

BOARD OF MAYOR AND ALDERMEN

January 15, 2008

7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Mayor Guinta called the meeting to order in Joint Session with the Library Trustees.
2. The Clerk called the roll.

Board of Aldermen

Present: Aldermen M. Roy, Gatsas, Sullivan, J. Roy, Osborne, Pinard,
O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Ouellette, Domaingue

Library Trustees

Present: Trustees Lord, Roy, Devine, Hickock, Barrett, Shea

3. Mayor Guinta advised that nominations are in order to replace Joseph Sullivan to the Board of Trustees of the Library, term to expire October 1, 2014.

Alderman Domaingue nominated Patty Cornell to the Board of Trustees of the Library.

Alderman Domaingue stated for the past 30 years Patty has worked as a guidance counselor at Parkside. She is very devoted to both education and literature and books, within her school and within the community as a whole, and I can't think of anyone that would be more fitting for the position.

*The nomination was duly seconded by **Trustee Barrett**.*

*On motion of **Alderman Ouellette**, duly seconded by **Alderman M. Roy**, it was voted to close nominations.*

Alderman Sullivan stated I have one question, and I suppose this should be directed at the Library Trustees. Is there a process in place, for lack of a better term, for trying to recruit people to serve as members of the Board, or is this a decision that is made solely in house? The reason I ask is there are 115,000 people that live in our City but I tend to see the same names coming forward time and time again for nominations. Is there a process in place where we can reach out to the community to see if there are people that are interested in becoming involved with the library?

Trustee Lord stated Alderman Sullivan, the process by which we nominate and choose our trustees is based on the contract signed back in the mid-1800's. It's a lengthy document and an interesting document. We have a number of criteria, and we don't see the same names over and over again. It's just that we have very long terms of office, seven-year terms, in fact. We try very hard to get a distribution across the City. We don't want Trustees from just one Ward, one section of the City. Patty Cornell will fill beautifully that requirement, so we have another West Side trustee, along with Madeleine Roy. Does that help?

Alderman Sullivan stated well I guess I would put this question to you: I know the Library puts out a quarterly newsletter. I believe it's quarterly. The Patrons. It's available on line. I never saw anything in there about a trustee position being open. Is there a reason why the community is not made aware of these openings?

Trustee Lord responded our minutes of every Board meeting are published on line. That's not in the newsletter.

Alderman Sullivan stated but the point that I'm trying to get across is that if the Board anticipates an opening arising, why wouldn't you reach out to the community to try to find out...

Trustee Lord interjected we reach out to the community, sir.

Alderman Sullivan stated I'm not going to argue the point.

Trustee Lord stated I know what you're getting at. This is a discussion that I'd be very happy to have with you. You're welcome to attend our meetings, and we'd certainly love to have you come by the Library. You're very welcome.

Alderman Sullivan stated I'm there on a regular basis.

Alderman Lopez stated I was just going to suspend the rules in this particular case because Patty Cornell has been a commissioner of Water Works for six years and I think most of the members of this Board, or a majority, know her qualifications.

*On motion of **Alderman Lopez**, duly seconded by **Alderman M. Roy**, it was voted to suspend the rules and nominate Patricia Cornell as a Library Trustee. None were recorded in opposition.*

*There being no further business to come before the Joint Session, on motion of **Alderman Smith**, duly seconded by **Alderman Pinard**, it was voted to adjourn.*

Mayor Guinta called the regular meeting of the Board to order.

The Clerk called the roll.

Present: Aldermen M. Roy, Gatsas, Sullivan, J. Roy, Osborne, Pinard,
O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Ouellette, Domaingue

9. Presentation by CIGNA regarding Healthy At Heart Program.

Kevin Danielson, Senior Account Manager for Pfizer, stated I'm working in conjunction with CIGNA on their Fit in the City program. I appreciate the opportunity to briefly discuss the cardiovascular health education program from Pfizer called Healthy at Heart. I'd first like to thank Ginny Lambertson-Bernier, the Director of Human Resources for the City of Manchester. Also, Ashling LaMarque, a health education consultant with CIGNA Health Care, and Jean Hamel, account representative with CIGNA Health Care, for welcoming our participation, Pfizer's participation with Fit in the City. It promises to be an outstanding health initiative for the City of Manchester employees. Healthy at Heart is actually designed to help educate enrollees on the issues of cardiovascular health, including cholesterol, lifestyle, high blood pressure and diabetes. The program can assist in improving cardiovascular health. And there are some of you that have the badge of courage or of knowledge, the Band-Aid on your finger. And if you don't I'd encourage you to get that done before the night is done. That's your cholesterol numbers. Knowing your numbers is extremely important. Some key points about the Healthy At Heart Program: The program is entirely an opt-in program. Employees enroll only if they want to. Enrollment material will be offered at the various activities associated with CIGNA Health Care's Fit in the

