

BOARD OF MAYOR AND ALDERMEN

January 21, 2003

7:30 PM

Chairman O'Neil called the meeting to order.

The Clerk called the roll.

Present: Aldermen Wihby, Gatsas, Guinta, Sysyn, Osborne, Pinard, Lopez,
Shea, DeVries, Garrity, Smith, and Forest

Absent: Alderman Thibault

Chairman O'Neil called for the Pledge of Allegiance; this function being led members of Troop 135 of Sacred Heart Parish – Tom Cook, Dave Mancarella and Brian Kelley.

A moment of silent prayer was observed.

Presentation by Deputy Welfare Commissioner, Diane Guimond relative to the Bob Powers Pantry Project.

Chairman O'Neil stated tonight we have three presentations relating to projects that were initiated by Paul Martineau. We felt that it would be an appropriate tribute to Paul and his hard work to go through with them this evening. The first presentation pertains to honoring Bob Powers, a long time department employee who died suddenly last year. I would now like to introduce Diane Guimond who will speak about this tribute.

Ms. Guimond stated many of you have read in today's paper and know that Paul Martineau, the Commissioner of Welfare, suffered a heart attack this weekend. I have been in contact with his family and although he is still listed as critical he is conscious and his condition is stable. Our staff would like to express our best wishes to Paul for a speedy recovery.

Tonight's meeting was very important to Paul. Out of respect for Paul, Paul's staff and I believe that the presentation should take place as planned. I would personally like to thank Gene Mackie our Business Service Manager, for the Powerpoint presentation and for helping Paul to organize this presentation tonight. Members of the Aldermanic Board, I would like to thank you for allowing us the opportunity to make these presentations. The first presentation is the kick-off for the Bob Powers Memorial Pantry. Our department lost a valuable employee on April 10, 2002. His untimely death shocked our department. Bob was a loyal employee with the City of Manchester for 24 years. Last year our department and Bob's family did the Walk of Hunger for New Horizons. Paul has worked diligently to organize the Bob Powers Memorial Pantry. Bob's wife and family are with us here tonight.

Now I would like to turn the presentation over to John Donovan and Brent Lemire, Vice-Chairs of the Quality Council.

Mr. John Donovan stated good evening. I am one of the Vice-Chairs of the Quality Council and this is Brent Lemire. Last year Gene Mackie, a member of the Welfare staff and the Quality Council proposed that the Quality Council sponsor the Bob Powers Memorial Pantry that will be maintained by the City Welfare Department. The pantry will be stocked through donations of personal care items and non-perishable food items that will be provided by donations from City employees through the City departments. The program reflects the Quality Council's concerns for the less fortunate members of Manchester and at the same time will assist the Welfare Department to reduce their cost in providing these items. The Quality Council unanimously agreed to sponsor the project, which is named in honor of Bob Powers, a 24-year Welfare Department employee who passed away suddenly last year. The next step was for the Welfare Department to develop the details of the program. At this point I would like to return the microphone to Deputy Welfare Commission Guimond.

Ms. Guimond stated members of the Board of Aldermen I would like to take this opportunity to introduce Bob's wife, Joanne Powers, who is here tonight with members of her family. She is sitting in the back. Our food pantry started many years ago with assistance from the Boy Scouts Citywide food drive, which takes place every November. Gene has worked with Mrs. Mirabile and the students from Central High School to collect non-perishable items and non-food items. These items are given to our clients on an as-needed basis. The food is often used to supplement a food voucher or given instead of a food voucher when a client is deemed ineligible for assistance from our office. This food helps us to reduce costs while still serving the needs of the clients. Paul and Gene Mackie have worked for several months to orchestrate an interdepartmental food pantry in Bob's memory. Each department will be given one week a month for employees to bring in donations. Canisters will be available and placed in the department for the week. The first department will be the Fire Department. The following week another department will be selected. Each department will have the opportunity to participate in the program. I would now ask Alderman Lopez and Alderman DeVries, as members of the Quality Council who have been very supportive of this program since the beginning, to comment on the Bob Powers Memorial Food Pantry.

Alderman Lopez stated I think it is a great program where City employees got together through the Quality Council and worked out the idea of the items that they need. As the Aldermen look around at some of the items that they have been designated and I will let Alderman DeVries speak a little more about that but there were no intentions to coordinate with the Alderman or anything like that. These are the items that the Welfare Department needs when people come in for assistance. The Quality Council meets once a month and both Alderman DeVries and I are on that committee and we attend the meetings and we have a great dialogue between management and the employees and unions.

Alderman DeVries stated I also want to make sure that everybody realizes that this is once again a tremendous effort going forth, not only on the part of the Welfare Department employees but the rest of the City departments that have made it known that they would like to support this effort and will be bringing items in and challenging each other to compete for the greatest participation. We were trying to get a few of the examples of items that can be donated and we had some fun poking...I know Mary Sysyn was given shampoo in honor of her business as Ed Osborne was given a hairbrush in honor of his business. I think we honored the Italian heritage of Alderman Guinta. Alderman Lopez, his heritage was in chili. A few of them...I am not sure how many of them we want to go into but it was supposed to be diapers in honor of Alderman Garrity being the junior member of the Board. These things came from existing stock that they had at the Welfare Department. I took the toilet paper because nobody else really wanted to take it and somebody had to. I am not sure what that signifies. We had some fun going through the list and I think it is a great effort and I am honored to be part of it.

