

**BOARD OF MAYOR AND ALDERMEN**

**May 20, 2003**

**7:30 PM**

Mayor Baines called the meeting to order.

The Clerk called the roll.

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

Mayor Baines recessed the meeting to allow the Special Board Meeting to continue.

Mayor Baines called the meeting back to order.

Presentation to Candace Glickman, Miss New Hampshire.

Mayor Baines stated I have known Candace and her family for many years. I used to spend some time at the softball field with members of her family. She was also a student at West High School. In fact, she is the second Miss New Hampshire in a row who is a graduate of West High School so I still have some of that pride in me. More important than that I have watched Candace go through this process. To be honest with you until I became Mayor I never went to a Miss New Hampshire Pageant. When I started going I saw Candace working at it with what I would call dogged determination. Last year when I saw her perform I said I think she is going to do it. I really thought she was going to do it last year and she didn't. She lost out to another great Miss New Hampshire but this year it seemed like it was going to be Candace's year and watching that whole production, which by the way if you have never gone to it and you have an opportunity to go to it it is a spectacular production. It is first class and very professional. It is a year round process. *The Union Leader* was a great sponsor for many, many years and have given up the sponsorship. Don Anderson stepped down as the Executive Director but they have a great team. It was down at Pinkerton at their new Fine Arts Center this year. It is a magnificent production but it is a scholarship pageant. I am going to ask Candace a little later after I present this Proclamation to talk about that because the young ladies who participate in this...first of all you have to be very, very talented. You have to be very poised and you have to answer some tough questions on the spot. It also helps a lot of young ladies like Candace achieve a college education and achieve their goals and I want to talk a little bit about what she is out there doing because when you become Miss New Hampshire you spend a lot of time with the Mayor because we are at a lot of events together and I see what she is doing and some of the causes she is promoting so it is with a great deal of pride that I present this Proclamation to Candace this evening:

Whereas Manchester's own Candace Glickman was recently crowned Miss New Hampshire; and  
Whereas the Miss New Hampshire Program could not have chosen a better representative of the State of New Hampshire; and  
Whereas through her reign Candace hopes to shed light on the benefits of using the arts in all academic disciplines, and  
Whereas her hometown wishes her considerable success as she prepares to represent the State in Atlantic City as she embarks on a year filled with personal fulfillment and service to others,  
I, Robert A. Baines, by virtue of the authority vested in me as Mayor of the City of Manchester in the State of New Hampshire do hereby proclaim today to be Candace Glickman Day in Manchester.

Mayor Baines stated please accept this with best wishes on behalf of our entire community, the Board of Mayor and Aldermen and you go to Atlantic City and you take charge Candace because I know you are going to do a great job and represent all of us very well.

Ms. Candace Glickman stated thank you to the City of Manchester, the Aldermen and Mayor Baines. I will tell you a little bit about Miss New Hampshire. I was involved with the Miss New Hampshire Scholarship Program for four years and through those four years I have won \$40,000 of scholarship money. With that \$40,000 comes a lot of hard work and you really need to prepare to be a Miss New Hampshire and to be able to represent this great city of Manchester and also this state at Miss America and also throughout the state as you are promoting an issue of importance to you. As Miss New Hampshire you need to have a platform and that you will promote for the entire year. My platform, as the Mayor mentioned, is focused on the arts. Arts education and integration is the actual title. What I do is I go in to schools and I talk about the importance of arts education and also the importance of using the arts as a tool to teach students through in order to make learning fun and enjoyable and to make sure you are reaching the right brain learners in the classroom like myself through arts based activities and hands-on activities. This program allows me to do so. The power of the crown gives me the opportunity to speak to you today and to tell you about what is important to me in this program. The Miss New Hampshire Program is a great program and if you know anyone who is a female between the ages of 17 through 24, a senior in high school who would love to get involved in the program you can go to [www.missnewhampshire.com](http://www.missnewhampshire.com) or call the Miss New Hampshire Office and get all the details you want. This is a great program and I hope we can get as many girls involved as we can. Thank you.

Mayor Baines stated there is another Glickman in the family who is working her way through the ranks of that program too and we wish her well.

Mayor Baines stated I have a few announcements tonight. In tribute to the dedication and bravery displayed every day by members of the United States Armed Forces and in honor of Memorial Day, the City of Manchester will hold a special ceremony this year honoring those members of the Class of 2003 who have enlisted in the Army, Navy, Air Force, Marines and Coast Guard. The ceremony will take place on Tuesday, May 27 at 7 PM here in the

Chambers. We are initiating this program this year because what I found last year going to the high school graduations I tried to point out the importance of young men and women when our country is facing the challenges we face today that there is still another generation of young Americans who are going to volunteer and go and serve our country. I thought it would be very important that we start a new tradition in the City and we are going to start it this year on May 27 to bring those young men and women to their City Hall so a grateful community can say thank you for volunteering to serve in the military as ever other generation of young Americans has done before. I think it will be the start of something very important for our community and I invite the Board of Mayor and Aldermen to attend as well. Again, that is Tuesday, May 27 at 7 PM here in the Chambers. Also, this Thursday at 4:15 PM the Annual For Manchester Education Awards will take place in this room. An adult role model from each community will receive a small token of appreciation for their efforts to make our schools the best possible schools they can be. It is a really nice low key event and I hope you can make it. You will see custodians. You will see secretaries. You will see teachers. You will see parent volunteers. They are all selected by the different schools in our community for this award and this is an opportunity to say thank you. Again, that is at 4:15 PM this Thursday. Also I have a very special announcement this evening. As you know, we have many incredible department heads that sometimes go through an awful lot in this Chamber defending what they need to do to make our City the kind of City it is and they earn recognition outside of this Chamber and in the communities in which they work. Two of our department heads – Fred Rusczek and Kevin Dillon were recently recognized for their contributions to their professions and to the community. Fred received the Roger Fossum Award from the NH Public Health Association and Kevin was named Distinguished Citizen by the Daniel Webster Council of Boy Scouts America and recently became one of only 300 individuals in the country to earn the status of Accredited Airport Executive. Please join with me in congratulating these two outstanding professionals. I would like everyone to just bow your head and pray this evening for Ron Ludwig's family. His mother-in-law, Sylvia Prince, died yesterday and if ask that we keep her and the entire family in our prayers.

