

**BOARD OF MAYOR AND ALDERMEN
Continuation of meeting held 11/21/2000**

November 28, 2000

7:30 PM

Mayor Baines called the meeting back to order.

The Clerk called the roll.

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

Absent: Alderman Pinard

Mayor Baines stated before we begin the meeting, I would like to offer my congratulations to Alderman Gatsas and Alderman O'Neil for their election to the State Senate and I would like you to join with me in congratulating them. I would also like to welcome back Alderman Lopez after a brief illness. He is walking a little slow tonight, but he is doing pretty well. Welcome back, Mike.

Mayor Baines stated again this is a recessed meeting. I would like the Board to pretend it is 10 PM. We are on the consent agenda so that would be about 10 PM.

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.

Ratify and Confirm Poll

- A.** Poll taken October 24 and October 25 approving an extension to the closing date relative to purchase of the French Hall property through November 14, 2000; and authorizing the Mayor to execute an amendment to the purchase and sales agreement.
(14 members recorded as approving the extension)

Approve under supervision of Highway

- B.** Pole petitions:
Verizon and Public Service Co. #922805, new pole on Pellerin Lane
Verizon #942568 , new poles & ½ interest of S-3 on North Commercial St.
Verizon #649667, manholes and conduit on Broadhead Ave, Devonshire St., and Hazelton Ave.
Worldcom #30205 conduit and manholes on Bedford St. and Spring St.

Informational, to be Received and Filed

- C. Minutes of Airport Authority meetings held August 24 and September 21, 2000.
- D. Communication from the Church of Christ thanking the Traffic Committee for allowing use of the Pine Street Parking Lot for "Give-Away-Day".
- E. Communication from Gardner & Fulton advising that Bernie Waugh, formerly associated with the NH Municipal Association, is now a member of their firm and available to assist communities in legal counsel, and providing background of other attorneys on their staff.
- F. Communication from Manchester Housing and Redevelopment Authority submitting a report advising of amounts of funds to be requested by MHRA for various projects.
- G. Minutes of Mayor's Utility Coordinating Committee meeting held October 18, 2000.
- H. Manchester Transit Authority minutes of meeting held September 26, 2000, And financial and ridership reports for the month of September.
- I. Communication from New Hampshire Tax Collectors' and City and Town Clerks' Associations recognizing Constance Marion of the Tax Collector's office for her completion of the second year of the Certification Program.
- J. Communication from New Hampshire Tax Collectors' and City and Town Clerks' Associations recognizing Paula LeBlond-Kang of the City Clerk's office for her completion of the Certification Program.
- K. Minutes of November 2, 2000 meeting of the Piscataquog River Local Advisory Committee.
- L. Communication from State Department of Revenue Administration reference: City and School Financial Relationship.

REFERRALS TO COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- N. Ordinance:

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

- O. Ordinance:

“Amending Sections 33.024, 33.025, and 33.026 (Deputy Clerk of Licensing and Facilities, Deputy Clerk of Administrative Services, Deputy Clerk of Financial Administration, and Legislative Assistant) of the Code of Ordinances of the City of Manchester.”

COMMITTEE ON COMMUNITY IMPROVEMENT

- Q.** Communication from TW Bridge Associates requesting consideration for the City to share in costs to repair the vault located at Hanover/Chestnut Street.

COMMITTEE ON COMMUNITY IMPROVEMENT AND MTA (For response to CIP Committee)

- R.** Communication from Mark Berry, 322 North Main Street, regarding problems with transit service, and advising of a loss of employment resulting from the inability to rely on the public transit service.

COMMITTEE ON FINANCE

- S.** Resolutions:

“Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Thirty Eight Thousand Two Hundred Eighty Two Dollars (\$238,282) for Two Police Projects.”

“Amending the 2001 Community Improvement Programs, authorizing and appropriating funds in the amount of Two Hundred Ninety Six Thousand Dollars (\$296,000) for the 2001 CIP 510701 ISTEA-Project B&M Goffstown Branch R.R.”

COMMITTEE ON LANDS AND BUILDINGS

- T.** Communication from Public Service of New Hampshire requesting the City execute a Quitclaim Deed relating to the March Avenue Discontinuance.

COMMITTEE ON TRAFFIC

- V.** Communication from Granite Systems regarding speed concerns in the area of their building and offering to take responsibility for putting out a cone in the crosswalk area to assist with pedestrian safety.
- W.** Communication from Lemay Brothers, Inc. regarding concerns with parking in the vicinity of their building.
- X.** Communication from Multiple Sclerosis Society requesting use of Arms Park for the MS Walk on Saturday, April 7, 2001.
- Y.** Communication from Jay Taylor, Economic Development Director, requesting the Board allow Arms Park to be included in the Groundwater Management Zone as part of the University of New Hampshire remediation at University Center.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT & REVENUE ADMINISTRATION

- Z.** Recommending that the Finance Officer be authorized to write-off accounts as listed.

COMMITTEE ON BILLS ON SECOND READING

- AA.** Recommending that Ordinance Amendments:

“Amending Sections 33.024, 33.025 and 33.026 (Airport Emergency Worker (Seasonal/Temp) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.026 (Electrical Inspector, Mechanical Inspector, and Plumbing Inspector) of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding a new subsection 96.06(F) Golfing in Parks.”

ought to pass.