Ms. Guimond stated the second presentation is to Central High School's National Honor Society for their efforts and support provided to our department with food donations over the past three years. Paul and the staff of the department have been most impressed with the young men and women who have contributed to this effort. I would like to introduce Mrs. Mirabile, Central High School's National Honor Society advisor, Central High School Principal John Rist and the current members of the National Honor Society. Alderman O'Neil, if you could please continue with the presentation.

Chairman O'Neil stated I would like to read a sample of the certificates of appreciation that are being handed out this evening. This particular one is to Katherine Bagley who as a member of Central High School's National Honor Society devoted time, energy, effort and initiative to the NHS food drive to help the neediest in Manchester. We would like to present her with this certificate of appreciation. John Compeau, Sara Parker, and Meaghan Powers were also presented with certificates.

Chairman O'Neil stated on behalf of Mayor Baines and the members of the Board of Aldermen I would like to read this proclamation:

Whereas Manchester Central High School's National Honor Society has sponsored an annual food drive to benefit the Welfare Department Food Pantry and whereas the food drive is just one way in which the Central High School Chapter has upheld the highest standards of scholarship and service to community and whereas under the leadership of its advisor, Mrs. Mirabile, the National Honor Society at Manchester High School Central has been particularly cognizant of the organization's mission to share the gifts and talents of its members with the community at large and whereas at Manchester High School Central members of the National Honor Society have obviously taken NHS service requirement to heart in order to create a positive school and community atmosphere. I would like to present this to Manchester Central High School.

Ms. Guimond stated the third presentation, Paul is not here tonight but I know from my conversations with Paul that these presentations were very important to him. Paul is quick to

say that every employee in the department contributes to the changes within the department. We, as Paul's employees, would say change has occurred because of Paul's leadership style, his respect for each of us, he takes our opinions seriously and he appreciates the gifts that each of us bring to the department. He is quite proud of the staff and he leads our department every day. I am going to ask Gene to read the following list of changes implemented by Paul since January 1, 2002 in our department.

Mr. Mackie stated prior to reading these notes I really want to thank the Board of Aldermen for the support of the Bob Powers Memorial Pantry and the support for Bob and his family and for Central High School. I have worked with Mrs. Mirabile for three years now and this year we were absolutely stunned...some of our people had tears in their eyes. You read a lot about bad kids. You don't read a lot about good kids. These kids are impressive. I hate to say kids. These young people are impressive. Paul was talking about what colleges they are planning to go to. They are really nice and that says a lot about Dr. Rist and Central and Mrs. Mirabile and these wonderful young people. I wish everybody were like them. Again, as Diane said I wish Paul were here to read this. We worked on this list together. It ended up being kind of Paul's words. I try to put words in his mouth but it doesn't always work. We are helping those citizens who truly need assistance in accordance with State statutes. Tremendous investigative work is taking place now for each of the applicants that come in. It is no longer being considered a charity. People are being investigated. Those who deserve help are getting the help in conjunction and in accordance with the State statutes. We are making significantly more referrals to other social agencies capable of meeting the specific needs of individuals and families, thereby economizing City resources. Diane and I did the statistics for the department and last month I believe the referrals were 224 that in the past we might have taken care of but now because of Paul and Diane's relationship with these other agencies they are now picking up the role that they should have had before had they been given the opportunity. A significant amount of work was done in expanding and enhancing the new general assistance guidelines, which were approved by this Board. I know that I put a lot of hours in. This is where Paul...we really hit the ground running and I think we are extremely proud of the guidelines even to the point where on January 29 I believe we have 14 towns coming in to join us. This is a compendium that Paul put together of Welfare administrators because we are doing things right and they want to see what we are doing right and we are here to help them. Significant savings in housing homeless families in hotels and motels have been realized. That is one of Paul's favorite topics. During the first six months of this fiscal year, July until December 2002, we spent \$6,536. This is to be compared with \$282,363 for the same time in the prior year. The people who need housing are getting housing. Also noteworthy during the first six months of the fiscal year is we have reduced the outlay of funds in excess of \$125,000 and other benefits expended compared to the same period in the prior year and we were able to do this with the help of Manchester Central and CAB Services out of Dover. They are great people. I am glad Mrs. Powers is here tonight. Actually there are two Mrs. Powers here. Bob's mother is here as well as his wife. Bob brought an idea to Paul and we have run with it. Senator

