

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

October 21, 2003

7:00 PM

Mayor Baines called the meeting to order.

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

A moment of silent prayer was observed. Mayor Baines asked people to keep in their thoughts and prayers two distinguished Manchester citizens who passed away recently. First of all Dr. Rita Brack, a long time member of the Board of School Committee. An outstanding educator and someone who made lasting contributions to the community and also Charlie Whittemore, the former President of Catholic Medical Center who was probably one of the most dedicated and warm persons I have met in my career dedicated to his community. He was a former Commissioner of the Department of Health and Human Services at the state level and someone who worked so hard in our community for many causes. His leadership will long be remembered here in the City of Manchester and I would ask you to remember both of these distinguished civic leaders in your thoughts and prayers this evening and for their families as well.

The Clerk called the roll.

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

Absent: Alderman Wihby

Mayor Baines called for a recess to allow the Committee on Lands and Buildings to continue their meeting.

Mayor Baines called the meeting back to order.

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

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

Maureen Molly Lee Sherman, 444 Chestnut Street, Manchester stated:

The Library needs a bigger budget. It is cutting back on the cards that you put in the books to keep track of them. The Library is very important. The Police Commission should not be kept back. The police officers need a Police Commission.

Kathy Philbert, 176 Laurel Street, Manchester stated:

As it stands right now, the citizens of Manchester are only required to remove all of their cars for a few times each winter during snow emergencies. If the proposed ordinance change is enacted, this winter more snow emergencies will be declared. That is a fact. Even now during snow emergencies not all of the parked cars are towed away. We just don't have the capability so that means more cars will be parked in the streets and the plows have to go around them. When a snow emergency is declared, people from all over the City utilize the parking garages during a snow emergency driving downtown in adverse conditions and then making their way back home usually after the MTA busses stop running so someone else with a driveway or garage has to also maneuver the City streets before they are cleaned to get to the garages and then they have to repeat the process in the morning to retrieve their cars. So there are more cars on the streets when the streets aren't ready for more cars. We are going to have to do this more often and more citizens are going to be impacted by this. I understand that this is being referred to as a pilot with the hope of this expanding Citywide despite the input from Fire, Police and Highway Administration employees, except Mr. Frank Thomas who is really trying to be Solomon here to accommodate the downtown residents. By the way, when we were looking to bring Neighborhood Housing services to the City and when we were looking to put police officers on bicycles it was my neighbors who were out there going door to door to collect money to provide bikes and helmets and safety equipment. We were considered downtown and I thought we still were. This isn't about setting one area of the City against another. Heaven forbid. My point is that more citizens are going to be impacted if you do this. The Fire Department and the Police Department said that there really is no way this can be expanded because the streets are not wide enough, however, as Mr. Guinta pointed out this is your domain to make ordinances. The first part of Mr. Thomas' recommendation is to publicize the fact to residents of this particular neighborhood that they have the right to park in the Middle Street parking lot and the garages free of charge every night in the winter. Thank you very much.

Paul Porter, 237 Woodcrest Court, Manchester stated:

I would like to briefly mention the zoning on Candia Road. A simple reading of Section 4 of the zoning regulations show that you need 10 acres to be zoned

R-SM. Since the subject parcel contains only 7.6 acres, not only could you not change the zoning but you would have to change the zoning ordinance first. I think a lot of time was spent unnecessarily. The other is on the baseball. My understanding is that the City has a 20% partnership project. 20% of what? An operating income? Cash flow before taxes?

Cash flow after taxes? 20% of what? The other question that begs to be asked is if there is a minus cash flow is the City liable for 20% of that loss? The last item I would like to refer to is primarily to the telephone poll that was taken on Friday. There was a meeting of the baseball committee on Tuesday and another one on Wednesday. I would like to find out perhaps from Mr. Weber when was it decided or when was it first discussed that they would like to exchange securities for a letter of credit. I don't know why there was such an urgency Friday afternoon at 4:10 PM...excuse me 5:10 PM when most of the lending institutions if not all on the East Coast are closed. Our bond people are in Boston. I don't know why it couldn't have waited until this evenings meeting in order to air it totally in the public. This continually gives the perception that things are done behind closed doors. I don't believe they are but I think it gives that perception. I strongly urge Alderman Pinard this evening to vote against exchanging securities for a letter of credit. Thank you.