Review of the Comprehensive Financial Annual Report (CFAR) for  
Fiscal Year 2002 by McGladrey and Pullen, Independent Auditors.

Mr. Scott Bassett stated I am a partner with McGladrey & Pullen and I am here tonight to present the June 30, 2003 Comprehensive Annual Financial Report. This was a big year as we talked about in the past for communities the size of Manchester. A new accounting pronouncement was adopted. It really changed the format and the presentation of the financial statements of the City. For the first time we measured assets and depreciation against those assets. We measured all liabilities against the assets and also included in the document is an MD&A.

Mayor Baines stated we know that you just received the report tonight. Scott has given a report to the Committee on Accounts. He is going to give a preliminary report this evening, an overview, and then give you a chance to go through it and he will be coming back to the next Board meeting.

Mr. Bassett stated what I think is the key factor in the report is there is a management discussion and analysis (MD&A) and the objective of the new reporting model was to summarize the financial highlights of a city or community through the fiscal year. Instead of going through 112 pages of schedules and numbers, what this MD&A goal was was to have the average taxpayer take a look at the MD&A, read it and get an understanding of the financial results within the city during the year. We were engaged to conduct an audit in accordance with generally accepted auditing standards, which we did. The accounting policies that were adopted were GASB 34 as I mentioned and the significant transaction through the year was the treatment of the contribution of the civic center. Upon completion, the City took legal title to that piece of property and the improvements to that property and recorded that as a contribution within their government wide statements. From an auditing standpoint, it was really a gray area. We came out on the side where we just couldn't get comfortable with carrying that asset at \$65 million within the government wide statement so we do have a qualification in our report stating that. We did a lot of digging on that.

Definitely the City took legal title to the asset with all of the conversations we had with the attorneys but with the fiscal funding clause and not to belabor the point but there are some technical aspects of it that we felt that the carrying value...we just couldn't get comfortable with that. So that is one modification to the opinion that we have this year. What I would like to refer you to within that document is Page 17. That is going to talk about where the City came out. On a government wide basis the City's assets exceeded its liabilities by \$345 million. Total net assets for the non-business type activities was \$63.5 million and total assets for the business type activities was \$282 million. The unrestricted net asset as of June 30 were at \$25.3 million or 7.3% of the City's total net assets. Net assets increased by \$91.5 million from last year to a balance of \$345.6 million. The net assets increased by \$65.9 million in governmental activities and by \$29.2 million in the business type activities. On a fund basis, which is a different basis, a current financial resource basis combining ending fund balances were \$43.4 million for an increase of 6.7% in the current year. The unreserved fund balance in the general fund represented 3.9% of the total general fund expenditures in transfers out for the year. On a government wide basis for governmental activities the net assets decreased by \$2.3 million and in the business type activities there was an increase of \$29 million for the year. On a GAAP basis we had a total fund equity in the general fund of \$21.8 million. We increased our fund balance by \$2.1 million. Within the capital project funds we increased that by approximately \$5 million. We had a favorable budgetary result of approximately \$2.7 million. We had anticipated using \$1.5 million of fund balance. Revenues exceeded expenditures by \$1.2 million leaving us with a favorable variance as compared to budget of \$2.7 million. The additional significant event that happened during the year...well actually two. We did a refunding of outstanding bonds and

secondly we issued some pension obligation bonds to fund the old system within the pension plan. Also in this document are the operating results of our component units in our Enterprise funds that are within the City. As I said, there are major changes to it and as the Mayor stated I would suggest going through it and I would be happy to come back and answer any questions. From a general standpoint I think the fund balance of the City remains strong and stable. The collection rate remains high. The funding of the pension system was in my opinion getting those contributions into the trust fund was appropriate and the financial position of the City remains strong. As part of our audit we always go through internal controls to help us plan our audit. We did have four comments this year. A decrease of four from the prior year. They had to do with reconciliation of the Water Works Department and the City. They both maintain a computer system with financial records. At the end of June 30, 2002 they weren't reconciled on a monthly basis. It is my understanding that that is now being done and that finding does not exist at this point. We have the same finding as last year regarding the Contract Compliance Officer. We think it would be...our observation is with the numerous contracts out there, whether it be a revenue contract or a project contract that a Compliance Officer...there should be a central location of these to keep track of the responsibilities of the vendor participating in certain projects. For the small departments out there, the non-tax revenue is collected in various locations throughout the City. We would like to see that be uniform and have all of those small departments follow the same procedures. Also, in some of the departments there is an inadequate segregation of duties when it comes to the purchasing function. The same people are receiving and approving and insuring that adequate funds exist in the budget for the general ledger. We think there should be some type of segregation of duties in there. That is what I have. I would be happy to answer some specific questions this evening if you would like.

Alderman Guinta asked can we set a date for a more formal presentation after we have had a chance to review this.

Mayor Baines answered we could do it at the next regular Board meeting. We will check the schedule.

#### **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.

#### **Informational – to be Received and Filed**

- A. Communication from Manchester Transit Authority submitting copies of the minutes of their March 24, 2003 meeting and reports for the month of March.

- B.** Copy of a communication from Commissioner Murray, NH Department of Transportation, advising of contemplated awards.
- C.** Communication from the Piscataquog River Local Advisory Committee regarding Wetlands File #2003-00661, Singer Park Redevelopment.
- D.** Copy of a communication from Comcast submitting the first quarter 2003 franchise fee payment in the amount of \$260,084.27.
- E.** Communication from Jerry Reese of Comcast regarding the transition of AT&T Broadband Internet customers' e-mail addresses.

### **REFERRALS TO COMMITTEES**

#### **COMMITTEE ON FINANCE**

- H.** Communication from the Public Health Director requesting expedited BMA approval, without CIP referral, to accept funds from the State for replacement/upgrade of clinical equipment and submitting amending resolutions and CIP budget authorizations for same.
- I.** Communication from Deputy City Clerk advising that property abutting Derryfield Park, which the Board approved the purchase of, has been negotiated to a price of \$8,000 with the State of New Hampshire; requesting approval of a contingency transfer to pay for same on behalf of the City; requesting that the Mayor be authorized to execute any related documents subject to review and approval of the City Solicitor; and submitting a Resolution:

“Authorizing the Finance Officer to effect a transfer of Eight Thousand Dollars (\$8,000) from Contingency to the City Clerk’s Office.”