- AB.** Recommending that Ordinance:

“Repealing Section 90.16(B), Redemption of Impounded Dogs, Section 90.16(C) Fees, and Section 90.17 Disposition of Fee of the Manchester Code of Ordinances.”

ought to pass.

COMMITTEE ON COMMUNITY IMPROVEMENT

- AC.** Recommending that the lease between the City of Manchester and Southern New Hampshire Services, Inc. relating to the Manchester Community Resource Center be extended through September 30, 2004; and further that the Mayor be authorized to execute such amendment as enclosed herein subject to the review and approval of the City Solicitor.

- AD.** Recommending that requests to accept and expend funds as follows:

- 1) accept and expend funds in the amount of \$238,282 for two Police projects; and
- 2) accept and expend funds in the amount of \$296,000 for the 2001 CIP 510701 ISTEA-Project B&M Goffstown Branch RR

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

COMMITTEE ON HUMAN RESOURCES

- AF.** Recommending that the City of Manchester, NH, Vision and Mission Statements submitted by the Quality Council be approved and adopted.

COMMITTEE ON JOINT SCHOOL BUILDINGS

AG. Advising that it has accepted project summaries and reports for the month of September enclosed and is submitting same for informational purposes as follows:

- High School Stages
- Parkside Addition
- Parkside Life Safety
- Henry J. McLaughlin Jr. Middle School
- ADA Accessibility/School Elevators – Webster School
- Central and West Heat & Ventilation Improvements – Phase V
- Energy Efficiency Conservation Project
- School Reroofing Project
- Facility Audit
- McDonough/Green Acres Gym Asbestos Abatement Project
- Central Practical Arts/West Mackin Building Electrical Upgrade

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

M. Communication from Jim Trombly Plumbing and Heating requesting the City consider rezoning the area of Bridge Street from Maple to Russell Streets from R-3 to B1.

Deputy Clerk Johnson stated the Clerk requested this be removed because we actually did bring that before the public hearing. We would ask that it just be referred to Bills on Second Reading.

On motion of Alderman O'Neil, duly seconded by Alderman Thibault, it was voted to refer this item to Bills on Second Reading.

P. Communication from Public Works Director regarding Recycling and Yard Waste Agreements with Waste Management, Inc.

Deputy Clerk Johnson stated with regard to this item, the Clerk would advise that the Committee on Community Improvement actually took this item up this evening and they have requested that a report be submitted to the Board, which would authorize the extension of both the recycling contract and the yard waste contract for a one year period and I believe Mr. Thomas is here to address it should the Board have questions.

Alderman O'Neil moved to approve the recommendation of the Committee authorizing extension of the recycling and yard waste contracts for a one year period.. Alderman Clancy duly seconded the motion.

Mr. Thomas stated I was requested to make a brief announcement and that was to inform the public that weekly yard waste collection will be ending this weekend and they should make every effort to get out what materials they have by this weekend.

Mayor Baines asked when does it actually end, Frank.

Mr. Thomas answered it actually ends on Sunday or Saturday.

Alderman Pariseau asked so Thursday in my area would be the last day.

Mr. Thomas answered yes.

Alderman Thibault stated they normally pick up my yard waste on Mondays, which was yesterday.

Mr. Thomas replied the weekly yard waste runs for approximately a 10-week period. That is advertised in the newspaper through special notices. There are also notices that go out every year notifying the public of the dates of bi-weekly and weekly collection and it is well publicized that December 1, this Friday, is the last collection day.

Mayor Baines called for a vote on the motion to authorize extension of the contracts for a one year period. There being none opposed, the motion carried.

U. Communication from Alderman Vaillancourt regarding Highland Goffs Falls School and a possible "fairer share" example of what happens with Midway Airport in Chicago.

Alderman Vaillancourt stated last week at the meeting I did hand out a packet of no less than 20 letters from residents of South Manchester whose students attend Highland Goffs Falls School and the problem that has been ongoing there that was brought to light by one of the speakers during the public comment session last week. This will be referred to the meeting on Airport Activities, which will meet tomorrow night at 5:30 PM in this Chamber. Since that meeting last week, I have attempted to get in touch with the school officials involved and I spoke with Frank earlier tonight. I believe we are getting towards the bottom of this, but maybe you can just fill us in on what has happened, Frank.

Mr. Thomas replied our Facility Engineer in our Building Maintenance Division has been conducting a detailed evaluation of the ventilating system at Highland Goffs Falls School. Any deficiencies that we have come across in the mechanical system have been addressed by the end of today. We are now moving forward with having a professional come in and actually clean the exhaust fans and we are going to coordinate some additional air quality monitoring by our Health Department. The bottom line is the

mechanical system that is in there right now is working 100%. Some of the things that we are going to be proposing down the road are to draft some policies and guidelines to be followed by School Administration to make sure that things are running and not manually turned off and that inlets are not blocked by desks or tables and things along that line. In addition the Airport Authority is contracting with a consultant to come in to do an independent evaluation of the design that was originally incorporated when the soundproofing was done. I am sure Mr. Dillon could answer any additional questions you have.

Mayor Baines asked Mr. Dillon to come forward.