City Program, designed by Ashling and Jean. Additional enrollment material will be available through Ms. Lambertson-Bernier's office for anybody that wishes to enroll that wasn't able to get the enrollment material at the various Fit in the City programs. An important point: there is no charge for this program. There's no charge to the City. We do not charge for this program. Pfizer offers this program as an educational program with the groups we are working with. The program has both traditional mail and on line versions. Each individual can sign up for the version that best suits them. If they are more accustomed to using a computer, then great. The program material is completely noncommercial and unbranded, in that no Pfizer products are advertised, discussed or endorsed anywhere through the program. If there is any discussion regarding medication, it is a general discussion, typically around a class of drugs, the importance of adherence, what these drugs do, what to expect from them, etceteras. There is no discussion of Pfizer per se. All of the program material, all of the educational material that is delivered through this program comes from national standards. That is, the American Heart Association; the American Diabetes Association; National Cholesterol Education Program, Adult Treatment Panel 3, which is the most current recommendations on the treatment of cholesterol; and JNC 7, the National Committee on Hypertension 7. These are all national standards, so it's not our company creating some kind of information. It's all coming from credit sources. The program lasts twelve months from the point of enrollment. There's a welcome kit, and if you can look at your brand map, you can see that recipients will receive a welcome kit with the month one mailing. And usually they'll receive this no longer than four weeks. Four weeks is about the longest period of time from when they enroll to when they receive the material. Material fulfillment is provided by Veraspan, and Veraspan is a third party vendor, completely firewalled from Pfizer. We never receive anyone's information. We never receive any names of people that are enrolled in the program. There will never be direct marketing from Pfizer to these folks. It is entirely an educational program. The

only information that Pfizer sees is aggregate information. That is, 250 people enrolled, 300 people enrolled. That's it. That's the extent of the information that we receive. The program consists of a welcome kit, as you can see in the month-one mailing, followed by newsletters every other month, if enrollees only sign up for the Healthy at Heart program, the cardiovascular component. In the months in between, the enrollee also receives an incentive gift in addition to a tip card. Typically, that incentive gift and tip card is associated with the ensuing month's newsletter, so that if the next month's newsletter is going to be on exercise, the previous month they'll receive sweatpants. If it's going to be on cooking, they'll receive measuring cups. If it's going to be on how to stay healthy when you're traveling, it will be a luggage tag. And that's the kind of thing. Again, it's an incentive to stay with the program, to read the materials that come in. If the enrollee also signs up for the diabetic control network...as you know, diabetes is a huge cardiovascular issue...they also receive mailings in the off months as well, so those folks would be receiving newsletters every single month. Also, a key component of the program is a health manager. It's kind of like a day planner, if you will. And it's a great place for everyone to keep the tip cards and the various information. Not only that, but it really encourages the individual to have solid communication with their health care provider, their doctor, nurse practitioner, whomever it is that they are seeing. There is also a few HRA's; I hesitate to even call it an HRA, Health Risk Assessment survey. CIGNA offers much more robust health risk assessments. These are more or less satisfaction surveys. How do you like the program? Is the program meeting your needs? Is there suggestions? Those kind of things, but that's the extent. Again, I thank you very much for the opportunity to participate. I thank you very much for the opportunity to discuss the program. If you have any questions at all, I'd be very willing to help. Also, I will be leaving copies of all of the material, all the newsletters, as well as the incentive material and a brief description of the program in a pamphlet in Ms. Lamberton-Bernier's office.

10. Recognition of Leo Bernier, retired City Clerk, by Mayor Guinta. (Mayor Guinta also recognized Virginia Lamberton, Human Resources Director.)

Mayor Guinta stated we do have two recognition ceremonies this evening. The first one I'd like to bring up Ginny Lamberton. As many of you know Ginny is leaving us this month to be by the side of her husband who has left us as well, but certainly invited back tonight and any time he'd like to come back. Ginny, I've spent quite a bit of time...I've been, I think, serving the City about as long as you have. It has been a very interesting time for me to serve with you and seek your counsel and your guidance, and I've certainly done that on more than one occasion as Alderman, but it seems like on a weekly basis now as Mayor. I personally have come to know you as someone that I trust, somebody that I think very much deeply cares about our City and cares about her job. That's a mark of a good employee and somebody who is certainly well-deserving of a key to the City from myself. So I do want to present you this evening with a key to the City, and it states, 'In appreciation for your six plus years for leading the Manchester Human Resources Department. Ginny is a dedicated public servant and her commitment to the workers and taxpayers of Manchester has been truly invaluable. She is held in high esteem throughout City Hall and her presence will be greatly missed. Best wishes to you in your retirement. Presented this day, January 15th.'" And I won't shake your hand because I don't want to get you sick, but thank you very much.