### **REPORTS OF COMMITTEES**

#### **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

- J.** Recommending that the City’s Stop Loss Insurance be increased from \$100,000 to \$150,000.

#### **COMMITTEE ON TRAFFIC/PUBLIC SAFETY**

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

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

- F.** Communication from Therese Finegan of Granite State Organization Project regarding a revision of the Responsible Employer Ordinance.

Alderman Sysyn moved to receive and file this item. Alderman Thibault duly seconded the motion. Mayor Baines called for a vote on the motion. A roll call vote was requested. Aldermen Garrity, Thibault, Forest, Gatsas, Guinta, Sysyn, Osborne and Pinard voted yea. Aldermen O'Neil, Lopez, Shea, DeVries, and Smith voted nay. Alderman Wihby abstained. The motion carried.

- G.** Petition for rezoning of certain land in the vicinity of Valley, Bell and Belmont Streets submitted by David W. Giovagnoli.

Alderman Wihby stated I would like to set a hearing date for this.

Deputy Clerk Johnson stated we could do it on June 9.

Mayor Baines asked is that a School Board meeting night.

Deputy Clerk Johnson stated you could make a motion to refer it at the earliest available date that the calendar will allow.

On motion of Alderman Wihby, duly seconded by Alderman O'Neil it was voted to refer the rezoning petition to the Committee on Bills on Second Reading and to refer the petition to a public hearing date at the earliest available date that the calendar will allow to be set by the City Clerk

Nominations were presented by Mayor Baines.

**Conservation Commission**

Marty Gavin to fill a vacant position, term to expire August 1, 2005.

**Manchester Revolving Loan Fund Review Committee**

Joseph G. Fremeau, term to expire June 1, 2006  
Robert A. Greenwood, term to expire June 1, 2006  
Peter R. Madden, term to expire June 1, 2006  
Edward N. O'Brien, term to expire June 1, 2006  
James D. Bell, term to expire June 1, 2006  
David B. Eaton, term to expire June 1, 2006

**Airport Authority**

John Mercier to succeed himself, term to expire March 1, 2006.

On motion of Alderman Sysyn, duly seconded by Alderman Pinard, it was voted to suspend the rules and confirm the nomination of John Mercier to the Airport Authority, term to expire March 1, 2006.

Alderman O'Neil asked do the members of the Revolving Loan Committee have to live in the City or should they live in the City.

Mayor Baines stated I don't believe there is a requirement that they all live in the City. These can lay over to the next meeting.

Alderman Garrity moved to suspend the rules and confirm the nomination of Marty Gavin to the Conservation Commission, term to expire August 1, 2005. Alderman Thibault duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

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

Mayor Baines called the meeting back to order.

#### **OTHER BUSINESS**

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

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Four Hundred Dollars (\$10,400.00) for 2002 CIP 210802 STD Clinic.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Fourteen Thousand Six Hundred Dollars (\$14,600.00) for 2002 CIP 210202 HIV Counseling and Testing.”

“Authorizing the Finance Officer to effect a transfer of Eight Thousand Dollars (\$8,000) from Contingency to the City Clerk's Office,' as amended to \$8,500.”

ought to pass and be enrolled. The Committee further recommended that the Mayor be authorized to execute a contract amendment subject to the review and approval of the City Solicitor regarding replacement and upgrade of clinical equipment for the Health Department.

Alderman DeVries moved to accept, receive and adopt the report. Alderman Shea duly seconded the motion.

Alderman Gatsas asked on CIP 811203, the project description says that there is \$313,000. Is this new bonding?

Mayor Baines answered it is not new bonding. That was one of the recommended transfers dealing with the IRS issue. I believe it was transfers from balances of other projects.

Alderman Gatsas asked does this mean that balances in other projects we have the ability to move from one project to the other without a majority. It just requires a simple majority?

Mayor Baines answered that is correct.

Alderman Gatsas asked don't you think that should be corrected where we are overstating bond issues and then arbitrarily moving them to other projects where maybe there is already...if we initially needed 10 to approve a bond...

Mayor Baines interjected you are just transferring money. That is the process that exists. The issue before us tonight is the transfer which was discussed and recommended by Committee and came to the Board at the last meeting.

Alderman Guinta stated I just wanted to clarify. Is this project increasing the expenditure by the amount we are transferring?

Mayor Baines answered yes. That was explained at the last meeting in terms of the cost of the project.

Alderman Guinta stated I just want to reiterate my objection, which I had talked about when we transferred this in the first place. This is part of the \$1.61 million that we are transferring. I am objecting to that.

Mayor Baines called for a vote on the motion to accept the Finance Committee report. The motion carried with Alderman Guinta being duly recorded in opposition.

Deputy Clerk Johnson stated the items they are referring to were part of the Finance Committee agenda. They are not part of the Finance report that I just gave. We can go back and make those notations in the Finance Committee. It is my understanding that Alderman Osborne is also opposed to that.

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

“A Resolution appropriating to the Manchester Airport Authority the sum of \$42,676,942 from Special Airport Revenue Funds for Fiscal Year 2004.”

“A Resolution appropriating to the Central Business Service District the sum of \$225,000 from Central Business Service District Funds for Fiscal Year 2004.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2004 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Financing Agreement.”

“A Resolution appropriating the sum of \$2,952,578 from Recreation User Charges to the Recreation Division for Fiscal Year 2004.”

“A Resolution appropriating to the Manchester School Food and Nutrition Services program the sum of \$4,850,750 from School Food and Nutrition Services Revenues for Fiscal Year 2004.”

“A Resolution appropriating the sum of \$15,040,695 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2004.”

ought to pass and lay over.

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

Communication from Alderman Mike Lopez regarding snow removal and the vehicle compound recommending that a committee of City staff and one Alderman be formed to study the issue and report back to the Board of Mayor and Aldermen.

Alderman Lopez moved to approve the request. Alderman Smith duly seconded the motion.

Alderman O'Neil asked why wouldn't we send it to an existing Committee of the Board.