Mr. Dillon stated I echo everything that Mr. Thomas said. The Airport is contracting with a firm called Conway Engineering of Brookline, New Hampshire to come in and make a couple of verifications. Number one, that the original design was appropriate for that size building and number two, that the system is functioning as it should be. I need to point out that the Airport fully believes that the system that has been installed is appropriate for that school building, but we have reached out to this independent firm so that we can get an independent verification. It is important to keep in mind that the system was installed in 1993 and that there were no noted complaints until earlier this year. One of those complaints that was noted this year did reference a problem that they believe might have been in 1998, but again it was only reported this year so it does show that the system was functioning for at least five years without any reported complaint. Naturally, it is a mechanical system and it needs ongoing maintenance and that is what we are about to verify with an independent verification that the design and the operation of the system is what it is supposed to be.

Alderman Vaillancourt stated we are always happy to serve as a conduit for the most recent complaints and I think you did receive the packet of 20 and I hope you had a chance to review them.

Mr. Dillon replied we did. We just recently received that.

Mayor Baines stated we appreciate your attention to that. As you know, when we first received the complaints we contacted Public Building Services and they have been working diligently on it. My children all went to that school and we did not have any complaints during that time period and occasionally things happen with the system and we appreciate the fact that it is being addressed.

Report of Committee on Human Resources

- AE.** Recommending that the reorganization plan of the Office of the City Clerk as enclosed herein be granted and approved; and further that same be referred to the Committee on Bills on Second Reading for ordinance preparation and technical review.

Alderman Shea stated this is the reorganizational plan of the Office of the City Clerk being referred to Bills on Second Reading and I just want to commend the City Clerk and the Deputy City Clerk for their cost savings in this reorganizational plan. They will save the City, during the next two years, \$16,000 and that is fine work on their part and it is appreciated.

Alderman Shea moved to refer this item to the Committee on Bills on Second Reading. Alderman Clancy duly seconded the motion. Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Alderman Lopez stated at this time I would like to recognize Carol. She has been elected as the second Vice President of the NH Clerk's Association.

Mayor Baines congratulated Carol and stated while we are heaping some praise on the City Clerk's Office, I would like to join in and commend the City Clerk's Office for an extraordinary job during the most recent election. If you see what is happening in Florida right now, we should be very gratified that our technology is where it needs to be. A lot of hard work goes into that effort and when you see the activity around City Hall at election time, you should be very impressed and proud of the caliber of work that is done out of that office to insure that elections are carried out in an appropriate manner. I would like to offer my congratulations.

Report of Special Committee on Riverfront Activities

- AH.** Advising that it has approved change orders filed with the committee on November 1, 2000 as follows:

Change Order #9 for \$35,591.00

Change Order #10 for \$327,552.00

Change Order #11 (deduct of \$264,280) – internal budget transfer

Change Order #12 (deduct of \$21,752.00)

Change Order #13 for \$1,157,617.00 (cost to come out of the FF&E budget)

Change Order #14 for \$186,745.00

Alderman Vaillancourt stated before I get to this item I would like to second that congratulations. I do note that New Hampshire was fifth in the entire nation in voter turnout for the election and I believe we had around 600 new registered voters per ward. At the end of the polling hours in my ward, Ward 8, we had a line of about 40 to 50 people to register so there was tremendous interest and the very fact that of 26 recounts in

the State of New Hampshire the results changed only twice and they were both in Manchester I think says nothing about the validity of the vote here.

Mayor Baines asked how many new voters registered.

Deputy Clerk Johnson answered in total in the 30 days just prior to the election and including election day, we took on 10,000 newly registered voters.

Alderman Vaillancourt stated and the day of the election it was around 6,000.

Clerk Bernier replied 6,800.

Mayor Baines stated so between that and the election last year we are probably up about 14,000 or 15,000 voters.

Alderman Vaillancourt stated regarding Item AH. Having received my Slovakian hockey puck and my Honduran T-shirt with that vicious lion on it, I have to admit I have Monarch fever. However, that notwithstanding, I thought this would be an appropriate time with all of these change orders, I believe that everyone knows that a change order means a dip into the contingency fund so I just thought with the civic center we ought to know how much of the contingency fund we have used, how much we have left and just kind of an update with this barrage of change orders here? Does anyone have that information or would anyone like to know that? Are we in any danger of going over the amount of the contingency fund?

Mayor Baines asked are you able to answer that this evening, Jay. We can just refer this to the Civic Center Committee and have that information at the Committee.

Alderman O'Neil stated, your Honor, there is a document that the Civic Center Committee and I don't have it with me tonight, but there is a running tab on all of this.

Alderman Wihby stated there is about \$1.8 million left, I think.

Mr. Taylor stated let me just say that last week Peter Levy and numerous representatives from Gilbane Construction were here to answer that question. Unfortunately, Peter is on vacation and won't be back until tomorrow night. I guess my suggestion is that if you have further questions regarding that issue, this item should be tabled to a subsequent meeting.

Mayor Baines stated it looks like the remaining balance is \$1,744,000 plus. That is pretty healthy.

Alderman Wihby voted to accept, receive and adopt the report. Alderman O'Neil duly seconded the motion.

Alderman O'Neil stated these change orders were brought before the Civic Center Committee and I thought the Committee asked some very good questions and at the end of it they were voted on unanimously. Just one concern. There was a phone poll done on some additional changes that for some reason the indication was that they had to be done by phone poll, but it was never forwarded formally to the full Board. I guess my only criticism is did it really need to be done by phone poll or could the Committee have met.

