street for \$1.8 million, if my memory serves me right.

Mr. Thomas replied that could be. There are other locations, I don't have that report in front of me.

Alderman O'Neil stated I know there's been talk about...and I'm drawing a blank about the lot, but it's Spring Street...wasn't there talk about putting a deck there. There's been talk in committee about another deck. All we're doing here is just reallocating work we've already approved. Unfortunately, the construction cost came in higher than what was expected. We're purchasing the B&M Railroad land, we're providing a waterline down to the Riverwalk so that all the money is being invested in landscaping and that could be properly maintained.

Alderman Gatsas stated I understand, Alderman O'Neil, but all I'm saying is I think we talked about \$1.8 million to do another deck down around the Bedford Lot. Now, that's going to bring us...and, again, I'm just looking...I'm not looking to say no let's not do this, but if we take \$1.8 million and put it on \$1.7 million we're at \$3.5...if you take a quick calculation of what they did at the Airport their space value was at about \$10,000 a space in a garage. So, I'm saying maybe we can put another \$2 million into this project and get someplace that we can get six hundred places of parking in that Millyard because they certainly are in need of it.

Alderman O'Neil stated I don't disagree and we actually had this discussion in Riverfront Committee a number of month's ago...the problem here is when we talked about it tenants were coming, they're here, there's a grand-opening and unfortunately there were commitments made by City officials two years ago that this would be done, the building owner put money in the building and went out and got tenants, the tenants are here now. I don't disagree with what Alderman Gatsas thought about maybe...I don't want to speak for you, but maybe a garage of some sort might be more appropriate. We don't have time with regards to this particular project.

Mayor Baines stated I want to comment on that too because I am meeting with the principals involved on Friday, right Bill, we've set up a meeting. We also have a very aggressive in-house committee looking at the issue of parking and will be coming forward with some recommendations. I've had discussions with some of the tenants down there...one in particular that I will leave nameless right now that we could be looking at some very serious demands in addition to what we're aware of right now, but the fact of the matter is I'll be attending the opening next week and this should have been done a year ago and we've got to get it done, we have to get that parking situation taken care of.

Alderman O'Neil stated I agree with Alderman Gatsas and I would love to see a plan that addresses moving forward with regard to a structure and maybe getting more bang for our buck. The unfortunate part of it is this discussion with regard to the Seal Tanning Lot needed to happen two years ago.

Mayor Baines stated we will have those proposals before this Board in a very short period of time.

Alderman Gatsas asked, Frank, when do they plan construction on this.

Mr. Thomas replied as soon as we get the temporary construction easement we'll start construction. The schedule that R.S. Audley has supplied us indicated that the structure could be completed by June.

Alderman Gatsas asked stated when.

Mr. Thomas replied started sometime in November.

Alderman Vaillancourt stated I hate to be the one to ask it but nobody else is going to and it begs to be asked. We had budgeted \$200,000 for a Riverwalk Coordinator, apparently, we don't need a Riverwalk Coordinator now. The logical question is why.

Mr. Thomas replied eventually we may need one. Some of the activities that were envisioned when that approval was made is now being handled by Bill Jabjiniak.

Alderman O'Neil stated that has actually been spread...Frank has picked up the construction portion of it, Bob MacKenzie has a role, Jay Taylor has a role along with Bill, Kevin, Tom Clark...it's just that the workload has been spread a little bit. When that was proposed there was talk about having one person handling all of those items.

Mayor Baines called for a vote on the motion. The motion carried with Aldermen Gatsas, Shea and Vaillancourt duly recorded in opposition.

10. Report of Committee on Community Improvement.

Deputy Clerk Johnson indicated there was no report of the Committee on Community Improvement, however, noted there were CIP budget authorizations that were distributed which would be taken up in the Finance Committee.

11. Nominations presented by the Mayor.

Mayor Baines nominated Mr. Douglas Wenners to fill a term as an Alternate on the Conduct Board, advising that under the rules the nomination would lay over to the next meeting.