Alderman Lopez answered I don't know which existing Committee you are speaking of.

Alderman O'Neil stated it could be either Lands & Buildings or CIP.

Alderman Lopez responded I think it is important that it go someplace. There are three departments involved here and knowing that Frank Thomas has the biggest part I think for the record we could have him come up and speak about this. It is a problem and now is the time for us to address it for the future.

Mayor Baines stated I would suggest that it go to the Lands & Buildings Committee.

Mr. Frank Thomas stated I totally agree with Alderman Lopez's proposal. I think it is becoming a serious situation. With the development of the Riverfront area we are losing both our car impoundment area and also over the years we have lost our snow dump locations. As you know this year we had an above average winter. We pretty much used up all snow dump locations in the City. The Airport was gracious enough to give us a piece of land to utilize down off of Goffe's Falls Road, however, we used that up pretty quickly and wound up dumping snow at the landfill and other locations throughout the City. With the Riverfront Development project we have to start looking now at alternatives or we are not going to have a car impoundment area or a snow dump area.

Mayor Baines responded I agree. It is just a matter of which Committee.

Alderman O'Neil asked Alderman Lopez is there a reason why you didn't think one of our existing Committees could address this.

Alderman Lopez answered I have no problem with it going to a Committee.

Alderman Lopez moved that it be referred to the Committee on Community Improvement. Alderman Gatsas duly seconded the motion. Mayor Baines called for a vote. The motion carried with Alderman Thibault being duly recorded in opposition.

Communication from the Airport Director requesting authorization to negotiate and execute an access and utility easement on the property at the northeast corner of Winston and Gay Streets.

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to approve the request.

Communication from the Building Commissioner submitting a petition for demolition and removal of a hazardous building located at 2-4 Dutton Street.

Alderman Sysyn moved to make a finding and issue an order to correct the existing hazardous condition by demolishing and removing the building located at 2-4 Dutton Street and filling any cellar hole. Alderman Osborne duly seconded the motion.

Alderman O'Neil asked why does it always take so long. Is it state law? Why does it take so long to get to this point? It is very frustrating that it takes us in the City of Manchester so long to get to the point we are tonight with regards to Dutton Street. It has been history in this City that we have had these problems. What can we do to speed up the process?

Deputy City Solicitor Arnold stated I would defer to Leon. I would note that in the past usually the approach we have taken is to try to resolve the problem with the property owner prior to proceeding with court action. I can't speak for that delay. I can say that once the Board makes a finding and orders that the building be removed it is typically a three to six month process in court to actually get the court order allowing the City to take the building down and dispose of it.

Alderman O'Neil asked should these come before the Board of Mayor and Aldermen sooner.

Deputy City Solicitor Arnold answered I think that determination should probably be made really on an ad hoc basis. There are situations where a building owner is not cooperative where you do see it sooner. There are situations where negotiations appear to be going in the right direction but ultimately don't work out. I think that is a building by building determination.

Alderman O'Neil asked what are those time periods that we give the owner to work out an agreement with us. Two or three years?

Deputy City Solicitor Arnold answered it certainly hasn't been that in the past. There are certain buildings that took longer than they should have but there are other buildings that I am aware of where we legitimately tried to work with the property owner ultimately unsuccessfully.

Alderman O'Neil moved that the Solicitor and the Building Commissioner come up with a recommendation to speed up the process of demolishing hazardous buildings.

Mr. Leon LaFreniere stated the only comment I would like to make is I would be very supportive of any measures or procedures that we could put in place to expedite this process. Typically I think we are relatively successful, certainly we try to make every effort to get this done through a negotiated process and to get the building hazards abated by the private individuals. This is really a process of last resort. It is a very cumbersome process and does take more time than one would certainly think reasonable if you had to live beside one of these buildings.

Alderman O'Neil asked Leon am I correct that there have been instances where the Fire Chief can declare a safety issue and that forces the building down as well.

Chief Kane replied basically the authority lies with the Building Inspector. What we can do is assist them. We can declare a building as a hazard but we can't condemn it or take it down. The only one that has the authority to do that is Leon. One of the other issues is sometimes these buildings get tied up in court in a criminal case. I can remember one case that involved...a building was up for years and you can't do anything about that.

Alderman O'Neil stated I think if we have the power to make changes to improve the process we should do that. I think Chief Kane could help out with that.

Alderman Thibault stated I have no problem with expediting it if we can but Leon insurance alone sometimes take four or five months doesn't it.

Mr. LaFreniere responded that is often offered to us as a reason for delaying cases. We do try to give the property owner a reasonable opportunity to take care of the hazards themselves. What we do in those cases is look for the immediate hazards to be addressed like boarding up and security sites and that sort of thing. The more troublesome issues with regards to insurance can sometimes be more difficult to deal with.

Alderman Thibault asked there is no state law as to how long that can go.

Mr. LaFreniere answered there is a state law RSA 155:B that defines the process. It does not define a time period.

Alderman Shea stated I am glad Alderman O'Neil brought up the fact of a Committee because I think if Leon will hear me out on the corner of Union and Shasta Street there was a building there and prior to my taking over as Alderman it was in very bad shape. I think just recently they have begun to tear it down and remove it. My other question is who is paying for this? Is the City going to pay for this or is the gentleman who is responsible for the property going to pay to remove the building?

Mr. LaFreniere replied if this process goes through to conclusion we will execute the work. The City will pay for the abatement of the hazard and a lien will be placed on the property to recover those costs at some point in the future.

Alderman Shea asked so how long does that take in terms of the lien being on the property. In other words is it a cumulative kind of thing so after three or four years the property reverts to the City? Is there something in that regard or is it just the lien stays on it?

Mr. LaFreniere answered I would defer to the Solicitor's Office.

Mayor Baines asked what is a reasonable time for you to come back with a recommendation. I would suggest that it be referred to the Committee on Traffic/Public Safety because it is a public safety issue.

Mr. LaFreniere answered if the Solicitor's Office is available I would like to think that we could come back in 30 days.

Alderman Shea asked what about the lien. Is there some kind of information that the Solicitor could bring forth?