Ginny Smith, 110 Shaw Street, Manchester stated:

I appear before you this evening as a Manchester resident. I have been a resident for over 20 years. I appear before you as I said this evening to express my sincere concern regarding this weeks performance by the Ringling Brothers circus at the Verizon arena. I am pleased as a resident of Manchester that we have a terrific arena bringing great people, revenue and you name it into the City but I am very disappointed with the selection of a circus of this nature coming to town. I have in my hand a report that I would love the Board to consider. A report by the American Society for the Prevention of Cruelty to Animals, the Fund for Animals and Animal Welfare Institute. This was written in September 2003 by the American Society for the Prevention of Cruelty to Animals, the Fund for animals and the Animal Welfare Institute and I would love to share that with you. In addition to that I would like to say that there is no educational value to a program like this occurring in Manchester. Animals are forced to perform tricks that bear no resemblance to their normal behavior. They are abused in their training and deprived of their natural behaviors. They live their lives in chains and cages. I would like to just remind us of the moment of silence we had earlier this evening for people who have made wonderful contributions to this community. Many of you remember Nackey S. Loeb's 1984 letter in the *Union Leader* that said "We have always been a caring people in this country ready to bring comfort to the afflicted and put to a halt those who prey on the helpless. Our capacity to care does not seem to extend to the helpless wild animals that are used as part of the show." Again, I have copies of this letter to the Board. I will just read one more excerpt and then I will let you continue with your meeting. "We watched." Nackey said, "confined behind bars and small cages we admire their prowess...". Anyway I would appreciate the Board seriously considering these issues prior to any future circus returning anywhere in the Greater Manchester area. Thank you.

Billy Dodd, 181 Mammoth Road, Manchester stated:

6 to 4 to 3, the management contract, in baseball terminology it is a double play. Hell this developer has made a triple play on you guys. There never was going to be a power plant

down there, which they sold you. You were supposed to get 1/5 of the net and now they want to buy the land so that net is gone whatever it might have been and now they want you to rewrite the contract to make the developer pay less for the money he is going to have to borrow. Your responsibilities are to the citizens of this City first, not the developers. For any of you that are going to vote tonight to okay this switcharoo, I hope the voters out there remember you on the fourth because you are putting developers first. The special committee...the other week when you had your meeting I was watching it and I watched a couple of Aldermen really hammering about why there weren't people here to answer questions but then they turned around and voted to move the project along whatever little way it did. If you got big questions you vote no when the time is to vote. Candia Road rezoning. Article IV, Item 5 tells you right here you can't do it. How did Mr. MacKenzie ever get that project in front of you guys when it doesn't even meet the stipulations in there? Again, you are favoring the developers. Harvey Industry wants you to rezone industrial land to business. He is going to sell that land and he is out of town and those 450 jobs are gone. I think you just had a Presidential candidate in the City today, Mr. Kerry, who said we are losing manufacturing jobs every day and yet you want to turn industrial land into housing and you want to turn industrial land into business? You need to look after the citizens of this City and not the developers. Please vote no on the reissuance of the letter of credit.

Josh Greenburg, 22 Concord Street, Manchester stated:

I am here to discuss the parking problems of us residents and all businesses. At night I think the transit bus should run and all of the people should park in the Mill parking lot and the cost to go from there to downtown would be \$1. We have no parking on all event nights, all club nights...all of the residents we have to pay to park in the garage and we shouldn't have to. Why should someone from Massachusetts coming here to go to an event and not want to pay but if we want to go to Boston we have to pay? It is not right.