On motion of Alderman O'Neil, duly seconded by Alderman Lopez, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

13. A report of Committee on Finance was presented:

Recommending that Resolution:

“Authorizing the Finance Officer to effect a transfer of Twenty-three Thousand Six Hundred Sixty-five Dollars (\$23,665) from Contingency to Police Special Projects (3319C10898) for a Local Law Enforcement Block Grant.”

ought to pass and be Enrolled.

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

14. Communication from Thomas Arnold, Deputy City Solicitor submitting two (2) easement requests by Verizon New England, Inc. which are necessary due to the Airport expansion project.

Alderman Wihby moved that the easements be granted and approved, subject to the review and approval of the City Solicitor. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

15. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by Comprehensively Revising the Zoning Ordinance Including Changes to the Text, Tables, and Maps.”

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

Alderman Wihby moved to refer the proposed ordinance to the Committee on Bills on Second Reading and to concurrently refer the proposed ordinance to Public Hearing on November 27, 2000 at 7:00 PM in the Aldermanic Chambers of City Hall. Alderman Pariseau duly seconded the motion.

Alderman Shea stated the Zoning Ordinance, in my judgment, should reflect the goals and values and policies of our Master Plan and our Master Plan was adopted in 1993 and according to RSA 674:2 which is the New Hampshire Planning and Land Use Regulations [1998-1999 Edition]...the Revised Statutes Annotated...our Master Plan should be updated every five years and it seems reasonable and logical to update the Master Plan whose purpose is land use and development with accompanying maps, etc. prior to amending the zoning. In other words, may I ask what is the urgency of updating our Zoning Ordinance when we haven't even updated our Master Plan. In other words, we fitting the Zoning Ordinance into an outdated Master Plan. Why don't we work first on our Master Plan to find out how our land use and development can be done and then we should work on our Zoning Ordinances. What we're doing is we're putting in zoning ordinances into an outdated Master Plan when we should be updating our Master Plan first and foremost and then taking the Zoning Ordinances and fitting them in our Master Plan. I think really and I don't want to get this wrong, but we're putting the cart before the horse. Maybe I could ask Bob to respond, I'm not sure.

Mayor Baines stated I'm not sure if it's his role to respond, it's up to the Board to respond...you made a statement, a statement of your beliefs and there is certainly some foundation to them.

Alderman Lopez stated maybe Mr. MacKenzie could answer...I was looking at the draft report that we paid for a consultant to come forward in February of 1998 and then I looked at the revision that we received and I noted that mostly in the revision that the special exemption was turned over to conditional use by the Planning Board and from some discussion...and Mr. MacKenzie can enlighten the Board, I can't find any documentation in reference to the Planning Board making any of these changes and so now what we have is the Planning Board...mostly everything goes to them except for the special exemption by the Zoning Board. So, I'm trying to get a relationship here where the Zoning Board of Adjustment used to do a lot of these things and it was recommended by the consultant and all the things were changed to conditional use by the Planning Board and I was wondering who brought all of this about.

Mr. MacKenzie replied the revisions to the Zoning Ordinance have been in process for about five years now. There was a sounding board, there was a technical committee of

various city departments and individuals working on it with a consultant and that report came out in...as you said...February of 1998. The Planning Board did want to review the ordinance...under State law one of their charges is to make recommendations on the Zoning Ordinance to the Board of Mayor and Aldermen. They went through the particular proposed ordinance at that time line-by-line and made changes to that ordinance. The staff was available, there was considerable discussion on each one of those. It was the Planning Board's feeling than rather than having a lot of projects have to go to two boards: the Zoning Board and the Planning Board to do site approval that many projects could be expedited by going to one board and getting a conditional use permit at the same time that they are getting the site plan approval. So, there were many other changes they made beyond that, but that was perhaps the most critical substitute change that the Planning Board made.

Alderman Lopez stated, Mr. MacKenzie, there's no record of what the Planning Board actually recommended...only in the revised has the SE been changed to CU, but there's no recommendation from the Planning Board and they're appointed officials and under State Statute I understand that, but I'm looking for a paper trail here of who did all these things and whether they're correct and who's going to certify if it is correct. I think it goes along with Alderman Shea's point of the Master Plan and also in reference to all of the revisions that we have here, it also goes along with the Building Department at the same time and I realize...