Deputy City Solicitor Arnold answered I can give you that answer now. What the statute provides is that once the order is made if the landowner does not take the building down we have to go to District Court and have the order enforced. Once the building is taken down by the City I or our office submits an itemization of the costs involved. That includes not only the expense of taking the building down but the cost of court action including attorney time the court then certifies that list of costs. It is sent to the City Clerk. The City Clerk sends out a bill and if it is not paid by the following December 31 I believe although I couldn't swear to that date that if it is not paid by that date it is then sent to the Tax Collector who collects it as taxes. If the bill was not paid it would go through the tax lien procedure. They then have two years to redeem it before you can give a Tax Collector's deed.

Alderman Shea asked so it is about four years. Is that correct?

Deputy City Solicitor Arnold answered three is more like it.

Mayor Baines stated the Clerk will clarify because we have two motions on the floor.

Deputy Clerk Johnson stated I had a motion by Alderman Sysyn seconded by Alderman Osborne with regards to Item 13, which I believe is the first action you want to take a vote on.

Mayor Baines called for a vote on the motion to make a finding and issue an order to correct the existing hazardous condition by demolishing and removing the building located at 2-4 Dutton Street and filling any cellar hole. There being none opposed, the motion carried.

Deputy Clerk Johnson stated I have Alderman O'Neil making a motion although I didn't get the second recorded to have the Solicitor work with the Building Commissioner to come up with a recommendation on speeding up the process with said recommendation going to the Committee on Traffic/Public Safety within 30 days.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to have the Solicitor work with the Building Commissioner to come up with a recommendation to speed up the process for demolishing hazardous buildings with said recommendation going to the Committee on Traffic/Public Safety within 30 days.

Communication from the Deputy Director of Parks, Recreation & Cemetery regarding a request of the Exxon/Mobil station to place two groundwater monitoring wells at Livingston Park; and submission of a site access agreement between the City of Manchester and Exxon Mobil Corporation.

On motion of Alderman Thibault, duly seconded by Alderman DeVries, it was voted to approve the request and authorize the Mayor to execute the site access agreement with Exxon Mobile on behalf of the City of Manchester subject to the review and approval of the City Solicitor.

Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Fifty Thousand Dollars (\$550,000) for the 2003 CIP 511603, Recreation Facility Improvements (Leveraged) Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Twenty Five Thousand Dollars (\$2,125,000) for the 2003 CIP 713703, City Motorized Equipment Replacement Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) for the 2003 CIP 713803, Major R.O.W. Improvement Projects.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Twenty Five Thousand Dollars (\$525,000) for the 2003 CIP 713903, Municipal Infrastructure Program.”

“A Resolution ‘Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Fifty Thousand Dollars (\$350,000) for the 2003 CIP 713203, Notre Dame Bridge Project’ as amended to \$250,000.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Eighty Five Thousand Dollars (\$285,000) for the 2003 CIP 811203, City Space Improvements Project.”

On motion of Alderman O'Neil, duly seconded by Alderman Pinard it was voted to dispense with the reading by titles only.

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

Resolutions:

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Four Hundred Dollars (\$10,400.00) for 2002 CIP 210802 STD Clinic.”

“Amending the 2002 Community Improvement Program, authorizing and appropriating funds in the amount of Fourteen Thousand Six Hundred Dollars (\$14,600.00) for 2002 CIP 210202 HIV Counseling and Testing.”

“Authorizing the Finance Officer to effect a transfer of Eight Thousand Dollars (\$8,000) from Contingency to the City Clerk’s Office as amended to \$8,500.”

On motion of Alderman O'Neil, duly seconded by Alderman Smith, it was voted to dispense with the reading by titles only.

On motion of Alderman Garrity, duly seconded by Alderman Pinard, it was voted that the Bond Resolutions ought to pass and be enrolled.

**TABLED ITEMS**

- 17.** Report of the Committee on Finance recommending that Appropriating Resolution:

“A Resolution appropriating to the Manchester School District the sum of \$127,075,275 for the Fiscal Year 2004.”

ought to pass and layover with no amendments.

This item remained on the table.

- 18.** Communication from Alderman Gatsas to Mr. Sherman requesting a letter be provided by Ropes & Gray giving approval of the ability of the investors guaranteeing the lease for the Riverfront Development Project.

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

Mr. Sherman stated Walter McCabe from Ropes & Gray did respond to the request from Alderman Gatsas. His letter is attached. I agree in both parts with what Walter has said and it really comes down to how the Board would like to handle it. The first issue is on the disclosure of all parties to 6 to 4 to 3, LLC and the second question was on who you would like to do the financial due diligence on those partners. As I have said in the past, I have already gone through and done the due diligence on the current partners and as they add additional partners I will certainly follow-up and do those additional partners. If the Board wants us to find a third party to come in and review their finances and their financial capabilities we would certainly be happy to do that. As far as the disclosure of all partners, we have actually already worked those into the documents that we are currently negotiating.

Alderman Gatsas stated the question I had of Ropes & Gray was that they would do the due diligence on the capability of the partners to guarantee the leases. I would like something from Ropes & Gray that says they have done their due diligence and that they think the partners can guarantee the credit worthiness of the situation for a 20-year period. That was pretty clear in my request. I am not looking for the department head or the department to make that assumption because if they are wrong we don't have any recourse on it.

Mr. Sherman responded Walter is an attorney, not a financial expert. His recommendation would be to find somebody with a financial background if that is what you want to do and again we will gladly do that. We can go to the City's financial advisor. We can talk to bankers and auditors and the like and find somebody who would be willing to do that for us.

Alderman Gatsas asked aren't Ropes & Gray our counsel for bond. Are they not capable of telling us about somebody's financial credit worthiness? They are out there selling our bonds...

Mr. Sherman interjected that is not really their...their expertise is the tax law and the ability to issue the debt not the financing. That is why the City has Public Financial Management as our financial advisor to deal more with the financial side.

Mayor Baines stated I would suggest that you make a motion to authorize the Finance Officer to do what you just requested.

Alderman Gatsas moved to authorize the Finance Officer to get an opinion from a financial expert regarding the ability of the investors in the Riverfront Development Project to guarantee the lease. Alderman Osborne duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

## **NEW BUSINESS**

Alderman Shea stated I know that tonight former Alderman Joe Levasseur brought up this Board supporting the parental notification bill up in Concord. I, for one, your Honor would like to make the motion that this Board send a letter in favor of this. It is very important. It is a morale issue and I think that we should be in support of that.