Ms. Virginia Lamberton, Human Resources Director, stated thank you very much, but I find these things very embarrassing, so it's really hard for me to say much. I usually have a lot to say. I've really enjoyed working for the City of Manchester. I think it's a wonderful place. I think that I've never been so impressed with department heads as I am here, and remember I worked for the State for 26 years. I just think that the department heads here just have such an

incredible interest and feel so responsible for every little thing that goes on in their department. You guys should be really proud of that. I welcome the new Aldermen, and I appreciate working with you other older Aldermen, and I wish you all well and happiness, and good luck with your next budget, and thank you very much.

Mayor Guinta stated if I could invite Leo Bernier, as well as Alderman Lopez up. First of all, we invited Leo back to be our honorary City Clerk today, and we're very pleased and proud to have him back. I know he's been helping with the election, even though he really didn't have to. He very much cares about this department that he's just turned over to the very capable and able Carol Johnson. I've had a chance to work with Leo for a very short period of time compared to some of the other people in this room and some of the other people that have worked for the City. He has dedicated more than 26 years to this department and to the City and there certainly is not a day that goes by when I don't hear a Leo story, so it's something that I will certainly miss. I've truly come to respect Leo because of his passion and compassion for this job, for this process that we hold so dearly here in Manchester and in New Hampshire, not just our voting in the City, but the first in the nation primary status that he takes so seriously. And it's with deep regret that we see him retire. He has served the City very well, and I wanted to present you today with a key to the City. And it reads:

'To Leo Bernier in appreciation of more than 26 years of service on behalf of the people of the City of Manchester, New Hampshire. Leo is a dedicated public servant and his commitment to Manchester is truly invaluable. He is held in high esteem throughout City Hall, and his knowledge of the election process will be extremely difficult to replace. Leo will be greatly missed throughout our City and best wishes to you in your retirement. Presented this day.'

Mr. Leo Bernier, City Clerk, stated thank you for the kind words. I just want to say that we are leaving...Carol and Matthew have combined about 33 years of experience working with the Board. So you're in good hands. They're going to do a great job. I want to thank the Board and previous boards. They've been so good to the City Clerk's office. I hope this Board continues with the new budget, as well as the Mayor. It's a very important job. I was lucky. I've been here for twenty years as City Clerk. I call myself the gatekeeper, and it's a great position to be in because you can help the constituents out there and the taxpayers, as well as get the message to the elected official. The City Clerk is probably the best job in the City as well as in the State. So Mayor, thank you very much for those kind words.

Recognition of Leo Bernier, retired City Clerk, by Alderman Lopez, Chairman of the Board of Aldermen.

Alderman Lopez stated thank you very much. I'm not going to repeat all the words that the Mayor just said, but they are all true and you used one of the great names, being the gatekeeper, and that's what you taught me when I became an Alderman. And as I mentioned before, when I walked in there and asked if I could use your office, you said use anything. And that's the way you treat all the people who come into the City. I surely appreciate that. On a personal note, I know you've worked very hard with a lot of Aldermen in my tenure, going on to my ninth year now. I know that you treat each one of us equally, and I think that's a compliment on your side. The knowledge that you had, I hope you haven't lost it yet. The people that are replacing you also have the knowledge and I've always said if you want to find something out in City Hall, go ask Leo. He'll tell you if it's been tried, and the background, and everything, so with that I want to present this plaque to you:

‘Leo R. Bernier, City Clerk, City of Manchester. In recognition of your 20 years of dedicated service to the City of Manchester, in appreciation for your outstanding leadership, vision, enthusiasm, and guidance to the Mayor and Alderman, presented this fifteenth day of January, Mike Lopez, Chairman and the Board of Aldermen.’

Mr. Bernier stated thank you very much. I think your battery died. Thank you.

Alderman O’Neil stated there is an addendum for the Clerk.

CONSENT AGENDA

- 11.** **Mayor Guinta** advises 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 & Filed

- B.** Communication from Comcast advising of upcoming pricing changes beginning in February 2008, and services provided during 2007.
- C.** Communication from Carol Johnson, City Clerk, expressing recognition and thanks to the Board of Mayor and Aldermen, Poll Workers, City Clerk staff, Parking Manager, Highway Department and Parks and Recreation for assistance in making the Presidential Primary of 2008 a success in Manchester.
- D.** Manchester Health Department monthly report.
- E.** Communication from Manchester Transit Authority submitting minutes of meetings, financial and ridership reports.

- F. Communication from NH Department of Environmental Services regarding an application for Air Permit at 55 South Commercial Street.
- G. Communication from University of New Hampshire advising that John Meisel has achieved the status of Rhodes Scholar Two.

REFERRALS TO COMMITTEE

COMMITTEE ON FINANCE

H. Resolution:

“Authorizing the Finance Officer to effect a transfer of Six Thousand Dollars (\$6,000) from Contingency to the Fire Safe Intervention Program.”

(NOTE: approved at last meeting of Board)

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

Ratify and Confirm Poll

- A. Authorizing the Mayor to execute an indemnification agreement for One Dow Court in exchange for use of the park lot adjacent to the Rines Center for voters.
(Aldermen M. Roy, Gatsas, J. Roy, Osborne, Pinard, Shea, Ouellette, voted yea; Alderman Domaingue voted nay; Aldermen Sullivan, DeVries, Garrity, and Smith were unable to be reached.)

