

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

**January 23, 2001**

**7:00 PM**

Mayor Baines called the meeting to order.

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

A moment of silent prayer was observed.

The Clerk called the roll.

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

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

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

Charleen Parsons, 20 Beacon Hill Road, Manchester, NH stated:

Leaving the Welfare Commissioner's position as elected means leaving the City vulnerable to tremendous liability and lack of accountability. By leaving this position elected, you expose the City to liability at the hands of a future Commissioner who may be overly financially conservative. They may, in an attempt to impress the taxpayers and secure their re-election, improperly deny benefits in an attempt to cut the budget. Legal Aid will be more than happy to sue the City under these circumstances and the potential cost to the City is significant. At the opposite end of the spectrum, a liberal minded elected Welfare Commissioner may feel obligated to assist clients who are also potential voters in order to garner votes and maintain their position. As a result, they may spend

the taxpayers money too freely. This Board is statutorily mandated to fund whatever the departments spend. You have absolutely no financial control over a Welfare Commissioner should they decide to give welfare out like candy. However, if the position were appointed, the Welfare Commission would, in fact, have to answer to this Board for their actions and expenditures. We, as City employees, also deserve the same treatment and protection as City employees in every other department. Under the elected status, Human Resources, the Mayor and ultimately this Board will continue to have no authority to act upon employee grievances. Without basic employee protection, this City is open to tremendous liability and City employees have no other alternative than to sue. Great speculation has been given to the theory that the Mayor wishes to appoint a political crony or friend to this position. I believe he would appoint the most qualified candidate, but regardless of my faith in this Mayor, you as a Board have the power to prevent such a situation, as it is you who would ultimately approve any appointment by a majority vote. I assert to you that it is the current policy of electing the Welfare Commissioner, which is likely to result in a political crony obtaining this position. I have heard Aldermen state that this Board should not address this issue. Let the voters decide they say. The recent election of Tom Alcier in Nashua proves that very often voters do not know enough about the people they elect. The voters elect leaders to study issues and make informed decisions for them. The people are not likely to get all of the information regarding what has transpired and the liability issues that exist under the elected status. You have the information. You make the decision. Thank you.

Clerk Bernier stated before you start, I know the list is about 13 or 14 so I think we need to abide by the two-minute rule so that everybody has an opportunity to speak this evening.

Bob Menafra, 60 Bosse Avenue, Manchester, NH stated:

Mayor Baines, when you announced your candidacy for Mayor I was delighted. I have known you for six or seven years and have found you to be an honorable and trustworthy man. I believe you are the right man in a difficult job. When you announced that the vision for your Mercy would be the year of the neighborhoods, I was even more delighted. In my neighborhood down in Ward 9 we have a unique asset. We have a three to four mile stretch of unbroken, abandoned rail bed that basically runs from the Airport up to Queen City Avenue. Myself and others here tonight would like to urge you and I personally urge you to do everything within your power to keep this rail bed from becoming another road, especially another road to bring more people to the South end. I imagine my family, my children, my wife and myself using this unique property as a pedestrian bike path, jogging path, strolling path, rollerbladers, scooter riders, cross-

country skiers...you get my drift. In an administration that wishes to be known as neighborhood friendly, I believe this unique piece of property is crucial to uniting the 10 or 12 neighborhoods through which it runs whereas another road, another access way to the South end, is a divisive thing. It divides neighborhoods. It will be another street that people will not be able to cross and that old people will not want to cross. I urge you to do whatever is within your power to oppose the Public Service request for rezoning of their land. If their properties down by Gold Street become commercial, they will create the very traffic that the roadbed will need to serve. This is a self-fulfilling prophecy and we really do have enough commercial traffic down in our end of town. Thank you.