Mayor Baines stated can't we...a lot of these things we're not going to settle all of those issues this evening. Could you follow those up.

Alderman Lopez stated I just wanted to bring that to the Board's attention because I think it's very important to realize that we paid for a plan that cost \$40,000, I'm told and all these things were changed.

Alderman O'Neil asked, Bob, is it correct to say that what's being sent to public hearing on the 27th is the staff recommendation on signs and not some of the discussions that the board has had on signs.

Mr. MacKenzie replied the signage portion...we did go back for staff review (including our staff), the Building Department and the City Solicitor had comments related to the constitutionalities of certain portions of it. There were changes made by staff to reflect some of the discussion by the Board and, in effect, bring the proposed ordinance closer to what the City currently has in the Sign Ordinance.

Mayor Baines stated it's subject to further revision, as well.

Alderman O'Neil stated it doesn't really answer my question. There was some direction from this Board with regard to sitting down with the...I can't remember the exact...NH Sign Association...I don't see any other those discussions.

Mayor Baines asked have we sat down with them.

Mr. MacKenzie replied yes. We've sat down...

Alderman O'Neil interjected it's not reflected in here, none of it is.

Mr. MacKenzie stated many of the changes as requested by the NH Sign Association are reflected in this draft.

Mayor Baines asked, Alderman, could you do a summary of that and send it out to the Board...the suggested changes by the Association that have been incorporated.

Alderman O'Neil stated, your Honor, I would like to see a comparison...what it was before and what the recommendation is because I don't read it in there to be honest with you.

Mayor Baines stated you'll do that and get it out to the Board.

Mr. MacKenzie replied in the affirmative.

Alderman Gatsas stated I know that there's a public hearing but in that public hearing I believe the citizens of Manchester have an opportunity to speak, may ask a question, but nobody delivers an answer. I think maybe there should be a forum set up beforehand that the people that may have a great interest...I know that there was a gentleman that spoke who lives in my ward, Bill Harkins...certainly, is very astute in some of the questions he was asking and maybe we should get some public participation to ask the Planning Department specific questions and maybe changes that can be recommended because they ask questions at a public hearing and don't have the opportunity to get an answer right then and I think that this issue is vital to the entire City and we should have some sort of ability to let the citizens of Manchester ask a question and get an answer to the question that they may be asking.

Mayor Baines stated let us have some discussion about that and see what that might look like.

Mr. MacKenzie stated in terms of a more technical hearing.

Mayor Baines stated the Planning Board perhaps. We might want to talk to Dave and some of the others involved in that and talk about something to do along those lines. So, we'll do some internal discussion about that and get back to the Board, okay.

Alderman Hirschmann stated before it goes to public hearing, it does include the new Conservation Zone.

Mr. MacKenzie replied yes, Alderman, it does.

Mayor Baines called for a vote on the motion. The motion carried with Aldermen Shea and Vaillancourt duly recorded in opposition.

- 16.** Communication from Jay Taylor, Economic Development Director advising that the MDC Board of Directors recommends that the City of Manchester consider the construction of a temporary surface parking facility on the Bridge and Elm property as a priority item in the Public Works Department schedule for July of 2001.

Alderman Vaillancourt stated Item 16 should be referred to the Committee on Traffic/Public Safety as it has been discussed there and I think that would be the appropriate place.

Mayor Baines asked could somebody advise...it's already been in Committee...

Alderman Sysyn moved to accept recommendation of the MDC Board of Directors as outlined. Alderman Clancy duly seconded the motion.

Alderman Wihby stated I have been talking to an attorney who represented a hotel that wanted to be there and asked could we just table this item...Jay could speak on it...if they've talked to him and they've decided not to go forward or haven't been in contact, but I would like to be able to go back and talk to them before we spend \$60,000.

Mayor Baines stated we're talking about the spring of 2001...there has been a lot of discussions with a number of different developers and like about hotels and such...there isn't any concrete proposal yet, but we are in on-going discussions and, Jay, if you'd like to address that.

Alderman Wihby asked, your Honor, are you saying that they are not going to start till the spring of 2001.

Mayor Baines replied that is my understanding. Is that correct, Frank.