Alderman O’Neil stated for the Clerk, Your Honor.

Deputy City Clerk Matthew Normand stated the Clerk would just note that both Alderman Lopez and Alderman O’Neil were omitted from the list of the Aldermen voting yea. We would just like to add that for the record.

On motion of Alderman Roy, duly seconded by Alderman O'Neil, it was voted to add the names of Aldermen O'Neil and Lopez to the list of Aldermen voting yea on the Ratify and Confirm Poll for item A.

11. Nominations to be presented by Mayor Guinta, if available.

Mayor Guinta stated I do not have any nominations this evening.

12. Confirmation of nominations:

Water Commission

Patrick J. Jordan to succeed Patricia Cornell, term expiring January 2011.

Heritage Commission

Jessica L. Leavey as alternate member, term expiring January 1, 2010.

Office of Youth Services Advisory Board

Kim Barbee to succeed Peter Favreau term expiring January 1, 2010.

On motion of Alderman Pinard, duly seconded by Alderman M. Roy, it was voted to confirm the nominations as presented.

13. Special Committees to be presented by the Chairman of the Board, if available.

Alderman Lopez stated each of the Aldermen received a correspondence, but for the public, the following is a list of Special Committees and memberships for 2008-2009 term. I've assigned a chairman who is chosen by membership and requesting the Board reestablish these committees as outlined.

Special Committee on Airport Activities

Aldermen DeVries, Shea, Garrity, Pinard, J. Roy

Special Committee on the Civic Center

Aldermen O'Neil, Shea, Smith, M. Roy, Ouellette

Special Committee on Parking in the Vicinity of the High Schools

Aldermen J. Roy, DeVries, Ouellette

Special Committee on Riverfront Activities and Baseball

Aldermen Lopez, Gatsas, Smith, DeVries, M. Roy

Special Committee on Solid Waste Activities

Aldermen M. Roy, O'Neil, Lopez, Osborne, Domaingue

Special Committee on Alcohol and Other Drugs for Youth Services

Aldermen O'Neil, Lopez, Pinard, Garrity, Ouellette

*On motion of **Alderman Lopez**, duly seconded by **Alderman Shea**, it was voted to establish the Special Committees as presented, and to appoint Peter Sullivan as Aldermanic Liaison to the Library.*

Alderman Sullivan stated point of information, Your Honor...It has nothing to do with the library. Just a point of clarification from Alderman Lopez. The Riverfront Activities and Baseball, you said Alderman Roy. Which one?

Alderman Lopez responded that's Mark Roy.

- 14.** Communication from Carol Johnson, City Clerk suggesting an Aldermanic liaison be appointed to the Library.

This item was addressed with the Special Committee assignments.

*On motion of **Alderman M. Roy**, duly seconded by **Alderman Garrity**, it was voted to recess the meeting to allow the Committee on Finance to meet.*

16. **Mayor Guinta** called the meeting back to order.

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

a resolution authorizing the Finance Officer to effect a transfer of Six Thousand Dollars (\$6,000) from Contingency to the Fire Safe Intervention Program ought to pass and be Enrolled.

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

18. Request of Alderman Gatsas that MTA Management appear before the Board regarding employee complaints relative to ridership and issues with routes.

Alderman Gatsas stated I guess my concern is twofold. I have a couple of letters and received probably four phone calls from constituents. I'm not too sure this is a constituent of mine, but she has forwarded me a letter regarding the route changes and the non-stops and Elm Street. Then I got some disturbing information from a driver that was a safety issue. And I'm sure you must have either addressed it or known about it by now. My concern is that the safety of the drivers is a great concern. If they have no place to have a sounding board and it's got to come back to the Aldermanic Board, it looks like we're going down a road that we were on about seven or eight years ago before you came on board, Mr. Smith. And I hope that's not the effect of change that we're seeing. I can tell you that once you came on board you made some effective changes and I just want to make sure that we're hearing what drivers are saying...one, about routes, because I guess I read the minutes that are before us, and there was some discussion about routes and Commissioner Trisciani even questioned two of the routes not going on Elm Street. One that goes up River Road and another one that I believe goes up to the VA hospital. One travels Union Street and the other one travels Canal Street. So my concerns are one, the safety, that the Commission and yourself have to put

something in place that are going to protect the drivers that are out there on buses, sometimes all alone. And I don't know if there's something in place, rather than telling somebody on the radio that everybody on the bus can hear that there's a concern with my safety. So I have a serious concern with that. I don't know if it's been addressed at the Commission level and maybe you can talk about that.