John St. Hilaire, 99 Murphy Street, Manchester, NH stated:

The railroad track and Nutts Pond are a unique asset to this City right now. They are unused. Nutts Pond was a phenomenal recreation area at one time. The South end has no recreation area for its youngsters or for its old people. No walking paths, no bike paths and we have a massive traffic problem. As you all know, they are putting all of this wonderful roadblocks on streets trying to stop traffic from cutting through and they are putting all of these marvelous speed bumps, which are a whole other issue for those of us who live there and find them a real pain, that don't belong there. The way to stop traffic is to stop commercializing. By changing the Public Service property and rezoning it to commercial, you know push your commercial and retail establishments even closer to the residents of the South end of Manchester and create a further traffic problem. The rail bed belongs as a recreational area. Right now, the kids use it. They use it as a shortcut to get across when they are going to South Willow Street, when they are going to school, when they are going to the park to play, when they go to the ballpark or the soccer field. Those tracks are used now by the youth. I would love to make them available to every citizen in Manchester, but obviously it would well benefit the South end, which has grown tremendously. Not only is the commercial encroaching more on residential, but the residential part of South Manchester has grown. It has become almost unmanageable. It is time to start planning for the growth. It is time to start planning where the City is going and this is a huge step in that plan. Don't zone it commercial. Turn Nutts Pond back to the recreational center and the senior park that it belongs for the enjoyment of the people who live in the South end. Take the rail bed and turn it into a place where the kids can go rollerblading, the people can go jogging, they can go biking, etc. where they are not going to get picked off. Thank you very much.

Rick Groleau, 714 South Beech Street, Manchester, NH stated:

You have seen me before and you will probably see me again. Thanks for letting us have our two cents worth here. I just want to revisit the Master Plan the City adopted in 1993

and I quote from that, "Establish neighborhood parks for those portions of the City where deficiencies have been identified. A proposed neighborhood park in the South Beech Street area could potentially be developed at Precourt Park if sufficient land area is available." Well, it is time that land is available. There are 20+ acres available being sold by PSNH and for the fourth time in less than four years I have been here to remind you about that and I am here again. Also, we have a Master Plan that was developed for Precourt Park. That date for that was 2/15/1998. That was done with Mr. Pariseau. Once again, I am asking if you could revisit that and talk about a pathway around the pond, which seems to have fallen by the wayside and now we are going to build a road along that corridor which particularly interests me. I have one last thing for Mr. Levasseur. We talked the last time I was here on June 20 and I said I had a tape that my students had done on Nutts Pond and I suggest that you have a look at it please. I don't have any way to show it to everyone here. Could you have a look and perhaps you could begin to think supportively that PSNH and I would like for all of you to think of the fact that if it is an area that we can think of along the lines of a park and recreational area, I think the commercial side of it begins to make less sense as we move along. Thank you.

Kate Ricketson, 25 Little Pond Road, Manchester, NH stated:

I am a former employee of the Manchester Welfare Department. I worked there from August of 1995 until December 1, 1999. I felt compelled to leave a job that I loved because it was impossible to fulfill my work obligations under this administration. This is the second time I have voiced my concerns in writing. My first correspondence was sent out last August to Mayor Baines, Mark Hobson and Alderman Lopez. I want to present to you the perceptions and realities of working for that department. The Yarger Decker job description clearly indicates the obligation that caseworkers are responsible for, but attempts to do that job are not commonly encouraged. Caseworkers could and have been put on notice when trying to do their class specifications. I want to make emphatically clear that what I am stating is in no way a reflection on the supervisory staff or caseworker staff. They are wonderful people doing a superb job based on their very best while they have had their hands tied by that Administration. A perception is that Manchester residents are the only ones assisted through taxpayer funds. The reality is that assistance has been authorized before for clients coming in with no more proof of residency than a scrap of paper with a scribbled notation from an acquaintance. Perception. A client's refusal to follow-through with their signed obligations on a notice of decision can and have been suspended until they are in compliance. The reality is this is rarely done as the Commissioner has often frowned on this leaving the client with no accountability and the caseworker with no authority to enforce compliance. Perception reimbursements are aggressively sought. Quite often reimbursements are not followed

through on. When a civil settlement occurs, the Statute, RSA 165:28(A) states that that office can go back up to six years to collect. The actual practice done is to ask for no more than one year's assistance. Confidentiality is a major component in that office and also because of that you and the voting public are unaware of how little full disclosure and authentic documentation have been utilized in determining the lowest taxpayer dollars. Fear of work place reprisal has narrowed the possibility of employees being able to come forward about this. If an election could bring about an outcome based on accurate voter knowledge that would be fine, this is the process but you do not have the real source information in this situation which cancels out the electoral benefits. As an addendum I must say that I am disappointed that only one of fourteen Aldermen accepted the opportunity to come to the Welfare Office and meet with caseworkers at their invitation and it is especially disheartening when tonight three Aldermen made the time to meet with Commissioner Lafond at the Merrimack Restaurant. Hopefully, they would like to enlighten us as to what their dialogue with her was. Thank you.