Mr. Taylor stated I think the letter that I sent is simply to convey the consensus of the MDC Board and that is while we are continuing to try to market this property, let's try to find a productive use that will both clean it up and maybe provide some revenue and some use. Given that we have no firm proposal from anybody on the table, as far as I know at this point, and further, given that...it would seem reasonable to me that even if we were to receive one today, it would probably be a year or so before anybody would break ground anyway and getting some use and possibly some revenue out of this property in the interim seemed like a reasonable solution. My letter was trying to be sensitive to Frank's work schedule knowing that he probably doesn't have any time to do this this fall, so the spring seemed the logical time to make this request and I'll let him speak to that.

Mr. Thomas stated that is the reason why I came up here because quite frankly, I don't have the time until at least July of next year. My priorities right now are to finish Bridge Street resurfacing and building the Rubenstein Parking Lot. If I am directed to jump into this project I will have to let one of the others go.

Alderman Wihby asked, Jay, did they ever contact you about the hotel, have you sat with anybody.

Mayor Baines replied we have had some conversations with Bill and they are on-going discussions.

Alderman Wihby stated it doesn't look like...

Mr. Taylor stated unless somebody else has seen it, I have not seen any proposal.

Alderman Wihby stated basically the proposal is we'd start this in July, but if something comes up before then we could just stop it.

Mr. Taylor stated absolutely.

Mayor Baines stated we will certainly keep Frank apprised of any negotiations. In fact, the Board will be the first to know if anything develops on that site.

Alderman O'Neil stated maybe I missed it in the letter, but where was the money coming from to do this.

Mr. Taylor replied the MDC Board did not suggest, it was merely a recommendation that this be done.

Alderman O'Neil asked, Frank, is there a possibility...if the funds were there that you could plug away at this on some weekends in the early spring for overtime and it still might be cheaper than hiring a private contractor to do it.

Mr. Thomas replied that would be the only way I could work on it, however, I would need funding for all the materials...the \$60,000 and the salary money.

Alderman O'Neil asked is it safe to say that you could probably do it for cheaper than a private contractor.

Mr. Thomas replied I'll always say that. The answer is yes.

Alderman O'Neil stated that could be an alternative...but, it's still going to come down to who is going to pay for it.

Mayor Baines stated I understand and we'd have to come back with something.

Mr. Taylor stated I can't volunteer the resources of the MDC, but that is one alternative. A caveat to that would be that I would hope that the Board would allow them to then collect whatever revenue was collectable in order to try to pay that investment back, if that is in fact the way everyone decides they want to go. So, that's a possible alternative.

Mayor Baines stated again, our first priority is to develop the site and we are having negotiations or discussions and we'd hope to be able to come back to the Board within a period of time and say, by the way, we've got a project here, that's our goal.

Mayor Baines called for a vote on the motion. The motion carried with Alderman Gatsas abstaining and Aldermen Vaillancourt and Hirschmann duly recorded in opposition.

17. Resolution:

“Authorizing the Finance Officer to effect a transfer of Twenty-Three Thousand Six Hundred Sixty Five Dollars (\$23,665) from Contingency to Police Special Projects (3319C10898) for a Local Law Enforcement Block Grant.”

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

Alderman Pinard moved that the Resolution pass and be Enrolled. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

18. Warrant to be committed for the collection of Sewer Charges.

Alderman O'Neil moved to commit the sewer warrant in the amount of \$81,717.66 to the Tax Collector under the hand and Seal of the Board of Mayor and Aldermen. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

19. NEW BUSINESS

Mayor Baines stated that tomorrow night Alderman Sysyn and I will be hosting Mayor's Night Out from 7:00 to 8:30 PM at the McDonough School. Also, on November 4th at 1:00 PM at Memorial High School, Manchester will become the first City in the State to participate in Operation Recognition. A national movement that creates the high school graduations ceremonies for those who left school to serve their country in World War II or Korea. Dignitaries from across the State will participate in the ceremony...Mr. Adamakos and Mrs. Driscoll are coordinating for the School District. This promises to be a very moving and significant event. I hope you'll mark your calendars and plan to join the graduates and their families on November 4th at 1:00 PM at Memorial High School. Finally, next Tuesday I'll be hosting a Small Business Conference in partnership with Citizens Bank and the US Conference of Mayors. Anyone interested who wants to participate can call my office at 625-6500 to sign up...there is no registration fee and all are welcome. In front of you, Aldermen, you have the agenda that a number of people have worked to put together. I think it reflects the concerns and aspirations of Manchester area business leaders and I invite all of the Aldermen to participate, as well.