D'Allesandro has filed on our behalf a bill to recover over \$44,000 in Rooms and Meals taxes, which were erroneously paid over a three year period by the prior Commissioner. That is a lot of money. Cities and towns are not liable for rooms and meals taxes. I hope the Verizon arena doesn't mind that but we hope to get our money back. We have reduced the cost of prescriptions through negotiations with the local pharmacy. We decided to try the idea of a pharmacy of choice. We have had a great relationship with Best Drug. Paul and I went up there and talked to the owner and said what can we do to get a better price on drugs. He said well what can you do for me. I said first of all we will give you at least 90% of our business as long as you are open and we can get people over there. They don't honor Anthem's co-pay so they couldn't do that. I said we would also pay them twice a month as we do our landlords. The guy was wonderful. He said I will give all of your prescriptions the Medicaid rate. That is between a 12-20% savings. That really helps. We also have been involved in reduction of printing costs since most forms, the key forms, are now computer based and can be processed by the individual case workers on their PC's. I am trying to do away with typewriters. I can't find anybody in town who fixes them. They take up a lot of space and I don't know how to fix them or set the things up to do what they do. We are very proud of that. We converted all of our notifications over. Our vouchers will be in and operating in about a week. It is exciting times over there. The department is part of the City's new website. We were one of the first site, if not the first site, done. This allows access to our guidelines, application form, referral agencies and answers to frequently asked questions. Under Paul's direction the work program was reinstated. That allows clients to offset the cost of their assistance by participating in the work program. Finally and this is a very serious matter, we are vigilantly reporting suspected cases of fraud to the Manchester Police Department. I think we are very proud to say that since Paul has been here we had one individual give us a check for \$8,300 and a second one of \$1,500. These are people who really didn't want to be prosecuted. As far as I know eight cases have been turned over to the Police. It is a big change. Again, we are helping the people who deserve to be helped. My prayers and thoughts go to Paul. Diane is wonderful to work with and we can't wait for Paul to come back. I thank all of you for what you have done for us.

Ms. Guimond stated the staff of the Welfare Department is here with us tonight and Alderman O'Neil is going to make a presentation to them. I just want to say that the staff is wonderful. Paul may not be there with us physically but his presence is certainly there every minute of the day and he has brought about a significant change to our department. The morale is wonderful. We are a cohesive group and we will continue to act every day as Paul would want us to.

Chairman O'Neil presented certificates to: Diane Guimond, Carol Jacques-Dow, Gene Mackie, Dan Ouellette, Charlene Parsons, Kate Rickerson, Sandy Searles, Denise Syrek, and Tina Farias. On behalf of Mayor Baines and the entire Board of Aldermen we want to thank all of the members of the Welfare staff for their continued hard work. I know it has been difficult times for you but congratulations and keep up the fight.

CONSENT AGENDA

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

Minutes Accepted

- A. Minutes of meetings held on June 4, 2002 (two meetings); June 10, 2002; June 18, 2002; June 25, 2002 and July 16, 2002.

Ratify and Confirm Poll Conducted

- B. Approving setting of polling hours for the Special State Primary Election scheduled for Tuesday, March 4, 2003 from 11:00 AM until 7:00 PM.
(Aldermen Sysyn, Osborne, Pinard, Shea, DeVries, Garrity, Smith, Forest and Lopez voted in favor; Aldermen Wihby, Gatsas, Guinta, Thibault and O'Neil unable to be reached at the time.)

Approve Under Supervision of the Department of Highways

- C. PSNH Pole Petition #11-968 located on Walnut Street.

Informational – to be Received and Filed

- D. Minutes of a meeting of the Police Commission held on January 8, 2003.
- E. Minutes of a meeting of the Mayor's Utility Coordinating Committee held on December 18, 2002.
- F. Communications from James McConaha, NH State Historic Preservation Officer, advising that the Carpenter & Bean and Smith & Dow Blocks have been entered in the National Register of Historic Places as of December 13, 2002.
- G. Communication from Timothy Drew, Administrator for the Public Information and Permitting Unit of the NH Department of Environmental Services, advising that the 2002 Edition of the *Guidebook for Environmental Permits in New Hampshire* is now available. (Note: order form enclosed.)
- H. Copy of a communication from Commissioner Murray, NH Department of Transportation, advising of contemplated awards.

Accept Funds and/or Materials and Remand for the Purpose Intended

- I. Communication from Kevin Sheppard, Deputy Public Works Director, advising of the donation of \$2,000 +/- in plumbing valves from Mr. Henry Bourgeois of Stark Engineering.

- J.** Communication from Randy Sherman, Deputy Finance Officer, advising of the receipt of \$50.00 from the NH Chapter of the Nam Knights of America M/C for the purchasing of supplies for the Police Canine Unit.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- K.** Resolutions:

“Amending the 2003 Community Improvement Program, authorizing and appropriating funds in the amount of Seventeen Thousand One Hundred Eighty Dollars (\$17,180) for the 2003 CIP 711103 LED Replacement Program.”

“Amending the FY 2000 & 2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Hundred Eighty Five Thousand Dollars (\$185,000) for FY2003 CIP 713503 Crystal Lake Land Acquisition Project.”