Alderman Thibault duly seconded the motion.

Alderman O'Neil stated I don't know that the Board of Mayor and Aldermen since I have been around has ever gotten involved in any item other than what directly affected City government in Manchester. We could be voting weekly on every item up there. I personally don't think it is an appropriate action for this Board to take. I am not being disrespectful for Alderman Shea bringing it up. I just don't think it is appropriate for this body to be taking those kind of votes.

Alderman Guinta stated I have two points. Number one is there any...well the bill is still...I think amendments either have been stripped or parts of the bill have been stripped and amendments are forthcoming this coming Thursday. I am not quite sure if we were to take a vote what we would actually be supporting. Are you suggesting we support the bill as is or are you suggesting that we support the bill that was originally sponsored because it has dramatically changed?

Alderman Forest moved to table. Alderman O'Neil duly seconded the motion.

Mayor Baines called for a vote. The motion carried with Aldermen Shea and Guinta being duly recorded in opposition.

Deputy Clerk Johnson stated I just want to note that Alderman Gatsas has abstained from the last two motions.

Alderman Lopez stated I want to make sure that the letter that we received from Grace Sullivan in reference to the five-year franchise extension request from Comcast goes to the Committee on Administration.

Deputy Clerk Johnson stated if we are provided with a copy we will be happy to put it in Administration.

Alderman Lopez asked is it a policy in the City that all City vehicles have decals on them or not. Can we get that cleared up?

Mayor Baines answered sure. We will get you information as to what the policy is.

Alderman Guinta stated I have two items. First the motion regarding the letter that is going to be forwarded to the Senate needs to go tomorrow since the vote is on Thursday. Just as a reminder.

Mayor Baines stated we will fax it out tomorrow.

Alderman Guinta stated secondly I just wanted to talk a little bit about the amount of our annual bond payments versus the City side budget and what the correlation is there. It looks like in your budget request, your Honor, there is \$16.2 million in bond payments, which represents 6.5% of the City side proposed budget. As we are going forward with a number of projects and transferring bond figures I think we should have a discussion about the self-imposed policy regarding debt limits. I am not sure if that is by ordinance or it is more by tradition but if I can get some information regarding that particular issue I have a concern that 6.5% of the City side budget seems excessive. I don't necessarily have a measure but to me I would think that a standard practice would be under 5%.

Mayor Baines stated let Mr. Sherman respond to that and we will get information out to all members of the Board.

Mr. Sherman stated we will send out the debt guidelines that we currently use to all of the Aldermen. Again, there are a number of calculations we do and a number of criteria. We will get those sent out.

Mayor Baines stated basically we operate within guidelines that are provided to us by our financial advisors and we have always stayed within them.

Alderman Guinta responded but they have been adjusted over the years and I don't know that the full Board is aware of those adjustments. I think we should be aware of those adjustments going forward. Secondly, I don't know that the Comprehensive Annual Report addresses the issue of bond debt versus City side spending. I think that would be an issue to make sure that we are aware of because that affects our bond rating.

Mayor Baines stated that is fair and we will definitely get that information to the entire Board.

Alderman DeVries stated I have asked twice in the last month for the debt guidelines. I just want to make sure that they will be provided to the entire Board.

Mr. Sherman answered yes.

Alderman Lopez stated I have one other item. I just want to remind everybody of the Memorial Day Parade on Monday at 2 PM. You are all welcome. It will be on Elm Street with the ceremony at Veteran's Park.

Mayor Baines stated I do want to bring up an item about that. It is kind of a sore point with me. We bought this beautiful new stage and somehow at the last minute when I had brought that to the Board I had asked for a sound system to be part of that and that got cut out. That is neither here nor there but unfortunately what happens is I go to that ceremony every year at the park and I have heard some wonderful speeches being given but the only people who can hear the speeches are those sitting on the stage. The sound system I think goes back to when Alexander Graham Bell was inventing the telephone and at some point in time...it is not a big ticket item and I talked to Alderman Lopez about it today. It is just not fair to these Veteran organizations especially on occasions such as Memorial Day to have this sound system that won't even carry a voice. We might as well have a megaphone out there. We are going to work to get some funding for it for this year. It is a minor item in terms of costs and we might be asking for money to come out of contingency.

Alderman O'Neil asked do you want some contingency money this year if you have to rent...I know the St. Patrick's Parade Committee has to rent a sound system.

Alderman Lopez stated I have already spoken to Ron Johnson and we are going to be working on it tomorrow. With the support of the Board we can bring back a number at the next meeting.

Mayor Baines stated let's get some more information on it. We just want to make everybody aware of it.

Alderman O'Neil stated we don't have much time to get more information on it.

Mayor Baines responded we will deal with it for this year but I want something done for the future.

Alderman Lopez moved to grant the Mayor's Office permission to contract with Bob Molloy to provide sound for the Memorial Day Parade ceremony with the bill to be paid by the City. Alderman O'Neil duly seconded the motion.

Alderman Smith stated I would like to know how this came about. We put the money in for a new stage and we don't have a sound system? It doesn't make sense to me.

Mayor Baines responded it didn't make sense to me and David heard me yelling about it for two years. It is just one of those things that happens during the process and when it happened I asked the same thing. I said how did the sound system get cut out of this thing

because when we originally ordered it it was going to be part of the stage and built in to the stage. That was then and this is now.

Alderman DeVries stated I am not sure if we still own the stage that was at Singer Park but I am wondering if the proceeds from the sale of the steel from that stage might be appropriated to help you with the sound system.

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

Alderman Guinta moved to accept the City side portion of the Mayor's budget. The motion was duly seconded by Alderman Wihby.

Mayor Baines stated first of all we're not in Finance right now and I'm not accepting that motion.

Alderman Guinta stated appeal to the Board.

Mayor Baines stated we're not in Finance.

Alderman Guinta asked we can't have a motion of the full Board?

Mayor Baines stated that would be in Finance, that issue. The issue of the budget's in Finance, and there's still more questions to be answered on that budget...