Mr. David Smith, Manchester Transit Authority Executive Director, stated I'd be happy to, Alderman. With me tonight is Karen Bennett who is the assistant director. Thank you for your questions. On December 26th there was an individual aboard the bus who was taken off the bus and arrested by the Police, who was subsequently arrested for a crime and is scheduled for court. Consequently, since it's scheduled for court, I'd prefer not to go into...

Alderman Gatsas interjected I'm not concerned with the December 26th arrest. I'm concerned more with the complaints that came before that of whether the driver had the ability not to take that person and ride because I understand that there were complaints before that.

Mr. Smith stated the union, subsequent to that event, asked us to meet and respond with some of their concerns. Their concerns regarding that incident were what they felt was a slow and inadequate response. It did occur the day after Christmas. We were short in staff that day, and although the Police did respond, we did not have anybody at that point to respond to the site of the event. We also received concern from the drivers that not all of the buses have cameras. The ones that we have purchased in the most recent two years have cameras. We have seven that currently do not, and four that we will retain beyond one year that do not have cameras. We have done a few things. We have gotten quotes for new camera systems. These are not included currently in the State ten year plan, so we

have requested the Federal Transit Administration for a letter of no prejudice to allow us to go ahead with purchase of four cameras and install those in the buses that will not be replaced this year. I will be presenting that to the Board at their upcoming meeting next week. As well, we have agreed with the union that training is appropriate and have scheduled meetings with the City Police Department to seek their assistance in preparing some training for employees, as was requested. That meeting was scheduled for yesterday, cancelled due to snow, and it will occur later this week. I hope that answers your questions.

Alderman Gatsas stated let me be a little bit more specific. Did you have complaints prior to the 26th on the same issues on that bus?

Mr. Smith responded yes. On Christmas Eve the employee notified me that she had a concern with that one passenger who was riding the bus and asked that we review the video recording on the bus.

Alderman Gatsas stated I guess I still haven't made myself clear. Prior to that incident were there complaints about that person on that bus, prior to the arrest?

Mr. Smith responded yes, sir. As I said, it was Christmas Eve.

Alderman Gatsas stated and I guess my next question is changing of the routes.

Mr. Smith stated I understand there was some concern expressed by some drivers and some officers of the unions subsequent to our final decisions regarding service changes that were to be made September 10th. As you know we had made some significant service changes in July. We monitored those service changes after the service change in July. We had some concerns in late July and early August as the summer progressed about running time on some of those routes when school

resumed in September and traffic increased. We did in fact see some running time problems emerge on those routes, and we determined that we needed to make some further changes. We made some minor changes in September that were intended to help but we could not resolve those problems. We went through a study process involving our customer service committee, which is made up of employees and staff, a board member, and someone from the Southern New Hampshire Planning Commission, to determine what changes needed to be made. We knew that we needed to make some significant change and get it done early in December before the Christmas shopping traffic were to occur. There would be significant problems in maintaining our service reliability. So, we had planned for service changes early in December. We went through the process of several meetings with the customer service committee. Most of the recommendations of the customer service committee and Mrs. Gossler, who probably talked to you, were implemented, including increasing running times on five routes. The route 13 Bedford went from an hour to an hour and fifteen minutes running time. Four routes which had a half-hour running time were extended to 45 minutes. And while the running times were extended, the frequencies of service for the passengers were kept the same. Essentially it was an increase in the level of service to accommodate the problems that we were having with the traffic. One of the concerns that was expressed by drivers and by customers and by members of the committee, as a result of the changes that occurred in July, were that with so many buses meeting downtown at the same time. As you may recall, the consultant recommended that all of the buses meet at the same time, at 30 after the hour, and depart to allow easy transfer. The problems that resulted from that were that buses would bump into each other going up and down Elm Street. And at outer portions of the route, the buses would often appear at the same time, whereas before they were staggered. For instance at Eastside Plaza, buses formerly operated at 30-minute frequencies and arrived downtown at 30 minutes apart. With the buses leaving at the same time from downtown, they met at Eastside

Plaza and someone at Eastside Plaza would have to wait an hour. That occurred in several areas of the City, including Eastside Plaza, Bridge Street, CMC on McGregor Street, and so forth. So we sought to resolve those problems. Members of the customer service committee and drivers gave significant input into plans for service changes, and I don't think we could have done as well without them. Almost all of the changes that were recommended were implemented. There were some modifications to routes because of the fact that going to 45 minute routes from half hour routes and hour and fifteen minute routes from hour routes, we had to pair them differently. Whereas almost all of the buses were interlying through downtown before, some of them now are required to returned downtown. And that's the reason that a bus now operates south on Canal Street and then goes north on Elm Street. That's the 5 River Road, which comes in on River Road, goes down Canal Street to Granite, up to Veterans Park and then north on Elm Street, rather than coming south on Elm Street. It has to turn to go to Bridge Street and ultimately Bedford Mall. Those two routes are combined. I guess in answer to your question about why buses are operating on Canal Street and why buses are operating on Union, it comes down to the fact that they have to be turned downtown to go from north to north or south to south.