Denise Syrek, 381 Mast Road, Manchester, NH stated:

I have been an employee of the Welfare Department for 11 years. I am here to address two issues. First, the proposal made by the employees of the Welfare Department to change the Welfare Commissioner from an elected to an appointed department head. Until recently, there has not been significant cause to give earnest consideration to the necessity for change. The time to examine this issue is now. The Human Resource Department and the Mayor's Office is unable to bring intervention and resolution to the crisis that exists within that department. This is a serious consequence of a department head being an elected official. All other department heads within the City are classified under the Yarger Decker system and must meet and comply with all performance requirements. Is it good judgment to have an elected official as a department head in control of City employees and a \$1 million plus yearly budget and virtually under no one's authority? I think not and I ask you to examine this issue and all of the obstacles this has presented. Unless you vote to change this position to an appointed position, you are allowing this inoperative system to continue. It has been determined that a hostile working environment exists within the City Welfare Department and continues to this day to be unresolved due to the complexity of issues, the absence of the Welfare Commissioner since September 27 and the limited authority over an elected official. The book of Proverbs states that there is wisdom and safety in the multitude of counsel. You have the executive summaries of the Police Department. You have the executive summary from Human Resources and the Mayor's report and possibly in your hands a report from Security Manager, Ronald Robidas, and a letter from Tom Jordan detailing their concerns with this department. A vote of nine of you tonight to change the Charter

to an appointed position will provide the directive necessary to bring resolution. I realize that dealing with the internal problems and changing the Charter are viewed as two separate issues, however, they are interdependent on each other. I want to express sincere thanks to Mayor Baines, Wayne Robinson, Mark Hobson, Christine Martinsen and all others involved for their professionalism and support throughout this process that began in April of last year. Surprisingly enough, tonight prior to this meeting Alderman Cashin, Alderman Gatsas and Alderman Wihby were with Commissioner Lafond at the Merrimack Restaurant. Perhaps they could enlighten everyone on this get together. Remember, the only thing necessary for evil to triumph is for good men to do nothing. Thank you.

Bill Larkins, 245 Carnegie Street, Manchester, NH stated:

I have been trying my hardest and I have been told unsuccessfully so to put forth the principles that I would like to inculcate to get into the City planning and zoning ordinance. There is a book that is probably the reason why I am the thorn in all of your sides. After a Mayor's Night Out when I was not satisfied with the answers I got, I went to Barnes & Noble and got this book and this book clearly delineates, clearly describes what we need to try and think about and have a healthy debate about. The example that we have right now before us is the closed street down on Gold Street. The problem with Gold Street is interrelated to at least 20 issues. I can speak of three of them right now. All of those issues are in this book. The extreme separation of uses causes all of the people who live on one side of the City to need to drive to the other side of the City. That is why we have traffic. We need excuses. The fact that we have one or two good roads to make that trip is also what causes us to have congestion. What makes Manchester great, what makes the downtown of Manchester great and what makes many of the neighborhoods great is our grid of streets to allow us to travel within the area and between areas. A third issue that this book talks about is a lack of walkable destinations. Those destinations are not just walkable within the area, but also to and from the area from the neighborhoods. I passed around...trying to address the zoning ordinance, that issue for B-1 neighborhoods and I would like you to consider it. I could be wrong. This book could be wrong. I think the status quo, what we are doing now, which is driven a lot by commercial interests and a lot by history and federal, state and city ordinances, is driving our City towards what I called before the "Southwillowization". It is not limited to South Willow. You can see it throughout the City, including on the strip of Hooksett Road near my house. All I want is to encourage a healthy debate on the issue. The Millyard is an excellent example of the success of these principles. I would like to speak highly of Chairman Boutin, of the Planning Board and speak highly of City Planner Robert MacKenzie because I think that both of them understand these principles, but they

need to be empowered by this group here to decide if these are the principles we want to take. Those 15 books that I passed out are on loan. I want everybody to put your name in it that you read it, but there are 100,000 other people in this City that could really benefit from reading that book. There is a due date on it. It just happens to be six weeks from now, which is my birthday and you couldn't give me a better birthday present than to have read this book. Thank you.