Alderman Guinta stated Your Honor I think we can have a vote on the budget in any format.

Mayor Baines interjected let me explain something to you. There are two phases of the budget process.

Alderman Guinta interjected Your Honor please, let me finish. I understand...I appeal to the Board.

Mayor Baines stated fine, appeal to the Board. Mayor Baines asked how would that be done procedurally?

Alderman Shea stated point of order. Your budget is what, 5.9 percent? Is that it? And they're willing to accept that? I'm not willing to accept that. I want it lower than that.

Mayor Baines stated again, I think there's a lot more work to be done on the budget. Never before has there been a situation where the Aldermen have not rolled up their sleeves and contributed to that budget process, and I don't think now we should start...

Mayor Baines asked Carol what is the procedure? I have decided not to accept that motion, there would be an appeal to that and a vote to I guess...just tell me what needs to be done.

Deputy City Clerk Johnson asked he's appealing to the Board?

Mayor Baines replied yes.

Deputy City Clerk Johnson stated and if he has a second to that then we would just take a vote.

Alderman Wihby asked Your Honor, this is only the City side of the budget, correct? So it's not it's not at 5.9 percent.

Mayor Baines answered he is appealing my decision not to recommend the motion.

Alderman Guinta stated but you said I'm making a motion on your full budget, which you said is 5.9 percent. I'm only making a motion on the City side, which is 2. something. It's low...it's pretty low and I would urge the Board to support the Mayor's budget, the City side of the Mayor's budget. I don't understand why you don't want to take a vote on it.

Mayor Baines stated I'm urging the Board to do some work on the budget. You have not met your responsibility under the Charter.

Alderman Guinta stated our responsibility is to vote on it.

Mayor Baines called for a roll call vote. Voting in favor were Aldermen Wihby, Gatsas, Guinta, and Garrity. Voting in opposition were Aldermen Sysyn, Osborne, Pinard, O'Neil, Lopez, DeVries, Smith, Thibault, and Forest. The appeal to the Board failed.

Mayor Baines stated I'm going to urge the Aldermen once again to roll up your sleeves, go to work on this budget, do your part, I did mine. End of discussion.

Alderman Guinta asked Your Honor are you suggesting that we should further reduce the budget?

Mayor Baines stated I asking that you go to work and put some effort into this budget. That's what I'm suggesting.

Alderman Guinta asked would you give us some direction? Are you looking for us to increase the budget or are you looking for us to reduce the budget? At least give us some direction.

Mayor Baines stated I'm asking that you do your part on the budget. I see Alderman Gatsas working very hard up in Concord on TV tonight on the Governor's budget. I didn't see any motion just to adopt the Governor's budget. He fulfilled his responsibility; the legislature's doing their part.

Alderman DeVries stated Your Honor this is not other business just a point. I'm surprised that Alderman Guinta and Alderman Garrity just voted for a budget that would put fire trucks, which is four employees, two apparatus as well as a pump and another four employees out of service. I am very surprised. Thank you Your Honor.

Alderman Guinta stated I'd like to respond Your Honor. I'm actually not voting to put two...

Alderman DeVries interjected you're asking us to accept the Mayor's budget.

Alderman Guinta asked may I finish? We have a fund balance. We can manage the fund balance. If we manage the fund balance appropriately, which starts in committee, with oversight from the Board, Finance Department, and the Mayor's office, we don't have to have those ladders out of commission. I think the Mayor would agree with me on that. It all comes down to how we manage our funds, and if we manage our funds properly, which at this point we're at about 16 percent, I mean we should be at 16 percent, we're at like 20 to 25 percent in some of the departments, you can utilize the money and transfer line items. And that way those two trucks would not be out of service. That's a responsible way to manage the City's funds. I'm not voting against the Fire Department, I'm voting to be responsible and I'm voting to manage the funds that are in the fund balance.

Alderman Gatsas stated I think you brought me into this conversation and I think...

Mayor Baines stated let me just make a comment. First of all you know I do agree with some of what Alderman Guinta just said, except I feel there needs to be some work done on this. We had a good discussion the other night, we've uncovered some issues, we started to look at some alternatives, and we need to roll up our sleeves and do what's in the best interest of the City, and I know we'll be able to do that.

Alderman Gatsas stated I think that I take exception with you sitting here saying that you saw me on TV working on the Governor's budget.

Mayor Baines stated that was a compliment.

Alderman Gatsas continued I appreciate the compliment, but I think we ought to understand that the Governor doesn't preside over the Senate Finance, so maybe you shouldn't preside over this Finance Committee.

Mayor Baines interjected well that's the Charter.

Alderman Gatsas stated well no, I think that it doesn't necessarily mean the Charter because you submitted your budget just like the Governor submitted it, the House of Representatives then took that budget and worked with it and sent it off to Senate Finance. So if you want to compare the State budget situation with the City budget situation, maybe you should step down from there, let the Chairman of the Board run the budget series as we go forward, because I don't see anybody setting up anything...we voted on something tonight moving \$100,000 deductible amount to \$150,000. We did that tonight which is a direct reflection of the budget and nobody's spoke up about it. Not one second. The last time we did that was during the budget process. We did it tonight and there was no reflection on what that does to the budget process. So Your Honor I look at your leadership and I look and say, why didn't you bring that to our attention, that that's a reflection on your budget?

Alderman Shea stated thank you Your Honor...

Alderman Gatsas asked do you have an answer? Did you give me an answer on that Your Honor? Can you give me an answer?

Mayor Baines replied if I started answering everything you just said, we'd be here for another hour.

Alderman Gatsas stated no, just answer me the \$150,000...

Mayor Baines stated I'll have the personnel...Human Resources Director respond to that. You had a response to concerns yourself.

Ms. Lamberton replied I don't agree with you that it usually comes in the budget process, mostly because to my knowledge the City has never increased the self-loss insurance before. I have ongoing negotiations with anybody that we're paying and this was not a bid, was not a contract renewal, we're just going into a new fiscal year with new rates for health insurance and I'm trying to get them as low as I can without costing the City any more than money than I possibly can.