Alderman Gatsas asked are there any stops on Union or Canal Street to pick up passengers?

Mr. Smith responded yes, there will be. We have been conferring with the Parking Manager and also the City Traffic Department. We've determined that we need to do...in order to install new signs in those areas that are now covered by routes that were formerly not covered, we need to do ordinances and we're working to prepare those ordinances for their review and submittal to you.

Alderman Gatsas asked are there any buses that stop at Wall Street anymore?

Mr. Smith responded yes. In fact, service at Wall Street is more frequent. It used to be on the hour and half hour, and now it's on the hour, half hour, and I think quarter till.

Alderman Gatsas stated when I read on E-8, (page 7) of your minutes under old business, and it says that at the meeting Bennett explained that customer service committee is an advisory committee only, and management made decisions that weren't exactly what some of the customer service members recommended. The input that you were getting from the drivers really was only a recommendation and management made the decisions.

Mr. Smith stated the committee is composed of members of management, drivers, a member of the MTA commission and a representative from the planning commission. And it is true that it is an advisory committee. Let me say that we implemented virtually every recommendation that that committee could agree on. There were some issues, including the routing, which the committee could not agree on, including some of the driver members, so ultimately a decision had to be made and it had to be made quickly because we needed to implement those service changes before early December and before the shopping rush.

Alderman Lopez stated just a comment for Mr. Smith: Are you sure that the employees and union officials are given a timely answer to whatever decisions are being made by either the commission, yourself, or the advisory customer service when they have a particular problem? I know you mentioned at the beginning of the conversation that you have to wait for the next commission meeting. Don't you have some authority to answer some of these questions to the individuals that bring questions to you to solve their particular problem?

Mr. Smith responded I'm sorry. Regarding waiting for the next commission meeting, that's to make the decision to purchase cameras. I don't have the authority to spend \$10,000. That was all that was in reference to.

Alderman Lopez stated I'm talking more along the line of communication with the employee that does have a particular problem or a driver has a problem. The timeline...do you think it's a reasonable period of timeline that you get back to the driver?

Mr. Smith stated we try to respond to all specific concerns. As you know we are a union shop and we have a grievance procedure for grievances pertaining to the contract. We're also willing to entertain complaints at any time.

Alderman Smith stated David, I know we met in July, but I still have an extreme situation. There's not a bus on Boynton Street. As you well know, route 13 goes down Woodbury, down Second Street, and my constituents are saying that you've got bus service out to Bedford but we don't have bus service on Boynton Street, and I'm sure I gave you about four or five people that did call, like Mrs. Colby was one; Mrs. Norm was another one. And the same situation is occurring, especially now where they have to walk out on the street on Boynton Street because of the snow situation. I am wondering if you going to address it more fully or what the situation is going to be. Boynton Street is actually 101.

Mr. Smith stated I understand your concern. There were a number of concerns in your Ward, not only on Boynton Street but on Rockland; we were able to take care of the other ones. The strong recommendation of the consultant, where the route was split between Boynton Street and Second Street, was that it operate on Second. Typically we would carry two to three people on Boynton Street on a daily basis, and the consultant's recommendation was that that diminished

ridership opportunity for where most people would go. Unfortunately it did negatively affect some residents who were regular riders. I think in order to resolve the concern of those residents in that area, we would need to find another way to do it. I think it would negatively affect the service to take it off of Second Street.

Alderman Smith stated I'll follow up with you, David. Thank you.

Alderman DeVries stated first off I guess a higher priority for me would be the concern over safety on the buses. I did hear you mention cameras and certainly that is a very good way of documenting what has gone on and deciding where liability or culpability may lie, but that doesn't do a whole lot for a bus driver that may be put in a unsafe situation, and I wonder if you've considered or already have in place some sort of panic button or is this part of the training procedures that you mentioned that you will be going over procedure?

Mr. Smith responded we will be reviewing our current internal procedures, including radio procedures and others. As well we will be seeking specific training from the Police in dealing with the situations that drivers came to us with concerns about. You're right that the cameras can only document, but they are preventative, I believe. It was mentioned to us by the drivers that met with us that night that their belief that the individual that was arrested understood that there were no cameras on that bus. So I agree with them that it's important to equip all of the buses.

Alderman DeVries stated I believe we heard that testimony about school buses as well, so I wouldn't disagree with that. I have one other question...a piece I read in the paper was with the closure of Vista Foods over on the West Side. And I'm

wondering if you have already considered how you might be able to accommodate some of the elderly high rises on the West Side in facilitating their shopping.

Mr. Smith stated of course Vista Foods was a great partner, and we're sorry to lose them. In addition to serving as one of our destinations for our shopper shuttle service, they also sold tickets for us and we were very grateful for their participation, and we're sorry that they'll be leaving the West Side. We have a shopper shuttle service that directly serves most of the senior high rises and many of the senior apartments. It went two days a week to Vista, two days a week to Hannaford on the East Side, and one day to Stop and Shop on South Willow. We're seeking right now an arrangement with another store to replace the arrangement that we had with Vista. The stores do pay for that service and we'll be working directly with the Housing Department and also with the Senior Center to see what we can do for the folks at Pariseau as well.