Will Infantine, 89 Winward Lane, Manchester stated:

I am happy to say that on Saturday I took my family down to the Plaza and purchased two half season tickets to the baseball stadium for next year and I am glad that I did for a number of reasons. I am here tonight to ask you to vote against the changes that the developers have requested regarding the exchange of securities for a letter of credit. Without belittling you I would like to read something from a law dictionary "an agreement coming between two or more persons or entities, which creates an obligation to do something or to not do something. A contract is a promise or a set of promises, the breach of which the law gives remedy." I believe we have a contract. I believe the Aldermen have set a precedent that these agreements and contracts can be changed at will. Now you don't do a \$27 million project and not have some things changed. I believe it is time for the Aldermen to draw a line in the sand. What would the baseball stadium owners do if you folks decided to change something on that? Lastly and this is my opinion gentleman and ladies, that any of you who do agree to change this have made it clear that the baseball stadium or the monument to your egos is much more important than your duties as the trustees of the public funds as Alderman Gatsas

so eloquently stated in last week's meeting. I respectfully request that you do not agree to this change for the better of the citizens of this City. Thank you very much.

William Clifford, 470 Old Wellington Road, Manchester stated:

I am an abutter to the property that the City is discussing selling. Before I came over I watched the Committee on Lands and Buildings discuss this issue. For those Aldermen who used reason I thank you. For those of you who tried to push it through, you ought to be ashamed. Alderman Pinard I thank you for your actions. I spoke a couple of weeks ago at the Aldermen's meeting. There are several homeowners in that area who...and I think Alderman Pinard stated it properly who are not being considered. I sat through the whole meeting of the Board a couple of weeks ago and heard the discussion about the sale of the garage and how the Committee's proposals weren't followed. I just listened to the meeting tonight and it seems as though proposals that are made are either forgotten or not followed. I think it was wrong for the staff to recommend that the highest bid be accepted when it was obvious to anyone listening that they didn't follow the criteria that was set by the Committee. I think it is disgraceful, both what went on in the full Board meeting two weeks ago and what went on in that Committee meeting tonight. You are representing the people of this City and from what I heard you are not doing a very good job.

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

Mayor Baines called the meeting back to order.

Anthony Poore, 15 Foxwood Circle, Manchester stated:

I, too, had an opportunity to review that conversation that took place at the Lands and Buildings meeting. There wasn't a lot of discussion that took place. It seems to me that the Board, or at least that particular Committee, was unable to make a decision. My question to you all is what was the final disposition. In my interest to get down here on time I wasn't even able to find out what happened. Now it seems to me that it is very, very evident that none of our ducks are in a row. Absolutely none of our ducks are in a row. The left hand doesn't seem to know what the right hand is doing. Now it seems to me that pressure and money, the pressure being the time, are the two primary concerns here. What I never hear are the concerns...with the exception of Alderman Pinard and Alderman Garrity thank you very much for suggesting why don't we take the time to do the due diligence required prior to making a decision that not only impacts me but it has a much wider impact on the entire community at large. We talk about 3.1% and we talk about 2.7%. We are talking about October 31 or the first weekend in November but you know what? We are talking about all of these different parameters but we don't even know what we are talking about do we and that is the question I have to ask of you. When are we going to find out what the left hand is doing so the right hand can sign on the dotted line? How was that? I asked Mike Lopez the last time I was here well what do you want we have been working on this for a long. My

response to you sir is we simply want to participate. That's all and we don't believe that is too much to ask. Now you talk about \$1.2 million and \$1.1 million. Hey I am looking at \$100 in the bank at any one time. So what I am asking and what I am...you know I am a man and I am not going to beg you all is to allow us to be a part of it. Take the time to do the due diligence. Theodore or Mr. Gatsas I would prefer to say – thank you. You guys asked the questions and you guys put forth criteria and yet they brought forth a proposal that didn't even fit that so why was that even discussed. I work for a Fortune 500 company and if we did what you did today we would be out of business.