“Authorizing the Finance Officer to effect a transfer of One Hundred Eighty Five Thousand Dollars (\$185,000) for the 2003 CIP 713503 Crystal Lake Land Acquisition Project.”

“Authorizing the Finance Officer to effect a transfer of Six Thousand One Hundred Dollars (\$6,100.00) from Contingency to the Traffic Department.”

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- L.** Recommending that Ordinances:

“Amending Section 33.011 (Retired Employees; Policy on Rehiring) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.046 (H) Entrance Pay Rates of the Code of Ordinances of the City of Manchester.”

ought to pass.

- M.** Recommending that Ordinance:

“Amending Section 70.57 (A) Parking Rates of the Code of Ordinances of the City of Manchester by increasing the monthly parking garage rate.”

ought to pass.

COMMITTEE ON COMMUNITY IMPROVEMENT

- N.** Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$17,180 (Other) for the FY2003 CIP 711103 – LED Replacement Program, and for such purpose a resolution and budget authorization has been submitted.

- O.** Recommending that the Board authorize transfer and expenditure of funds in the amount of \$185,000 for FY2003 for FY2003 CIP 713503 Crystal Lake Land Acquisition Project, and for such purpose resolutions and a budget authorization have been submitted. The Committee notes that the transfer will be coming out of FY2000 CIP 510100, Riverfront Development.
- P.** Recommending that the Public Health Director be authorized to purchase a vehicle utilizing the State of NH bid specifications. The Committee notes that such purchase will be made through the Bioterrorism/Public Health Preparedness Grant.
- Q.** Recommending that the Public Works Director be authorized to enter into another one-year contract extension with Waste Management, Inc. for recycling and yard waste contracts.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- R.** Recommending that a request to use the parking lot at Arms Park on Sunday, April 6, 2003 from 9 AM until 4 PM in conjunction with the annual Manchester MS Walk be granted and approved under the direct supervision of the City Clerk, Fire, Highway, Police, Traffic and Risk Departments.
- S.** Recommending that a request for the installation of a 20-mph flashing school zone signal in the vicinity of Bakersville School be approved. The Committee also recommends that \$6,100 for said signal be transferred from the Contingency fund to the Traffic, Department, and for such purpose a resolution has been submitted.
- T.** Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.

SPECIAL COMMITTEE ON THE CIVIC CENTER

- U.** Recommending that a proposal for a \$1 surcharge to be added to all civic center events be denied.

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

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

Chairman O'Neil called the meeting back to order.

OTHER BUSINESS

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

“Amending the 2003 Community Improvement Program, authorizing and appropriating funds in the amount of Seventeen Thousand One Hundred Eighty Dollars (\$17,180) for the 2003 CIP 711103 LED Replacement Program.”

“Amending the FY 2000 & 2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Hundred Eighty Five Thousand Dollars (\$185,000) for FY2003 CIP 713503 Crystal Lake Land Acquisition Project.”

“Authorizing the Finance Officer to effect a transfer of One Hundred Eighty Five Thousand Dollars (\$185,000) for the 2003 CIP 713503 Crystal Lake Land Acquisition Project.”

“Authorizing the Finance Officer to effect a transfer of Six Thousand One Hundred Dollars (\$6,100.00) from Contingency to the Traffic Department.”

ought to pass and be enrolled.

Alderman Lopez moved to accept, receive and adopt the report. Alderman Shea duly seconded the motion. Chairman O’Neil called for a vote. The motion carried with Aldermen Wihby and Gatsas being duly recorded in opposition.

A report of the Committee on Community Improvement was presented recommending that a request from MHRA seeking assistance in the form of HOME funds (\$500,000 to \$650,000) to be used in the development of the Gale Home into 33 units of congregate housing be approved with the following stipulations:

- That the block bounded by Maple Street, Ash Street, Pearl Street and Orange Street be designated a housing target area;
- That the Board of Mayor and Aldermen act to support the development of this senior congregate housing project; and
- That the Board commit \$650,000 to the project from the FY04 to FY05 HOME housing funds as may be granted by the Department of Housing and Urban Development. The majority of funds to come from the FY04 allocation and the remainder from the FY05 allocation.

The Committee further recommended that the Mayor be authorized to execute a letter of commitment as enclosed herein, subject to the review and approval of the City Solicitor.

Alderman Wihby moved to accept, receive and adopt the report. Alderman Sysyn duly seconded the motion.

Alderman DeVries stated I would like to hear from Bob MacKenzie. What is the total yearly allotment for HOME funds?

Mr. MacKenzie replied we do have a number from HUD for the next fiscal year and that is \$720,000. We would anticipate roughly the same amount for the following fiscal year.

Alderman DeVries asked are there any projects that have already been initiated this year that your department understands might be looking for additional HOME funds next year.

Mr. MacKenzie answered the only other project is the Brown School and some money has been allocated to start that process. That will probably take a little bit longer in terms of the

project than the Gale House. Those two projects would probably account for all of the HOME funds over the next two years.