Alderman Shea stated David, there was a lot of money and research and also hard work going into the new study. How has that implemented your situation there? Has it been a positive factor, a negative factor? Has it impacted the financial situation, etc.?

Mr. Smith responded we are pleased with the results of the study and we began to get feedback from passengers immediately who appreciated the fact that the routes were much more direct. They went in and out. They didn't go around in circles. The rides were shorter. The service tended to be more on time, at least during the summer. And now that we've been able to resolve the running time problems, we believe we can guarantee that we're going to be on time regardless of the situation. I was riding yesterday and the drivers mentioned to me that even in the weather that they encountered on Monday, they were able to maintain their schedule. So we feel that that's a great benefit. We're beginning to see ridership increases in

those areas where the routes have been made much more direct, such as Bridge Street directly to Wellington Road; the route out to VA Hospital and back; and the route directly to Southern New Hampshire University and back.

Alderman Shea asked has there been an appreciative difference in the operational budget that you have? Has that saved any money?

Mr. Smith responded one of the things that we wrestled with, with the changes that were implemented in December, was a budget issue. The service that we implemented, based on the consultant's recommendation and our implementation plan slightly increased our expenses from last year. In order to resolve the running time problems, it required an increase in running time for maintenance of the frequency for the customer. In other words, that put more service on the street, actually two more buses and two more drivers at one time. Consequently that impacts the budget and we've determined that the service changes that we implemented in December will be about \$120,000 over what we expected to spend this year. We're going to have to find a way to minimize the impact of that as much as we can.

On motion of Alderman Lopez, duly seconded by Alderman Domaingue, it was voted to Receive and File this item.

- 19.** Communication from Alderman Lopez to Mayor Guinta regarding potential consolidation of functions of the Human Resources Department with the Finance Department.

Alderman Lopez stated first I would like to say I have a heavy heart for the HR division and its employees. I think that's a bunch of great people down there who do a tremendous job. I took a look at this and I sent this to you, Your Honor, to

not immediately fill the pending vacancy until the Committee on Administration would have an opportunity. Back in 2003 I recommended this and as noted in some of the correspondence, our previous Finance Officer wanted more people, etc. etc. Since that time we've lost four people in Finance and who do an outstanding job. I'd just like to find out whether or not...I noted on the School side the finance department, they take care of the payroll on the School side. So I think there's some information here that's in the packet, that we should just go through the process here, and I'm asking you not to fill the pending vacancy until the Committee on Administration reports back to this Board, no later than February 19th as to their recommendation to the full Board. And that's if the payroll function currently performed by the Human Resource Department be transferred into the Finance Department, and transfer the Human Resources Department into the Finance Department and create an Administrative Officer or Division Manager position to oversee the new division.

***Alderman Lopez** moved to refer this item to the Committee on Administration.
The motion was duly seconded by **Alderman Shea**.*

Alderman Gatsas stated just about an hour ago we gave a plaque to the retiring Human Resource director and thanked her for her great service and her great work to the City, and there's a letter in here dated January 28th, and her recommendation would be to leave it where it's at. Having just a little bit of knowledge on the Human Resource side and payroll side from a previous life, I can tell you that mixing that with Finance probably doesn't make the most sense. The human resource person has to talk to employees about health insurance, making the correct deductions from their check, a variety of other...child support payments that are being deducted from checks. A variety of things. And why we would want to move that obligation into Finance when we have people in Finance who sit here and talk to us about projects in the millions of dollars and whether they make

sense or not, certainly doesn't make sense to me because I don't see a synergy other than just eliminating a department head. So if we think that the City of Manchester is going to work better with a position that pays from \$78,000 to \$110,000, I don't know where the synergies are. Are there any other synergies that the Alderman can tell me that he thinks are going to change from the 2003 report that I just read?

Mayor Guinta stated I did want to seek a clarifying question from Ms. Lamberton. Are we by charter required to have an HR director or an HR department?

Ms. Lamberton stated in the charter it identifies all the different departments. And one of them is a Human Resource department.

Mayor Guinta stated so the proposal is not to disband the HR department. Correct? It's just to move some function.