Deputy Clerk Johnson replied the change order he is referring to is Change Order #15 and that will show up as a report to the Board on December 5. That action was taken after this agenda had been closed out and submitted to the Board already.

Alderman O'Neil responded I understand that but if it wasn't going to be presented to the Board until December 5, my question is why did it need to be done by phone poll and why couldn't we have just scheduled a Committee meeting and in 15 or 20 minutes cleared it up and voted on it unanimously.

Deputy Clerk Johnson stated the Chairman could respond further to that perhaps but I would just note that in terms of that change order, once it is acted upon by the Committee, there is no authority of the Board overruling that as I understand it.

Alderman Wihby stated what happened was at the meeting that we had where we okayed these other change orders, that item was brought up and it was told to us that it was considerable and that they were working on the numbers and the reasons on why it was going to be so when they called and said they needed it because of the time-frame, I told them to do a telephone poll. If the telephone poll hadn't passed, we would have had the meeting but since it passed we didn't have the meeting and this Board doesn't vote on the change orders anyway. The authority was given to that Committee.

Alderman O'Neil stated I guess, your Honor, and I am not critical of the Chairman and what he was asked to do with trying to expedite it. It was significant. It was \$187,000 or something and I thought it just might have been productive if the Committee would have had it...we did somewhat discuss it at a previous meeting but they never formally proposed what the changes were going to be. With that, I will move.

Alderman Lopez stated, Jay, Alderman Vaillancourt made a comment if I heard correctly that the change orders come out of contingency. I noticed that there are some internal

budget transfers that came out of the F, F&E budget. What are we talking about? Is it a true statement that all of these figures come out of contingency?

Mr. Taylor replied the F, F & E budget that you are referring to is furniture, fixtures and equipment, which is a number already contained within the master budget so that would not be an additional cost to the project.

Alderman Cashin asked what was the vote on that phone poll. Does anybody know?

Deputy Clerk Johnson answered it was a 3-2 vote as I recall. I would have to check the record.

Clerk Bernier stated that is correct. It was 3-2.

Mayor Baines called for a vote on the motion to accept, receive and adopt the report. There being none opposed, the motion carried.

Deputy Clerk Johnson asked could we just get a motion on Item U to refer it to the Special Airport Committee.

On motion of Alderman Vaillancourt, duly seconded by Alderman Wihby, it was voted to refer the communication from Alderman Vaillancourt to the Special Airport Committee.

Confirmation of nomination of Doug Wenners to succeed Siobhan Tautkus, as an Alternate to the Conduct Board, term expiring October 1, 2003.

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

Alderman Levasseur stated next time you get a guy who is 30 years old with the spirit, strength and agility and knowledge and hard work ethic that you get in a guy like this, put him on a Committee that does some work. This Committee, they don't ever meet and he is an alternate. I would like to see a guy like him on something where he puts in some hours.

Deputy Clerk Johnson stated the Committee on Community Improvement met this evening and they did take up an item of new business relative to a Police Department grant in the amount of \$8,893.27. The Committee is recommending that those grant

funds be accepted and expended and there is a resolution that goes with that, which I would like to refer to the Committee on Finance to be taken up.

On motion of Alderman O'Neil, duly seconded by Alderman Pariseau it was voted to refer the item to the Committee on Finance.

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

Mayor Baines called the meeting back to order.

A report of the Committee on Finance was presented that Resolutions:

"Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Thirty Eight Thousand Two Hundred Eight Two Dollars (\$238,282) for Two Police Projects."

"Amending the 2001 Community Improvement Programs, authorizing funds in the amount of Two Hundred Ninety Six Thousand Dollars (\$296,000) for the 2001 CIP 510701 ISTEAs-Project B&M Goffstown Branch R.R."

"Amending the 2000 Community Improvement Programs, authorizing and appropriating funds in the amount of Two Thousand Eight Hundred and Ninety-Three Dollars and Twenty-Seven Cents (\$2,893.27) for CIP 420700 Bulletproof Vest Partnership Grant."

ought to pass and be Enrolled.

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

Communication from Mayor Baines recommending that the parcel of land bordered by Elm Street, Lake Avenue, Chestnut and Auburn Streets be officially named ***Raymond J. Wieczorek Square*** and seeking authorization to work with Lavalley/Brensinger to design an appropriate recognition marker.

Alderman Pariseau moved to approve the request. Alderman Sysyn duly seconded the motion.

Alderman Vaillancourt stated I will probably be the only person to oppose this motion, but then it won't be the first time that I have been the only person to oppose a motion. I would just like to take a moment to explain while I will do this. It is not that I have anything against Raymond Wieczorek who served the City well for 10 years as Mayor and who knows may be back in a year or so as Mayor again, but I will oppose it on other grounds simply because I believe in the tradition that before we honor someone by naming a street or anything after them they ought to have been dead for a few years. It is

a tradition that has served most parts of the world well. I refer to...and I don't wish to say that I wish anyone dead and I think it would be a certain honor that somebody get this after they the pages of history have had a chance to dry. I refer, for example, to the recent death of the great Prime Minister, Pierre Elliot Trudeau. There is a move now to name some things after him up there, including Mount Houde, which I guess Mr. Houde might resent having it taken away from him. There was also a massive movement in East Germany and in Germany in general to name things after former leaders there, but again after they had been parted from this earth for awhile. I think, in particular, of Willie Bront, who was the great Mayor of Berlin at the time the wall went up. So, I have nothing against this heroic public figure and I would support this if I believed, in fact, of naming anything after living individuals. I just think the pages of history should have a chance to dry and that is why I would have to oppose this.