Alderman DeVries asked are you saying that you have had discussions with the individuals involved for the Brown School project and that project will not be hampered by us spending this allotment next year or the majority of it on the Gale House.

Mr. MacKenzie answered again the projects are much larger than the amount the City is kicking in. MHRA was going to be a partner in the Brown School and they do not believe that this allocation for the Gale Home would hamper initiation of the Brown School, which is probably going to take about a year longer than the Gale Home.

Chairman O'Neil stated staff is here from MHRA. Are you all set, Alderman DeVries?

Alderman DeVries replied they are both very worthy projects and I just wanted to check on them.

Chairman O'Neil called for a vote on the motion. There being none opposed, the motion carried.

A report of the Committee on Lands and Buildings was presented recommending that the Mayor be authorized to execute a revised Derryfield Park Tower lease agreement between the City and Verizon Wireless subject to the approval of the Water Commission and the review and approval of the City Solicitor.

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

Ordinances:

“Amending Section 33.011 (Retired Employees; Policy on Rehiring) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.046 (H) Entrance Pay Rates of the Code of Ordinances of the City of Manchester.”

“Amending Section 70.57 (A) Parking Rates of the Code of Ordinances of the City of Manchester by increasing the monthly parking garage rate.”

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

Deputy City Clerk stated I believe the City Solicitor's Office made a phone call to us regarding one of these items. I don't know if you want to hear from Tom Clark before you proceed.

Solicitor Clark stated I know that at Bills on Second Reading there were some questions on the first ordinance regarding retired employees. I believe that the HR Director was going to go back and speak with the Chief Negotiator, David Hodgen, to clarify the definitions of employees. Unfortunately she has been out sick and has not had the chance to meet with him. Secondly, on the second ordinance regarding entrance pay rates, our office wasn't involved in the drafting but when we went back and reviewed it there was some confusion on the language and we would like to have a chance to sit down and meet with her before you enact these ordinances. I would suggest that the first two either be tabled or referred back to Committee so that we can discuss it with them further.

Alderman Lopez moved to table the first two ordinances. Alderman Smith duly seconded the motion. Chairman O'Neil called for a vote. There being none opposed, the motion carried.

Alderman Sysyn moved that the Ordinance regarding increasing the monthly parking garage rate be Enrolled. Alderman Osborne duly seconded the motion. Chairman O'Neil called for a vote. The motion carried with Aldermen Forest and Guinta being duly recorded in opposition.

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

Chairman O'Neil called the meeting back to order.

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

“Amending Section 70.57 (A) Parking Rates of the Code of Ordinances of the City of Manchester by increasing the monthly parking garage rate.”

was properly enrolled.

Alderman Shea moved to accept, receive and adopt the report. Alderman Smith duly seconded the motion. Chairman O'Neil called for a vote. The motion carried with Aldermen Guinta and Forest being duly recorded in opposition.

Chairman O'Neil stated it would probably make sense to take items 15 and 16 together.

Deputy Clerk Johnson replied I will read both items but I would advise that Item 16 is a mute communication since the Governor and Council has already voted on the election.

15. Communication from the City Clerk requesting the Board set the polling hours for the Special State General Election scheduled for Tuesday, April 8, 2003 for Wards 2, 3, 10 & 11 to fill a vacant District 50 State Representative seat from 11:00 AM until 7:00 PM.
16. Communication from Joe Levasseur, Chairman of the City Republican Committee, requesting the Board reconsider it's previous action relating to holding a special election to fill the District 50 State Representative seat.

Chairman O'Neil asked can you clarify what you said about Item 16 again.

Deputy Clerk Johnson answered the Board had taken an action to request that a special election be held and Governor and Council has taken an action on that. We have actually accepted two filings today. The filing period has already been initiated so in discussion with the City Solicitor we feel that it is a mute point at this time and can probably be received and filed.

Alderman Garrity moved to approve Item 15. Alderman Forest duly seconded the motion.

Alderman Wihby asked on Item 16 we can't...I mean it made sense when you read the letter that we could save some money but what we are hearing is that it is a done deal already.

Chairman O'Neil answered that is what I heard and the Clerk confirmed that with the Solicitor.

On motion of Alderman Garrity, duly seconded by Alderman Forest, it was voted to approve the polling hours for the Special State General Election on Tuesday, April 8, 2003 for Wards 2, 3, 10 & 11 from 11 AM until 7 PM.

On motion of Alderman Forest, duly seconded by Alderman Smith, it was voted to receive and file Item 16.

Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

On motion of Alderman Pinard, duly seconded by Alderman Sysyn, it was voted to commit the warrant in the amount of \$92,463.23 to the Tax Collector under the Hand and Seal of the Board of Mayor and Aldermen.

Resolutions:

“Amending the 2003 Community Improvement Program, authorizing and appropriating funds in the amount of Seventeen Thousand One Hundred Eighty Dollars (\$17,180) for the 2003 CIP 711103 LED Replacement Program.”