Alderman Shea stated thank you Your Honor. I sort of would like to inject to that the person that's advising us concerning this particular matter, indicated to us and our committee a really sound way to go, therefore, statistically speaking we would be approving something that would help the City financially and that's why I approved it. But on another point Your Honor, I do appreciate Alderman Guinta's responses and I would appreciate it if he put in writing some of the thoughts that he had to share with the rest of us as Alderman Lopez so that we could look at your thoughts and ideas and compare them so that we would have a profound idea of what really you're discussing and talking about. So I'd appreciate that if it is possible of you to do that.

Alderman Guinta responded Alderman Shea thank you for the support and the input and I'm happy to do that.

Alderman Lopez stated I'd just like to say something on the self-loss. It did go to committee, it was unanimously approved by committee, every Aldermen...the procedure you know, you know Alderman Gatsas... You could have taken it off of the agenda and questioned and all of that stuff, so I wish we'd stop playing games. Let's...we're all in the same boat. We're trying to get the lowest tax rate possible. Why don't we talk to each other instead of, with all due respect, three people over there talk to that group over there, I think maybe we'd take that group over there Mayor and put them on this side for a change and put this group over there. Because there's something going on wrong here and we're all in the same boat, trying to get the lowest tax rate possible, that's all. You say you take the City side, yes it's 3 percent, 3.5 or whatever you want to call it. But then what are you going to do, cut the schools?

Alderman O'Neil asked can we go on to the next item?

Alderman Guinta stated I feel like I have a responsibility to respond. Thank you Your Honor. I'm not looking to cut the schools. All I asked was to vote on the City side of the budget. Last night in Finance the Mayor made a comment to the Board that said, this Board needs to be "comfortable" with the tax increase that we are going to impose. So my suggestion this evening is while I'm not comfortable with any tax increase, I prefer a lower tax increase and I think what's going to happen over this process is that that 2.7 percent is going to be increased. I think what we would be doing is managing the fund balance, live within our means, and try to start working now for next year's budget to make some changes in how we view the budget process. That's what I'm looking to do, and I'm happy Alderman Lopez that you share some of my concerns and I'm happy to work with you on that.

Mayor Baines stated we all would like to. The Clerk would advise the Board.

Deputy City Clerk Johnson stated the Clerk has two items.

A report of the Committee on Bills on Second Reading was presented recommending that an ordinance authorizing the Mayor to dispose of certain tax deeded property known as 628 Hanover Street, Map 314, Lot 7 ought to pass.

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

Deputy City Clerk Johnson stated Your Honor as a follow up to that report, and this is not my second item, but I was informed that they are attempting to do some grants, close out on

some of the grants that had to deal with this property for them and I'm wondering if you want to expedite that process this evening so that they can execute agreements and get the grants closed out.

Mayor Baines asked please suggest a motion for dealing with that.

Deputy City Clerk Johnson stated it would be to suspend the rules and place it on its final reading at this time.

On a motion of Alderman O'Neil, duly seconded by Alderman Wihby, it was unanimously voted to suspend the rules and place an ordinance authorizing the Mayor to dispose of certain tax deeded property known as 628 Hanover Street, Map 314, Lot 7 on its final reading at this time, without referral to any committee.

The Ordinance was read by title:

“Authorizing the Mayor to dispose of certain tax deeded property known as 628 Hanover Street, Map 314, Lot 37”

This Ordinance having had its final reading, Alderman Thibault moved on passing same to be Ordained. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

Deputy City Clerk Johnson presented the second item:

Ratify and confirm a poll taken last evening to authorize the execution of an annual lease agreement for an off-site facility (Police) subject to the review and approval of the City Solicitor.

On motion of Alderman O'Neil, duly seconded by Alderman Forest, it was voted to ratify and confirm the poll taken, which authorized the execution of an annual lease agreement for an off-site facility (Police) subject to the review and approval of City Solicitor.

Alderman Smith stated I've been very quiet tonight and it seems like matters are getting worse here. It seems like all kinds of personalities...games are being played. We're elected to do something, try to keep the taxes at a reasonable manner, and to provide services, and I wish some of my colleagues wouldn't play games. We're out there to make a decision. I think the time, we're in about the seventh inning, we've go a couple of more innings to go, it's up to us to sit down and try to do the best job we possibly can and I do not like the personalities that are going back and forth between one side of the board to another. Let's do our job. What we're elected for. Thank you.

Mayor Baines addressed Item 19 of the agenda:

Communication from the Chief Negotiator requesting to meet with the Board for a negotiation strategy session.

Mayor Baines stated what I'm going to suggest tonight and Alderman Wihby made the suggestion and I talked to the Chief Negotiator, basically these contracts are within the guidelines that have approved by the Board, you've had a chance to review them, I don't see any necessity to go into non-public session unless there's a request from the Board. We're within perimeters, Dave will just reaffirm that, they're within the perimeters, we've all read them, of the other contracts that we've approved and if there's...we can just accept the motion to approve the contracts.

Alderman Smith moved to approve the contracts. Alderman Pinard duly seconded the motion. There was no vote taken on the motion.

Alderman DeVries stated someone had to ask but yes I have specific questions that I'd like to address and do you want to do that here or in non-public session?

Mayor Baines asked what would be the proper...if we are going to get into the contract issues? Should be move to non-public session.

Deputy City Clerk Johnson replied depending what the questions are, it would be to recess.

Alderman DeVries asked I'm sorry?

Deputy City Clerk Johnson replied depending on what the questions are, it would be to recess the meeting.

Mayor Baines recessed the meeting for a negotiation strategy session.

Mayor Baines called the meeting back to order.

Chief Negotiator Hodgen stated a motion would be in order for the Board to waive Rule 26 and ratify the tentative agreement with AFSCME Building Maintenance Division bargaining unit, the tentative agreement with AFSCME Master bargaining unit, and the tentative agreement with the Airport/Teamsters bargaining unit effective May 16, 2003.

Alderman Forest so moved to suspend the rules waiving Rule 26 and ratify the tentative agreement with AFSCME Building Maintenance Division bargaining unit, the tentative agreement with AFSCME Master bargaining unit, and the tentative agreement with the Airport/Teamsters bargaining unit effective May 16, 2003. Alderman Pinard duly seconded the motion. There being none opposed the motion carried.

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

A True Record. Attest.

City Clerk