Mayor Baines stated I would just like to add that I think the appropriate recognition of anyone who has served our community in various capacities is while that person is among us so that that particular recognition can be appreciated by the person we are honoring and in doing so, I believe this is an appropriate recognition and I would urge the Board to support it unanimously in recognition of his years of services.

Mayor Baines called for a vote on the motion. The motion carried with Alderman Vaillancourt being duly recorded in opposition.

A report of the Committee on Traffic was presented recommending that the U.S. Post Office on Wheels be allowed to utilize the Mayor's parking space outside of City Hall on December 1 from 10 AM to 2 PM for a Breast Cancer Stamp Presentation

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

Alderman Wihby stated on the way into the meeting today I noticed that, and it is like this every meeting I come to, that there are people who work for the City parking in those 10 or 15 spaces that we have outside. I took the license plate numbers and I gave them to the Police and I asked them to contact the City employees and tell them not to park there because I think that was the whole discussion when we built City Hall was to make sure that we had parking for citizens, not for employees and I think they are taking advantage of it and I hope that somebody would be monitoring that. I am glad to see that you gave up your spot.

Mayor Baines stated it is a very special recognition because we are very supportive of the Breast Cancer Awareness Program. My own family, with my mother, aunt and sister have courageously dealt with that and they are making a special presentation here in the Chamber and I would urge people to attend.

Communication from Public Works Director requesting a \$25,000 transfer from contingency to continue the Downtown Refuse Collection Program.

On motion of Alderman Levasseur, duly seconded by Alderman Lopez, it was voted to approve the request for transfer of \$25,000 from Contingency for the Downtown Refuse Collection Program.

Alderman Pariseau asked, Frank, was this the proposal that was before the CIP Committee three years ago when the Intown Manchester Program didn't want to invest in themselves and they were leeching off the taxpayers of the City.

Mr. Thomas answered the proposal that came in a few years ago, the Highway Department was proposing to buy standardized 95-gallon toters out of surplus funds and our operating budget. That proposal didn't receive too much support from the Board. This proposal involves basically a voluntary program by the merchants in the downtown area who are receiving a higher level of collection services. To date, this toter, standardized toter program, per say, involves only the establishments abutting Elm Street. To date, 88 of these 95-gallon toters have been purchased by the merchants. During the pilot program, Intown Manchester subsidized the purchase price by \$20 a container so there has been some involvement. Moving forward, we would hope to expand the standardized toter, which is a large capacity, into other areas of the central downtown areas that receive the seven-day collection. So, it is a slightly different spin on what was proposed a couple of years ago.

Alderman Pariseau asked so that \$25,000 would pay salaries.

Mr. Thomas answered it would be half towards salaries and the other half is to retrofit another truck with an automatic dumping mechanism because of the size of the container.

Alderman Levasseur stated I am not going to make a long speech. All I have to say is I want to thank Frank Thomas very much for helping put this project into place and especially Mayor Baines for really giving a forward charge on this and if you come downtown...we have a very windy area down in this area. The wind really blows hard and that is one of the big reasons why we have a problem with garbage in the alleys and

already there has been a marked improvement and a lot of people have joined in on this and I just want to say thank you very much to both of you for pushing this along.

Mayor Baines replied I appreciate your comment and I have been getting a lot of positive comments about it. People have noticed a big difference in the downtown area and it is a long overdue effort and we appreciate the cooperation we have received from everyone to make that a success.

Alderman Shea stated I certainly go along wholeheartedly with this, but also at the discussion that was held two or three years ago, several Aldermen brought up the fact that there are several other places in the City that could use twice a week pick-ups and I think we discussed that so I am hoping that in our next budget we will include that so that other people who have to deal with garbage problems will be serviced, but I certainly go along with this. It is wonderful. I did check a couple of back streets on my way down tonight and they looked very good. If we could extend that to other parts of the City, it would deeply be appreciated. I know you are working on that.

Mr. Thomas replied that is correct. We are and that will be identified in the budget process.

Ordinances:

“Amending Sections 33.024, 33.025 and 33.026 (Airport Emergency Worker (Seasonal/Temp) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.026 (Electrical Inspector, Mechanical Inspector, and Plumbing Inspector) of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding a new subsection 96.06(F) Golfing in Parks.”

“Repealing Section 90.16(B), Redemption of Impounded Dogs, Section 90.16(C) Fees, and Section 90.17 Disposition of Fee of the Manchester Code of Ordinances.”

On motion of Alderman Pinard, duly seconded by Alderman Pariseau, it was voted to read the Ordinances by titles only and it was so done.

These Ordinances having had their second readings by titles only, Alderman O’Neil moved on passing same to be Enrolled. Alderman Shea duly seconded the motion. There being none opposed the motion carried.

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

Mayor Baines called the meeting back to order.

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

“Amending Sections 33.024, 33.025 and 33.026 (Airport Emergency Worker (Seasonal/Temp) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.026 (Electrical Inspector, Mechanical Inspector, and Plumbing Inspector) of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding a new subsection 96.06(F) Golfing in Parks.”