John Manning, 306 Amherst Street, Manchester, NH stated:

I own Fortune 500 Records on Massabesic Street. I am here to talk about the dance curfew ordinance 111.70. It needs to be permanently lifted and any proposals to further restrict dancing need to be forgotten. Trying to forbid legal adults from dancing after 2 AM is a ridiculous notion that insults us as citizens. It goes against the very essence of this country and even our State motto of "Live Free or Die." Dancing is a positive human experience that I won't let you deny us. You are using this law as a deceptive tool to disrupt other activities and that is not the way to do it. Dancing after 2 AM is not the issue you are worried about so stick to the real issues that you do want to curb.

Manchester thinks it is growing and changing but these types of controlling and bias laws are a giant step backwards. I think if you guys are interested in fighting crime and stopping what goes on after 2 AM, the thing you need to do is work on a license that you could issue to promoters and clubs. Sort of like a liquor license and you can control that. You have a certain amount of strikes or something of that nature and you could lose your nighttime activities permit. I am a DJ who makes a living off of playing at places that are open all night. One of those places is not Manchester. I play in every other major city all over New England and I make a great living at it. The last time I threw one of these events in Manchester was New Year's Eve 1996 at the Armory over on Amoskeag Bridge. There were 2,500 people there. That shows you that there is a huge demand for people who want to be out at night. With this law gone, I am out of a job in Manchester. I had to leave Manchester and do it somewhere else. My store is very successful, which caters exclusively to DJ's who play at raves and club events that are all going past the hours of 2 AM. Thank you.

Heidi Dionne, 39 Bradley Street, Manchester, NH stated:

I live on Bradley Street, which connects with the Gold Street barrier. If you travel down Gold Street, you get to the barrier and the only alternative street to go down is our street, which is Bradley Street. I don't know if any of you are aware of the predicament we are in. Bradley Street goes through a neighborhood called Beech Hill. Beech Hill is an income-qualified place where we all must have children in order to live there. Our cars are often parked on the street, making the street very narrow and now that the snowbanks

are there, it is almost one car wide. The entire...I would say about 75% of the cars that had been going down Gold Street are now coming through my front yard. Now I have two problems with this. First of all, there are so many children in this neighborhood often supervised by parents who don't have enough money to provide proper babysitters and so forth. There are kids running around and people can get hit. It is dangerous. Yesterday, when I was stepping out of my car with my six-month-old daughter, a man came to a screeching halt closing the door against my legs nearly killing the two of us. I just didn't know what to say to him. I turned around. He honked at me, swore at me and told me to get out of the street. Now I live here and this is just getting awful. On top of that, today a woman that lives in our development at 155 Beech Hill Avenue was taking a turn onto Bradley Street and was struck by a person going about 55 MPH. Now this is a common problem we are having because the street is very straight and people come down like it is a drag strip. It is awful. I understand the complaints that the people on Gold Street might be having, but the solution is not to reroute traffic through a neighborhood that is designed for children and families. It is just wrong. I don't know what you were thinking when you voted on this, but I would like to say thank you to Alderman Steve Vaillancourt for not only inviting me here tonight, but for voting against this. There has got to be a better solution and I don't think the solution is by taking over the railroad bed or Nutts Pond. I look out at Nutts Pond and the kids in the neighborhood play at Nutts Pond and that is not the solution. I honestly hope that all of you vote against PSNH changing that to a commercial area. It is not a good idea to expand South Willow Street. Like he said it brings too much to the South Willow Street area. The commercialism needs to go somewhere else. It doesn't need to go there and the neighborhoods just can't handle it. Thank you.

Al Centner stated:

I am a representative of the Carpenter's Union. I do not live in the City but we represent approximately 335 members in the City of Manchester. I would like to take a step back and address something that was addressed before the special committee and that is the OCIP on the civic center. The mod rate for a drywall carpenter in the City of Manchester is 33.49%. The gentleman from Aon did not know that, but we do know that for a fact. Given OBS's estimated labor costs of \$774,000 this equates to a premium, which should have been credited to the City of \$259,212. The actual credit by Optimum Building Systems was \$46,000. Gilbane Building Company threw in an additional \$69,000 to bring that credit up to \$115,000. This still leaves the City short \$144,212 to be exact, which should have been credited. That equates to a reduction of your buying power by the \$69K that came off the GMP for Gilbane and the \$144,000, which adds up to \$213,212, which is a reduction of your buying power as an organization on the civic

center. My concern is at the end of this project when the insurance company comes in and does their audit, how are you going to keep an accurate count? How are you going to get the best bang for your buck? Many of these workers as we know are misclassified and not even on the record. They are in violation of the NH Department of Labor laws concerning the classification of workers so my question to you is how are you going to assure that at the end of this project every worker is recorded and you are going to get an accurate audit and an accurate credit? Thank you.