Alderman O'Neil stated when we were talking about the cable contract earlier, I should have recognized Tom Arnold...he put up with a lot some nights of some very frustrated Aldermen, but he came through in the end and put together a good contract for the City and I think he just needs to be recognized for that. He put in a lot of time into it. And, secondly, your Honor, is there anything...can you work with the City Clerk to take a look about these late nights. It's coming up on eleven-thirty now and I don't see it getting any better.

Mayor Baines replied yes, the City Clerk and I have had some discussions about some rules and perhaps some recommendations. A number of Aldermen have also talked to a

number of City Councils across the State are facing the same problem and have actually introduced time limits on the meetings.

Alderman O'Neil stated my only concern with time limits is if it's taking us this long to get the business done are we going to be here more nights or is there a way of improving the way we do business.

Mayor Baines stated the City Clerk and I are discussing it and we hope to be coming to the Board with some suggestions.

Alderman Vaillancourt stated just in regard to that briefly we didn't start the real meeting until nine o'clock. We had other presentations which could be made part of other meetings. I'm handing out to you now...you know how I like to talk about good, upbeat things and not be critical. I spent today down around Crystal Lake which is one of the gems that we have in the City and they were in the process of getting a new sewer line down there and I talked with one of the residents who gave me this, so I thought I'd have some copies made for you. The construction company of RD Edmonds & Sons did a wonder job of helping get the sewer line so it's about ready to be hooked up. So, I think we should occasionally say good things about big business and trying to deal with the citizens that they're serving. So, I wanted to bring this forward just to show you and the point of this was that this constituent in Ward 8 was so happy that she collected donations from about 45 people in the area and they had a party for the people that helped put the construction through, so I think this was something that was noble and we should look for. But, on the other hand, I should point out that I also saw that there are these dreaded fragmites growing in the lake again. When Jackie Domaingue was the Ward 8 Alderman about four year's ago there was an effort by the Board to spray this and get rid of the fragmites, these weeds in the lake. So, I think I might be asking you to spend some money to get rid of fragmites again and that was my day at Crystal Lake.

Alderman Hirschmann stated we all received a letter from Harry Ntapalis and it referred to a Workmen's Compensation claim for \$52,000.

Numerous Aldermen indicated they had not received the letter.

Mr. Clougherty stated I believe it's going to the Committee on Accounts, Aldermen.

Alderman Hirschmann stated I'll handle it there, your Honor, I'm sorry.

Alderman Levasseur stated I have a question for the Mayor concerning an attempt by myself to put a motion for reconsideration on and pursuant to the request by Mayor Baines the item was removed from the agenda. Your Honor, what was the process...

Mayor Baines interjected that's not true.

Alderman Levasseur asked what was the process in not putting the motion for reconsideration for the spending of the money to the Library for Bethel Court.

Mayor Baines replied it would be under New Business per rules of the Board...there has to be a motion for reconsideration at the meeting for it to be on the agenda as a reconsideration...that is the rules of the board...that is the process to do it.

Alderman Levasseur stated there were statements made by the Mayor and not only yourself Mayor, but a lot of people were wondering about whether those people in that building...after the building was shown on my TV show "Positively Manchester" that they didn't believe people were paying \$850 a month for rent because of the condition of the outside of the building and I know the Mayor made that statement to a friend of mine also. I have a check here in front of all of you Aldermen...that's just one of the tenants that was kind enough to send me this showing that they really are paying \$850.00 a month.

Mayor Baines interjected I verified that.

Alderman Levasseur stated obviously there are questions about this whole situation and I would ask that you...and I put this letter through...a lot of informational has come up to me. As a matter of fact, on Tuesday, I receive a phone call from one of the tenants asking if the City had purchased the building yet. They need new refrigerators, the hallway lights don't work, there's potential for asbestos siding that's a problem there, there's some shabby repairs and stuff in there and I'm wondering if this Board feels confident going forward paying this money for this building and there is also other information that has come about as to the other two buildings that were to be purchased that are not able to be purchased and I would like to reconsider that, if possible.