“Repealing Section 90.16(B), Redemption of Impounded Dogs, Section 90.16(C) Fees, and Section 90.17 Disposition of Fee of the Manchester Code of Ordinances.”

were properly enrolled.

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

Resolutions:

“Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Thirty Eight Thousand Two Hundred Eighty Two Dollars (\$238,282) for Two Police Projects.”

“Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Ninety Six Thousand Dollars (\$296,000) for the 2001 CIP 510701 ISTEA-Project B&M Goffstown Branch R.R.”

“Amending the 2000 Community Improvement Programs, authorizing and appropriating funds in the amount of Two Thousand Eight Hundred and Ninety-Three Dollars and Twenty-Seven Cents (\$2,893.27) for CIP 420700 Bulletproof Vest Partnership Grant.”

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

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted that the Resolutions pass and be Enrolled.

Ordinances:

“Amending Sections 33.024, 33.025 and 33.026 (Airport Emergency Worker (Seasonal/Temp) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.026 (Electrical Inspector, Mechanical Inspector, and Plumbing Inspector) of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding a new subsection 96.06(F) Golfing in Parks.”

“Repealing Section 90.16(B), Redemption of Impounded Dogs, Section 90.16(C) Fees, and Section 90.17 Disposition of Fee of the Manchester Code of Ordinances.”

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

These Ordinances having had their third and final readings by titles only, Alderman Shea moved on passing same to be Ordained. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEM

Report of Committee on Traffic/Public Safety 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 “Raymond Wiczorek Boulevard”.

On motion of Alderman Sysyn, duly seconded by Alderman Pariseau, it was voted to remove this item from the table.

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

NEW BUSINESS

Deputy Clerk Johnson stated the City Clerk is distributing a class specification for the Deputy of Licensing & Facilities in the Clerk’s Office. The Human Resources Director has requested that this be referred to the Committee on Bills on Second Reading. It is different than what was contained in the agenda.

On motion of Alderman Pinard, duly seconded by Alderman Pariseau, it was voted to refer the item to the Committee on Bills on Second Reading.

Alderman Wihby stated the Clerk noted today that there are not a lot of items for the December 5 meeting so I am wondering if we can just have a meeting on December 19.

Mayor Baines replied we feel inclined to do that. We are going to be reviewing the agenda, but in all likelihood the meeting next Tuesday will not be held and there will only be one meeting in December.

Deputy Clerk Johnson stated we do need a vote on that, your Honor.

Alderman Wihby moved to cancel the December 5 Board meeting and hold one meeting in December on the 19th. Alderman Clancy duly seconded the motion. Mayor Baines called for a vote on the motion. The motion carried with Aldermen Vaillancourt, Hirschmann and Levasseur duly recorded in opposition.

Alderman Wihby stated I have one more thing, your Honor. I thought it was going to come up and I guess this goes to Alderman Cashin who is the Chairman of Lands & Buildings. I read an article about the senior center having been decided but then there was the other proposal on the Sears building. They had said it was sold and it was not sold. Is that item coming...and I know what I had asked for and I still haven't received was a comparison on if we had moved the City departments there versus the rent and the amount of money that we would lose in the tax and everything else if that was still a positive impact to the City. I have never received that. I don't know if the Committee has, but is that going back to the Committee or where are we with that?

Alderman Cashin replied you are 100% right. It was the understanding that the Sears building was no longer available. My recommendation would be that yes, it should go back to Lands & Buildings.

Alderman Cashin moved to refer the item back to the Committee on Lands & Buildings.

Mayor Baines stated we will work to get the information that Alderman Wihby requested.

Alderman Shea asked Alderman Cashin is recommending that we go back to the Lands & Buildings Committee for what reason.

Alderman Cashin answered simply because we were under the impression that the Sears building was no longer available and now we find out that it is. I think it ought to go back to be discussed.

Alderman Shea stated I recommend that the information be provided to Alderman Wihby and that when we have our meeting in December, that the information be disseminated prior to the meeting so that people can look it over and we can discuss it. I think we have waited long enough to pick a site. I think that basically whatever the case may be,

whether it helpful or unhelpful, people on the Board can make that determination. I think that the information should be disseminated to all of the members of the Board so that they can make their judgment predicated on whether the City would benefit, whether we are going to purchase a building, whether we are going to have a site and so forth. I don't see any reason why we have to keep prolonging this situation.

Alderman Wihby stated I am not trying to prolong the situation. I am asking a question as to where we are with it. My concern is that before I can vote I want to make sure that the Sears building doesn't work. I have been on the Board for 16 years and for 16 years we have been talking about consolidating departments and not paying \$300,000 a year in rent, so if we take the \$300,000 we are paying in rent and you take the tax valuation that you would lose on the building and you put everything together there and what it is going to cost, I want to know if that is a positive impact or not. If it is, then I am not going to support moving it anywhere else. If it isn't, I gladly will chose another site but until I have that information I can't vote. My concern today was just where is it and is it going to come back at the next meeting when I don't have anything to look at the facts with or is it going to go back to the Committee. That is what I am trying to find out from Alderman Cashin.