Joe Kelley Levasseur, 866 Elm Street, Manchester stated:

I think the prior speaker spoke very well about what is going on here in the City. The problem is that we have a lot of disorganization. We don't have a leader at the top keeping an eye on the small things that keep going on in the City. What we have is somebody who just cares about a baseball stadium and that is bad. The word referendum was asked for in June. We begged that we would be allowed public debate. We were not given anything of the sort and now we have watched this whole debacle just unfold and it is embarrassing to the Mayor and the Aldermen who voted for it because there was no due diligence. The left hand and the right hand don't know what each one is doing. As City Chairman of the Manchester Republican Committee I would like to say that I am very upset with the way Mayor Baines treats Ted Gatsas. We think very highly of Ted Gatsas here in the City of Manchester and for you to continually admonish him and give him a hard time and bang the gavel and not let him speak goes to what we think you are all about. You don't want to hear differing opinions. You only want to hear what the good people who are on your side say. We don't like it. We do watch and we think it is atrocious that this continues to go on. We want to hear questions from our Aldermen no matter what side of the fence you are on or what party you are from. We want to hear from people. We want to hear questions. We don't want people shut down by a mayor who does not like disagreement. Secondly, lastly or thirdly I hope the people in the City of Manchester vote for the Charter and please learn who your candidates are. You know who the people are in this City. You know the people in your ward. Vote for some change and let's get this lame duck Board, the people who just don't seem to care and the political pettiness and bologna out of City Hall and let's get some change here on November 4th.

Keith Hirschmann, 296 Dunbarton Road, Manchester stated:

The baseball development proposal, which shouldn't even be a proposal because I saw a picture of the Mayor holding a \$400 pen in this room and everyone was cheering that baseball was signed. Well I have been in business for 25 years and when the ink is dry on the paper you have an agreement and you stick to that agreement. The agreement says that one of the parameters is to have Bond Counsel make sure that this person has a letter of credit for \$2.8 million. Well by golly us taxpayers are counting on you people. You people are taking an obscene phone poll on a Friday afternoon. Shame on you. Shame on my Aldermen, all three of you who voted for it. Shame on you for changing the deal once the

ink is on paper. The taxpayers deserve better. You should know better. The seven people that voted to tie this thing up...this is ridiculous. The taxpayers deserve better in the City and I really am counting on new Aldermen to come into this room and make sure when there is a proposal on the table and it is done that it is done. You have already relieved this gentleman of a personal guarantee. Now you are going to take some vanguard funds. The Finance Director of the City and Ropes & Gray, I am sure they are not for this. I am sure of it. I would not sit in that chair and I would not put up with it for a second. I hate to come down here and scold people but I am a taxpayer too. When the ink is dry on the paper you have a deal. Now how many times are you going to let a developer come in and change a deal and change the parameters? Shame on anyone who is doing that. You read the proposal and you voted yes. You voted yes to what was on the ink. To change it at a later date is wrong. I hope the taxpayers send you people a strong message. A strong one.

Don Welch, 811 Dix Street, Manchester stated:

I have watched many, many of these Aldermanic meetings and I have attended many also throughout the year. I was a State Representative and I attended a lot of committee meetings up in Concord. I never called Dave Wihby before and after the meeting last week I called him and I did this...I many not agree with everybody on this Board but I try to get along with everybody on this Board and this is my observation and it was echoed by about three or four phone calls that I had from people I hadn't heard from in awhile and they called me because they know I am always in the political arena in some shape or form like tonight I was at the Gephardt meeting. I like politics. I like the political process. My feelings and what I heard from people that have called me...this meeting last week that took place in this Chamber was a disgrace. It was a disgrace. It made you people look bad. The whole Aldermanic Board. It was like the cart was before the horse. I just wanted to bring that to all of you attention. Not to criticize in a derogatory sense but to let you people know that people are watching this stuff and they look at you as leaders in this community whether they agree with you or not. That meeting that took place last week was just a disgrace. I hope that you take this as constructive criticism.

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

This being a special meeting of the Board, no further business was presented and on motion of Alderman Smith, duly seconded by Alderman Sysyn, it was voted to adjourn.

A True Record. Attest.

City Clerk