“Amending the FY 2000 & 2003 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of One Hundred Eighty Five Thousand Dollars (\$185,000) for FY2003 CIP 713503 Crystal Lake Land Acquisition Project.”

“Authorizing the Finance Officer to effect a transfer of One Hundred Eighty Five Thousand Dollars (\$185,000) for the 2003 CIP 713503 Crystal Lake Land Acquisition Project.”

“Authorizing the Finance Officer to effect a transfer of Six Thousand One Hundred Dollars (\$6,100.00) from Contingency to the Traffic Department.”

On motion of Alderman Shea, duly seconded by Alderman Lopez, it was voted to read the Resolutions by title only and it was so done.

Alderman Shea moved that the Resolutions pass and be enrolled. Alderman Osborne duly seconded the motion. Chairman O’Neil called for a vote. The motion carried with Aldermen Wihby and Gatsas being duly recorded in opposition.

Ordinance:

“Amending Section 70.57 (A) Parking Rates of the Code of Ordinances of the City of Manchester by increasing the monthly parking garage rate.”

On motion of Alderman Smith, duly seconded by Alderman DeVries, it was voted to read the Ordinance by title only and it was so done.

This Ordinance having had its third and final reading by title only, Alderman Osborne moved on passing same to be Ordained. Alderman DeVries duly seconded the motion. Chairman O’Neil called for a vote. The motion carried with Aldermen Guinta and Forest being duly recorded in opposition.

TABLED ITEM

- 20.** Discussion relative to informing Verizon that if an amicable agreement with the City of Manchester regarding payment of bridge repairs is not made Verizon will be notified that they will have to remove their cables from the bridge.

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

Alderman Wihby moved to receive and file this item. Alderman Guinta duly seconded the motion.

Alderman Lopez asked can somebody explain what the latest negotiation was and what the outcome was.

Solicitor Clark stated the last I heard was what the Mayor updated the Board on, that our adjusters are still working with the Verizon people and the Mayor was going to initiate a conference call between their adjusters, our adjusters and the risk management people on both sides. I do not know if that has occurred yet.

Alderman Lopez replied based on that and the fact that we haven't received any information from the Mayor yet as to final negotiations I think it should go back on the table.

Alderman Wihby stated if we put our own lines there it is going to cost a lot more.

Alderman Lopez replied I think in conversation that the Mayor has brought forth to us they were working on it. They haven't come back and explained anything to us yet as far as what it is going to cost. I think we ought to let the negotiations go forward and put it back on the table until the Mayor comes back.

Chairman O'Neil stated if I may and I don't know if I heard this officially or unofficially but I heard the same thing as Alderman Wihby that if we push this it opens a whole can of worms that we may not want to get into with regards to having cables in their conduit in the City.

Alderman Wihby stated this doesn't mean that the Mayor can't still work on this and come back with another proposal.

Alderman Lopez responded that is why we should leave it on the table until the final action comes forward. If you receive and file it, it just goes away like a few other things around here when things are received and filed.

Alderman Wihby stated they are looking at something different. They are not going this way.

Alderman Lopez stated but we haven't got a final report.

Chairman O'Neil asked for clarification from the City Solicitor. If we receive and file this, it doesn't really change anything does it?

Solicitor Clark answered no. All that does is take it off the agenda.

Chairman O'Neil called for a vote on the motion. The motion carried with Alderman Lopez being duly recorded in opposition.

NEW BUSINESS

Deputy Clerk Johnson stated there was a communication that was distributed. It is entitled Crystal Preservation Association across the top. It is an assignment of rights. We would be looking for a motion to accept the assignment, authorize the Mayor to execute same and authorize the Solicitor to go forward with the purchase.

Alderman DeVries moved to accept the assignment of rights, authorize the Mayor to execute same and authorize the Solicitor to go forward with the purchase. Alderman Shea duly seconded the motion.

Alderman Wihby asked is this basically saying that this association, CLPA, was going to buy the property themselves when they got into this agreement on November 13 and then something happened so now they want the City to pay for it. Is that basically what we are doing here, Tom?

Solicitor Clark replied when the Crystal Lake Association negotiated with the developer and entered into the agreement before the Planning Board and the subdivision approvals, they reserved the option to purchase the property and they also reserved the option to transfer that assignment to the City so the City could purchase it. I believe it was always the intent that the purchase would be made with funds provided by the City.

Alderman Gatsas asked can somebody tell me where those funds are coming from.

Mr. MacKenzie answered it is my understanding that there are four sources for those funds, which would total \$400,000. There is the \$185,000 that the Board has acted upon. There is \$100,000 that would be coming out of the CSO program. There would be \$40,000, which was a negotiated amount from the development, which had to be used for land preservation. There was \$75,000 out of City bond funds, which was approved by the Board as part of the FY03 CIP process. That should total \$400,000.

Alderman Gatsas asked when was the \$100,000 approved.

Mr. MacKenzie answered that was approved by the so-called SEPP Committee. They have jurisdiction over roughly \$1 million for urban pond restoration and that was approved six months ago by the SEPP Committee.