Alderman Shea stated the initial reason why the Sears building was removed was because information was forthcoming, both through discussions that Alderman Lopez had with an owner and Mr. MacKenzie with a person who had something to do with that. There were further responses given that the City can purchase that building and I don't want to be too particular about it, but the City can purchase that for a price, which is pretty expensive. It goes beyond the \$3,500,000 mark. The point of the matter is that information should be provided to all of the members of the Board, but I don't think that we should continuously wait until such time as next year some time. I mean we have been talking about this for a long time. The people on this Board have a decision to make. If they want to have the Singer Park situation, they can vote on that. If they want to have...whatever the ramifications might be in the Sears building, they can do that but I don't think we should continuously wait until every detail is worked out. I think that the information can be provided between now and December 18 or whenever we meet.

Mayor Baines stated that was the intent of this. All he has done is requested the information. We do have a meeting on December 19.

Alderman Cashin stated my recommendation was that it go back to Lands & Buildings. If it is the feeling of this Board that you don't want it back in Lands & Buildings, that is your business. Don't put it there. I don't care.

Alderman Wihby stated I bring this up only because if it showed up on the next agenda and then this Board said, which is in December now, and this Board said wait a minute let's go back and see if the Sears building is available or not, now you are sending it back to a meeting and you are going to end up in February. I only brought this up today to give Lands & Buildings another chance to look at it and bring it to the December meeting. It is still going to be in December. I don't care which way it goes. All I am saying is I still haven't received the information to make a decision on and I was wondering where it was.

Alderman Lopez stated first of all I am disappointed that it is going to wait, number one. I think we have waited long enough. Since I was the one involved with Henry Roy, who I have never met in my life until the other night, who indicated to me that he just leased 18,000 square feet of the Sears building and it wasn't for sale. That information was passed on to the Chairman and other Committee members. However, in saying that, I think we are looking at something here that now we are looking at Future Realty Corporation going to the owner and asking to increase from the \$3.5 million originally to \$4 million that they want for the building. Let me assure you that if I could sell my house for \$250,000 to the City I would sell it too. This is getting totally out of hand and we all know what is going on. The special committee was appointed. We went through months of discussion. The seniors have spoken over the last 11 months. We had a feasibility study. The Sears building is not viable. It is not the one that the seniors want and I assure you that I would never vote to take it off the tax roles. First of all, I think that people like Bob MacKenzie and others should step forward because that is the largest piece of property and we have said many times before in this Chambers that we don't have anymore land. Well, let me tell you that building up there could be a nice hotel. If we take it off the tax role we are not going to have that opportunity. I think we all know and we don't need to talk so much about it...it went to Lands & Buildings. There was a Derryfield problem. I sent a letter to the Chairman of the Committee and explained my views, which every Alderman got a copy of and said if Singer Park wasn't acceptable I will go along with Alderman Shea for Derryfield Park. However, a problem came up there. All of the facts have been given. The Sears building is a problem on Page 64 and 65 of the report and everybody got a copy of that report. Now, as I indicated, Future Realty is going before the owners of this building, as you all got a copy of, and saying hey do you want to sell the building. It is not on the market, but do you want to sell the building? Yes, okay I will sell it for \$4 million. Wait a minute...

Mayor Baines interjected I need to make a point of order. There is no recommendation on the agenda tonight. All Alderman Wihby requested was some information to help him decide how he is going to vote. That is all he asked for tonight. He didn't say and I don't think I need to argue for him, but he didn't say he was opposed to the site. He is saying

that he hasn't received some information he requested. There will be a Committee recommendation, I believe, at the next meeting of the Board and as any Alderman has a right to he is asking for some information to help him make his final decision. I think that is all the request was unless I missed something.

Alderman Lopez stated it is all right to say that we are going to try to treat this like a business, but believe me this is not a business solution to take it off the tax roles. All of this has been through the Committee and it has been around this table so many times and so many people have talked about it. I just don't understand why you are trying to treat something along this area of saying we are going to do this or we are going to do that. Now the statistics are in the report, Alderman Wihby, as to the report that we paid almost \$25,000 for. The taxes for that building are \$78,000. I don't know exactly what you are looking for. You have all the information. This thing has been worked on for 15 to 20 years, even under Mayor Mongan.

Mayor Baines replied I really have to intervene here and try to bring a halt to this because there is no issue on for discussion. All an Alderman did was make a request for information, which every Alderman has a right to do and then at the next meeting I am assuming the Committee will make a recommendation and we are going to vote on it.

Alderman Hirschmann stated the Committee on Lands & Buildings did make a recommendation to this Board. The minutes of that meeting show that there was a four to one vote suggesting the Singer Park site. Why hasn't it been put on this agenda?

Deputy Clerk Johnson replied the subject that is being discussed was taken up at a meeting of the Committee on Lands & Buildings after the agenda for this evening was prepared. That meeting was held after the closure of this agenda. It was intended to bring the Committee report forward in the first meeting in December, which would be normally December 5. Typically, when a Committee meets and an action is taken, the Clerk provides a report to the Board. On occasion, a Chairman of a Committee has requested that the report be withheld because they want...

Alderman Hirschmann interjected say that again. The Chairman asked you to withhold this.