Alderman Thibault stated I am well aware of the request by the Library Trustees to purchase the properties at 2 Bethel Court. I serve on that Committee. In my opinion, the Trustees have acted in an above board manner and in the best long-term interest of the City and the fine Library. This property is presently available at a good asking price of \$135,000 or \$140,000...if it is not bought now for future expansion then the Library and the City will be in a bind trying to acquire the needed land in the future. I believe we

should acquire the building, explore management options and let the present tenants continue to reside in the building as tenants at will. Thank you.

Alderman Levasseur stated let me explain one thing here. There can be no expansion on the other parts of the building unless the other two buildings are purchased. The Fine Arts building is not for sale, they just received a \$25 million trust, they're not interested in selling that building. The green building on the corner...

Mayor Baines interjected, Alderman, I am going to ask you at this point...we've discussed this before and want a motion on the floor, I want to know what you want to do with the letter.

Alderman Levasseur moved for reconsideration.

Alderman Thibault moved that the communication from Alderman Levasseur be received and filed. There was no second to the motion to receive and file.

Alderman Levasseur moved for reconsideration of the purchase of Bethel Court based on the information I have come forward with. Alderman Hirschmann duly seconded the motion.

Alderman Wihby stated we got a letter, I think from Alderman Levasseur saying that the realtor said...I guess I just want someone from the Library to come up and speak on this. I okayed this...and my vote last week was because I have no problem with them expanding in the future. I didn't want them to make that building a parking lot, so I assumed it would stay the way it was until we bought the building and then we'd go forward with the expansion. I have no problem with that. If it is true that we're not going to be able to buy that last building and eventually we are going to have two buildings and we're going to end up knocking them down and having a parking lot, I want to change my vote, your Honor...and I know that in the letter Alderman Levasseur spoke to somebody and they said that in fact, they don't want to sell in the future and we're never going to be able to buy it, I just want to know if that's the case or not.

Mr. Kevin Devine stated I'd like to answer Alderman Wihby's question. The Manchester City Library is in the business of educating and providing access to information to the citizens of Manchester. They're not in the business of parking lots, so we as Trustees would agree with you. We don't have a present concrete plan that includes other buildings because until I said in my opening comments in public session tonight...until yesterday when it was brought to our attention that someone was claiming that we could buy this other building for \$350,000 we hadn't heard that. No offer to sell another

building to us for one dollar let alone \$350,000 has been made to the Board of Trustees, that was the first we had heard of that. We had had a market research done in our due diligence to tell us what our future plans could be and we were told that that other building that the owner's had represented to Mr. Peloquin that they were not interested in selling that building at this time. But, they wanted to retire there, that they would be pleased to consider in the future giving the City a Right of First Refusal because they'd be pleased to have it go to the Library, but not right now. People's plans change. What we are trying to do is preserve the future possibility for the Library of staying where it is. So, we would agree with you on that point, Mr. Wihby.

Alderman Wihby asked are you talking about the building that got the \$25 million...you're talking about the other building.

Mr. Devine replied the opposite side.

Alderman Wihby asked how about the \$25 million building, what that true that Pierre said that...the grant...the Fine Arts building. Is it true that he was told that they're not interested in selling it at all.

Mr. Devine replied I don't know if he approached them or not. All I know is that that building was offered to the City for free in 1994 for the Library and the City turned it down, it's gone.

Alderman Wihby stated there's something in the letter that says that a realtor told us that they were not interested in selling it and you're saying you never even...the realtor was hired by you.

Mr. Devine stated no, you have to understand. The realtor has not been hired. Mr. Peloquin volunteered some time at the request of...the Board asked Mr. Brisbin in part of our long-range planning to find out what the market values of the surrounding properties were and were any of those people interested in giving us a Right of First Refusal or an option to buy.

Alderman Wihby asked what happened to the Fine Arts building, did we get one there.