Chairman O'Neil asked that is all part of the negotiation with the EPA correct.

Mr. MacKenzie answered yes.

Chairman O'Neil stated that was one of the many items that came out of that negotiation.

Alderman Gatsas asked where was the intent of the \$185,000 to come from in November.

Mr. MacKenzie answered I cannot speak for the Crystal Lake Association.

Alderman DeVries stated I am not sure I understand his question.

Chairman O'Neil stated I think one of the thoughts in resolving this was that the process for I-93 would be moving quicker, including the approval on the mitigation program but that just hasn't happened as quickly as thought and this deadline with the developer has always been there.

Alderman DeVries stated I think the November 12, 2002...is that what you are referencing within the document. They have a signed purchase and sales agreement and I believe that is the date that is being referenced in there. Maybe Tom Clark will have seen those documents.

Alderman Gatsas stated somebody must have assumed some funding before the 11th hour of tonight.

Alderman DeVries replied yes. They had \$215,000 committed as of that date.

Alderman Gatsas asked where did the \$75,000 come from.

Alderman DeVries answered that went through the normal CIP budget process.

Alderman Gatsas asked that was voted on for this project...when last June.

Alderman DeVries answered yes.

Alderman Gatsas stated I don't see how it could have been.

Mr. MacKenzie stated that is correct. It was part of the Park Improvements Program, which included Derryfield Park improvements, Crystal Lake acquisition and two other projects.

Alderman Gatsas replied Derryfield Park but it didn't get all of its funding. I remember now. Is that correct, Mr. MacKenzie?

Mr. MacKenzie responded at the time the Board wanted to identify a Phase I to be completed and all of that Phase I was funded.

Alderman Gatsas stated another worthy project that involves a lot of wards in the City that children can play in but that wasn't funded at the time.

Alderman DeVries asked what was funded at Derryfield Park.

Mr. MacKenzie answered there were a number of improvements done this year at Derryfield Park including the relocation of the playground area, which was in a more awkward location out near the access road. It was put where the tennis courts are now. There were also

improvements to the entrance road, the parking area adjacent to the playground and that was all part of Phase I.

Alderman DeVries asked and those expenditures came up to what.

Mr. MacKenzie answered the total was somewhere over \$200,000.

Alderman Shea asked and how much is planned for Derryfield Park total.

Mr. MacKenzie answered that is all that has been expended so far. There is a new Phase II coming in, which would include a number of other improvements including tennis courts and a new parking area that will be on the order of \$350,000 to \$450,000 requested in next year's CIP budget.

Alderman Shea asked over what timeline is that. In other words, one year or two years? I know that I waited four years for Prouts Park. Is this the same kind of situation?

Mr. MacKenzie replied I cannot answer that right now, Alderman.

Chairman O'Neil called for a vote on the motion to accept the assignment of rights, authorize the Mayor to execute same and authorize the Solicitor to go forward with the purchase. The motion carried with Aldermen Wihby and Gatsas duly recorded in opposition.

A communication from Alderman O'Neil was presented and read as follows:

Over the past five years the Manchester Community Resource Center (MCRC) has been very successful serving the needs of the citizens of our City.

As you know, the City owns the building that currently houses MCRC located on Lake Avenue. In August of 2003, the lease to this facility will expire. In anticipation of this lease expiration, now would be a good time for the City to explore, along with others, options which may be available in MCRC's future including the possibility of operating as an independent organization as was the thought five years ago at inception.

I respectfully request of this Board that action be taken this evening directing City staff to look into all options and report back to the Committee on Community Improvement with a recommendation as soon as possible.

Your favorable consideration of this request is greatly appreciated.

Alderman Wihby moved to direct Robert MacKenzie and other City staff as needed to look into the options and report back to the Committee on Community Improvement with a recommendation. Alderman Sysyn duly seconded the motion.

Alderman Wihby asked shouldn't this go through the budget process, too.

Chairman O'Neil replied at this point my understanding is it is not even a budget issue. I think one of the intents was to allow the City to get at the table. Bob, you can back me up on this but right now we are not even at the table talking with these folks and we own the building. That is why it was thought that some action by this Board would give Mr. MacKenzie and his staff the ability to sit down and figure out where this whole this is going. At one point if I recall when this whole process began it was thought that five years into it it would be self-supporting and for some reason it hasn't gotten there. I agree, Alderman Wihby, that it does belong in the budget process but we need to get to the table before some actions are taken by the other parties to at least give our side.

Alderman Lopez stated I am glad that this has come to the surface because I am very much interested in this project. Last year we gave \$95,000 to MCRC and that is still in the CIP budget for the basement that they want to renovate over there. Also I believe their Board of Directors are meeting tomorrow morning to vote to go to Southern NH Services. I think there is a lot of stuff going on here than meets the eye. I will be at that meeting because I was invited.

Chairman O'Neil stated they appear to be taking actions on a building that none of them own. We own the building. We need to get our staff involved in the negotiations.