Mayor Baines recessed the special meeting to allow the regular meeting of the Board of Mayor and Aldermen to meet.

Mayor Baines called the meeting back to order.

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

I would like to be a messenger first. John McDonough of the School Board called me last night and mentioned a building at 540 Chestnut Street that is up for sale. \$450,000 is the asking price and it is about 17,000 square feet. It might make a good senior center. It could make a spot to put City offices in if you don't want to put them in the Chase Building, which you already own. I kind of have a different viewpoint from Alderman Levasseur. We had a conversation the other week and he came across as kind of a different individual. He has some good ideas and one of his best ones is the old UNH building up on Hackett Hill being expanded and used for school purposes, definitely not administrative school purposes but learning. We also talked about the snow removal downtown. Less than adequate. The question is what do the merchants get for their regular tax dollars and then ask the same question what do they get for the additional business enterprise zone tax. Pick a street – Market, Franklin, Central, Myrtle, any street you want that has parking meters on it. Chestnut Street. How do you park on the left-hand side and get out against the snow bank but yet they are downgrading South Willow Street. There are a lot of other arteries in the City – Hanover Street, Valley Street, Candia Road, that need to be addressed also. A lot of improvement can be done there. Civic Center. *Union Leader* guy, I still have my checkbook and I still have the \$100 donation if you guys can prove me wrong as to who is paying for the millions of dollars in private bank loans. Fuzzy math. There is some more fuzzy math. The article in the *Union Leader* last Wednesday stated City stops discharge of sewage in the Piscataquog River. It goes on down to the bottom of the article and it also includes investing \$5.6 million in other environmental projects and one that caught my eye was \$2 million to preserve wildlife habitat and wetlands. A lot of you Aldermen didn't know, when you voted back in December about where you wanted to put the civic center, that they were

also planning on building a stand alone building down at the Sears site. I am going to go out on a limb. I talked to Mr. MacKenzie a couple of weeks ago and there had always been an agreement between the City and the EPA that they would try to acquire the 200 additional acres that you spoke about, Mr. Hirschmann, last month. I bet you dollars to donuts that you guys probably don't know that besides the money you spent to buy the original Hackett Hill property you are also going to be spending another \$2 million or the better part of it to acquire that 200 acres of preserved wildlife habitat and wetlands. It is about the only spot you have got. You had some interesting speakers here before me talking about the Public Service Company and the use of the railroad bed. That might be a good site for the senior center. Also, in speaking with Mr. MacKenzie a couple of weeks ago, the City does not have any land set aside anywhere for any type of school, be it grade school through high school. Maybe that Public Service land down there could be used for something in that neighborhood also. Just some ideas. Somebody told me a couple of a years ago that people who live in apartment buildings and condos don't usually go to the polls and vote so don't waste your time campaigning there. Maybe all of the people down on the South end who are getting all of the traffic shoved through them on Beech Hill Avenue and Beech Hill Road, maybe they ought to take note that they are considered people who don't vote. I think the people in the apartments are the future homeowners in Manchester and if they are going to be treated politically and I think you all know the definition of a politician by now, if they are going to be treated politically like that maybe they should think about it and come out to the polls next time when you start shoving all the traffic down their throats. They don't appreciate it. I have to ask if the Traffic Committee as a whole got into a vehicle or two vehicles and road through this area to see what they were going to be doing when they put up those roadblocks? One Alderman made a comment that the people on Gold Street will be able to park on the street now. There has been no parking on that street for a long time and I don't think you could park a car there unless you make it one way permanently for all of the residents. That issue definitely needed to be addressed a whole lot more before it was brought out.

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

On motion of Alderman Cashin, duly seconded by Alderman Thibault, it was voted to adjourn.

A True Record. Attest.

City Clerk