Mr. Devine replied I wasn't part of it, I don't know. Did Mr. Peloquin talk with the Institute.

Mr. Brisbin stated I talked recently with one of the trustees of the Institute of Art and he said that it might not be impossible for us to obtain that building at a later time, they have

it for the present time, but he said that may not be true for all time and he wanted to know what our interest in it was. So, there's a little bit of daylight showing there.

Mr. Devine stated we don't know what is going to happen there. A lot of what the institute is going to do is changing with the plans for the University of New Hampshire in Manchester because when they bought that building that had been offered to the City for free their plan at that time was to build a college there and I don't know what's going to happen now that the University has decided to really expand here in Manchester.

Alderman Cashin stated I just want to set the record straight on something. I do not recall the Hesser building ever coming to this Board being told that it was going to be for free. Now, I don't know where it went and I'm not going to debate it, but it never got to this Board.

Mayor Baines stated I think you're absolutely correct on that. It was, however, offered to the City for free. Mr. Brisbin would you like to give the history on that because it never did come to the Board.

Mr. Brisbin stated I sought it. I got John Snow to go with me with Mayor Wiczorek's permission. We went and talked to Mr. Galeuccia...we were afraid that he wanted big tax concessions or some deal that the City couldn't agree to...he said just take it, it's yours and the Mayor went to the paper with it. There was an article where he quoted that I had sent him a letter and I remember he didn't ask me to publish the letter (parts of my letter were in it) and he said that he thought it was a great idea that the City, that the Library should have it and then quickly changed his mind. And, we talked to Pierre about that today and he said that was the nature of the recession and it was kind of a liability to own buildings at that time, so that's the sequence. We had Mr. Houle go through it...there's a report on that.

Alderman Gatsas stated a question for the City Solicitor regarding taking property by eminent domain.

Deputy Solicitor Arnold stated if the question is "could the City take building by eminent domain for Library purposes subject to the proper procedures and the proper finding by the Board", I believe they could.

Alderman Gatsas stated so I guess what you're saying is if for some phenomenal reason the Library Trustees came in with a big endowment and were able to do an addition that the City could go out and take those two properties by eminent domain that we're talking about.

Deputy Solicitor Arnold replied as I said "subject to the proper procedure and the findings of public necessity"...

Alderman Shea stated I know at the last meeting we discussed this and we were wondering as a body here if a management group would take this over has the City Solicitor looked into this, has there been any progress.

Deputy Solicitor Arnold replied it has not been looked into yet. I had a conversation with Mr. Brisbin yesterday essentially asking where the process was at. We had some discussion...he faxed me a number of documents so that we could start the process of purchasing this building. I did speak to Mr. Peloquin, I made him aware that we might have to go through the procurement process to get a management company...he was kind enough to offer his services in that respect, but other than that no, to date there haven't been any efforts, but I anticipate that that process will be started soon.

Mayor Baines called for a vote on the motion for reconsideration.

Alderman Levasseur stated...one more follow-up. If tomorrow the building is purchased by the Library and the refrigerators are broken and the water faucets drip, who's paying for that, but you will have to get a COC and you will have to upgrade the apartments, are you going to pay for that or are you going to come to the City for the money.

Mr. Devine replied, Mr. Levasseur, all Library buildings are owned by the City, not the Library.

Alderman Levasseur stated so, in other words, we are going to have to be replacing the...I'm telling you that the tenant called me and wants some things replaced. So, you're telling us that they're going to have to request from this Board money to replace the refrigerators and such.

Alderman Cashin here is a check for \$850.00 signed by the tenant, they're paying the rent, living under the conditions they're in now. Why would they expect us to make it any different for them.

Alderman Levasseur replied they're going to want somebody fix the stuff.

Alderman Cashin stated let them get it fixed before we buy it.

Alderman Sysyn asked isn't the seller responsible to get that COC before he sells it.

Alderman Gatsas stated I don't know, I can't give you that answer.

Alderman Levasseur stated I own a bunch of apartment buildings and when you buy a building you get the COC that is already in place and when it expires you have to upgrade it. But, in the meantime the City will be the landlord of this property and will have to fix things as they go.

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

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

A True Record. Attest.

City Clerk