Chairman O'Neil called for a vote on the motion. There being none opposed, the motion carried.

Alderman Garrity stated back during the last budget process there was a position for a grant writer. I was curious where we are with that.

Mr. MacKenzie replied there were three applicants submitted to us for review by HR. Two of them were well qualified and it looks as though one will be selected this week.

Alderman Shea stated I think that before the meeting Alderman Gatsas and I were talking about the school additions or renovations and he made a valid point, which I agree with that before we vote we should know what the expense is going to be for the taxpayers of Manchester. I think that we should probably receive that information prior to the different communities voting because it would kind of be difficult for a decision to be reached if after they make a decision we look at the figures and say it is not very prudent on our part to spend the money necessary. I don't know whether the timing is planned. I think the way Kevin Clougherty explained it and I don't know if Randy could give us that but are we going to know pretty much what the figures are going to be financially in terms of how much impact this is going to have on the people in Manchester before the different communities vote or are they going to vote and then we are going to say well the figures don't look too good to us and we are going to say we don't want to go along with these figures and,

therefore, it is going to look as if all of this is going to be a wash. Could you explain, Randy, what the timing is going to be?

Mr. Sherman stated I can tell you for certain that we will have all of the capital costs in probably mid-February. We will get the rest of the bids in so we will know what the renovation costs are and I can tell you that the two bidders at this point are refining their numbers on the high schools. In discussions with the School Department staff, they are getting the same questions from the School Board regarding what the impact will be on their operating budget. It is my understanding that once they sort of have gotten into the process of their 2004 budget they will actually be starting to figure out what the program costs will be for the additions.

Alderman Shea asked if we get the figures in February and we look at these figures and we don't reason that they are reasonable for the people of Manchester then if we were not to go along with these figures than it would be non-secretor on the part of the communities outside of Manchester to be voting for we will say support of a capital improvement as well as renovations. Is that what you are saying to me?

Mr. Sherman answered what the communities are going to be voting on are the tuition agreements. Part of the tuition agreement says that you will then go and vote on the capital improvements. The communities fully understand that the funding comes from this Board. The process that I think they have laid out is before you vote on anything you need to know which communities are on board. If one of those communities or two or three or all four of those communities vote against the tuition agreement that tuition agreement is gone as are the current building programs. Again, if one community leaves you now don't need additions at all three high schools and we would have to go back to the drawing board and figure out how we fit the communities in that opt to stay with the City. What they would actually have to do is go back and renegotiate that tuition agreement because it changes all of the numbers for everybody.

Alderman Shea stated I read where Bedford is trying to put a warrant on to their March vote, which would indicate that they are looking to set aside a certain amount of money in the event that they decide to build their own high school. Well it is not saying that but it is sort of setting aside a certain amount, I think it is \$13.2 million or something like that as a warrant in the event that they decide down the road to build their own high school. I think there is a little bit of concern on the part of myself and others that possibly after 10 years they are going to bail out and what are the ramifications going to be for Manchester taxpayers but that is another question for another day.

Chairman O'Neil stated if I recall what I read in the paper it only takes 25 signatures to put a warrant article on. I don't think it necessarily shows a direction where Bedford is going.

Alderman Shea replied no but if they put it on and it is approved then obviously it makes a difference.

Alderman Wihby asked are we going to get numbers that show what happens if we follow that plan that came out from the Mayor's Task Force, which was move the Bedford kids and just have our own children here. Are we going to have something that shows how that plan works or doesn't work?

Mr. Sherman answered what you are going to get and what the School Department has put together is three scenarios that show if all four communities sign on to the agreement what we have and who is paying for what and then a couple of scenarios that show what if one community leaves or what if they all decide to leave after 10 years. What it is difficult to do at this time is really develop numbers for every possible scenario because again if one community votes no now we have to go back to the designs and back to the contractors and say okay now we have 500 less students so how do we readdress the issues. Maybe we drop a floor off of central or maybe we don't do the additions at West or maybe we don't need to do Memorial. We would have to sit back and say okay now we have a different student population so how do we readdress that. At that point we would have to rework the numbers and again bring it back to the Boards.

Alderman Wihby asked but if we decided now that we just want our own Manchester students in our schools we should be able to go forward with that plan. We know what the numbers are and we know what the anticipated growth is.

Mr. Sherman replied the only thing I can tell you that I know the School Board has done is they have asked to find out what the impact would be on their operating budget and their loss of tuition revenues. If I recall from the School Board meeting the other night, I believe the impact was somewhere around \$7.5 million that they would be short. The tuition revenues now exceed \$10 million. Obviously they can reduce some costs if they don't have tuition students but I believe the net impact is somewhere around \$7.5 million.

Alderman Wihby asked are we going to have that in front of us when it comes time to vote.

Mr. Sherman answered yes.

There being no further business, on motion of Alderman Smith, duly seconded by Alderman DeVries, it was voted to adjourn.

A True Record. Attest.

City Clerk