Deputy Clerk Johnson responded no. This Chairman did not ask me that. What I am stating is that historically if a Chairman of a Committee requests that we hold a report because they want to go back to the Committee, the Clerk has done that for one meeting only and then brought it forward. In this instance, the Chairman of the Committee is stating that this Committee may want to reconsider this item. If the Chairman requests

the Clerk to bring it back to the Committee, the Clerk would obviously place it on an agenda of the Committee. That Committee is scheduled to meet next week. The Planning Director has indicated that he will have the information available that Alderman Wihby is requesting and that he will give it to the Clerk for dissemination to the entire Board as soon as it is prepared. For the Board's information, they will receive the information and unless something comes up, it will appear on the next Board's agenda. The action was for the Singer site as I recall. Unless the Committee takes it up between now and the next meeting, it would appear on the agenda.

Alderman Hirschmann stated I have never in my time seen a Committee make a report and then it get mysteriously held in the Clerk's Office or anywhere else by request or otherwise. When a Committee makes a report, no matter what it is, usually it is on pronto. The problem I have, your Honor, is that the people's business should be attended to. In the Charter it says we should meet twice a month. We should be meeting December 5 and that should be on the agenda for December 5. These people should not be waiting until Christmas or February or whenever it is going to be. This is a problem.

Clerk Bernier stated I was the Clerk at that Committee meeting and Alderman Cashin asked me to hold that committee report back because Mr. Lopez was in the hospital and he wanted Mr. Lopez to be here when the vote would be taken.

Alderman Cashin replied that is a fact and if that makes me a bad guy, oh well.

The only reason I am suggesting it goes back...and I think just in discussion here it pretty much substantiates the fact that it should go back to the Committee as far as I am concerned. When the Committee voted on this, they were under the impression that the Sears building was not available. All I am doing is suggesting go back to Committee realizing that it is available. I kept that out because Alderman Lopez asked me to because he went into the hospital and I felt out of consideration for him because he had worked so hard for this, that I would do that. Just before the meeting, it came up that they wanted to pick a site. I said well go ahead and they did. At that point, nobody knew that the Sears building was available.

Alderman Levasseur stated I sit on the Lands & Buildings Committee with Alderman Cashin and Alderman Lopez and the others and what Alderman Cashin just said is completely true. Also, when it came to us again we were under the impression that the Sears building was off the table and in the spirit of compromise, your Honor, there is a meeting scheduled thanks to Alderman O'Neil for another issue to go with CIP for the Central Business Service District tax and I think we could have both of those meetings that night and answer the questions that have to be answered. I don't think the vote is

going to change, gentlemen, but in the spirit of compromise and to follow procedure and give the issue due process, I would second the motion by Alderman Cashin.

Alderman Hirschmann stated that motion is fine, but in defense to Alderman Lopez, he said he doesn't want it to go back to that Committee. Do you want it to go back, Alderman?

Alderman Lopez replied no, I don't.

Mayor Baines stated we have a motion on the floor to refer the item back to the Committee on Lands & Buildings.

Alderman Shea stated I am opposed to that motion and I will vote no and I would request a roll call on that motion.

Alderman Vaillancourt stated first of all, I think Alderman Lopez was entirely in order with the comments he made in trying to explain this. I have received numerous cards about this issue. Not that I am swayed, necessarily by cards, but there was one card that stood out in my mind and it said quit dragging your feet on this. I was thinking about it myself and I haven't dragged my feet. I am ready to vote on it tonight and I think it is an indication of how government does not meet the needs of its people when we are using the illness of somebody who didn't even want it to be used because he is here tonight and we could vote on it tonight and move this process forward and then we could be doing this next week. This is a prime example of why we should have meetings, as the rules say, instead of canceling them we could certainly be doing this next week instead of putting of the people's business. We should be dealing with the people's business. I am ready to vote on it tonight.

Alderman Levasseur replied I agree with all of the people on the Lands & Buildings Committee and I agree with that, but since our next meeting is not until December 19, it doesn't hurt us at all to take it back to Lands & Buildings. It is only a week away and it is not going to get voted on until December 19th anyway. I think we satisfy everybody's needs and concerns on this issue.

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

Alderman Vaillancourt stated I think those of us who are political animals and we all are who sit in this hallowed hall certainly enjoyed last night watching the election returns

from north of the border on Channel 6, Manchester's own Canadian television. Although some of us had to watch the graphics because the results were of course in French on our French television station, we did get to see the Canadian election returns come in very well. It was a tremendous victory for John Cretien, one of the only places where liberalism is still on the ascendancy. I move that this Board of Mayor and Aldermen go on record as supporting Channel 6 remaining on our AT&T cable basic tier and that any effort by AT&T to remove the French station from our cable would not be looked upon favorably by this Board.

Alderman O'Neil replied I certainly don't disagree with Alderman Vaillancourt's intent, but it was pretty clear from our attorney that there are two things we have absolutely no say over and that is channels and rates. We shouldn't be misleading the people that we can take a vote and it is going to be binding because it means absolutely nothing.

Mayor Baines stated the only thing I will reiterate on that and I have said it in many public forums, immediately when that news got in the paper I talked to Tim Gage and David Scannell followed up with him and it is their intent to keep that channel available to the citizens. If you want to take a vote, obviously you can do it but we are committed to do that.

Alderman Vaillancourt stated I didn't make the motion to say it would be binding. I wanted a motion, the sentiment of this Board, that would not look favorably upon it being removed after the eloquent statements we heard last week and after the programming that several people in our French community view. I think it is the least that this Board could do.

Alderman Pinard duly seconded the motion. Mayor Baines called for vote on the motion. There being none opposed, the motion carried.

There being no further business, on motion of Alderman Pariseau, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

City Clerk