Alderman Lopez stated I think that's the reason we have to have some discussion about it. You can transfer...you're absolutely correct. It's the HR department in the charter. You can transfer responsibilities from one department to another department if so feasible by nine Aldermen. And secondly, in reference to whether the HR Department would become a division under the Finance Department, would be another indication where responsibility would lie, would be disbanding the HR Department and making it an administrative division of the Finance Department. So there's a couple of ways you can do it, and the only way you can do it is by charter, either give the responsibility or disband the department. Alderman Gatsas, your January 28th letter, those things that are in there, I think that we're in a new course. We're looking for different ways of doing things has been indicated many a times by this Mayor and others on this Board. Some of the

four points that was put into that letter: I think the staff are still knowledgeable, still trainable. I think every officer of the City takes an oath to comply with the ordinances or laws of the state. So if it can be done on the School side, I don't know why it can't be done on the City side. And it's a possibility that it can't be done, but I think we need to have a good, honest discussion and not get hung up on whether we're going to take IRS money out of somebody's payroll. I think if somebody is doing a payroll for an employee, he ought to be able to go to that individual if he has problems with his pay and I think that service could be provided whether it be in the Finance office or the HR Department.

Alderman Shea stated I recall when I first became an Alderman that there was an HR Committee of three people and a Finance office of probably, I don't know...ballpark, twelve or so. And then all of a sudden the responsibilities for certain responsibilities that were akin to the Finance Department became part of the Human Resource Department. And I think we should be in a situation where we should be able as a Board to examine different options because we are in times that require serious thought. And therefore I believe that it does really no harm to look at certain options. You're presenting a two-year budget, I guess, which is an option. And we should be able to look at this as a challenge and see if we can seek out different types of ideas and thoughts that will help out to fund the municipal government. Now we may go back to the fact that we do need a Human Resource Director and we do need that particular responsibility, which is akin to financial operations, to be related directly to that particular department. However, if we can look at other options and these options are going to be just as competently developed and done, and we can assure the people, obviously City employees, that they're going to receive the same kind of services, and we can then help out in terms of reducing certain strains that are on our municipal government. I think that we should look at that, and I think that in examining this document, you can look back on 2003 when certain questions were raised. Now I'm not saying that

we shouldn't make a decision that's going to be a valid decision because of any kind of particular preference on our part. But we should look at all options, and therefore I would say that I would be in favor obviously, as I seconded the motion to refer to Administration.

Mayor Guinta stated there are a couple of points I'd just like to make: First of all, just so that the members of this Board are aware, the position for HR Director was posted I think, in early December. The posting period is closed. We've already received applications and we're in the process of forming a selection committee. Second, we have a letter that's attached, dated January 29, 2003, from a former finance officer, Kevin Clougherty, to Alderman Lopez. He's referring to a completely different reorganization, a department of administration. The proposal that I think is coming forward is not a department of administration. It's simply moving a couple of functions over to Finance. As I read that letter from Mr. Clougherty, some of the issues that he cites, back in 2003, wouldn't be relevant today, because the structure of the City has changed, and the requirements of some of the departments have significantly changed. So certainly, just for the new members on the Board, as they review that letter, in making their decision, I would certainly ask that consideration be made. And then finally, if the Board is going to vote on this and it passes, we do have to keep in mind, again, that we have posted the position. If it's going to pass, I would ask that the committee expedite it, and try to make a quick decision, because we certainly don't want to keep...we don't want to send the message that we're not interested in hiring a good quality, qualified HR director. And I wouldn't want to send that message to the people who have already applied. This, I think, would be more of an internal issue. There are state and federal issues that have to be addressed. I haven't heard from the Finance Officer yet. I don't know if members of this Board have, but I don't know what his position would be on it either.

Alderman J. Roy stated during the discussions I was hoping that...another option that you might consider. We've heard discussion from this Board recently about possibly bringing the School Department back in as a City Department. There was a new state law that came out. And my suggestion would be is to look at the feasibility of folding the two human resources departments together. If you had one human resources director overseeing the School branch and the City branch, it may show us some savings there.

Alderman Gatsas stated certainly I appreciate where Alderman J. Roy is coming from, but that has to still go to a public vote and that's not until next November. I certainly...I caution this Board that Ms. Lamberton's leaving at the end of this month, and a human resource director with 1,200 employees is a very, very vital position, because when somebody has a claim, and it's not being addressed, Alderman O'Neil will agree that the calls start coming. So I would suggest that this Board very quickly get a human resource director in place so that they can work with Ms. Lamberton to understand the functions of that department and some of the calls that she can tell them to expect. Because it is vital that we don't let employees fall through the crack when their claims come in. And I certainly applaud Senator Lopez for bringing it forward but I don't see a synergy that's going to relate to a cost-saving measure that comes before us. So I would ask this Board to Receive and File this, and let's find a human resource director before we have an awful lot of employees in this city crying foul.

Alderman Garrity stated the motion is to send it to committee. We can have these lengthy discussions at committee, and that would be my suggestion. Move the question.

Alderman Shea stated I'm assuming if Mrs. Lamberton is leaving at the end of this month that certainly people have worked under her who are in a position to

make some kinds of decisions, if I'm not mistaken, or has she arbitrarily made every decision that has related to any kind of problems that may have come up? Could you answer that?

Mayor Guinta stated I think there's a different skill set between the director and the employees within the department. And that's what I was referencing.

Ms. Lamberton stated I don't make arbitrary decisions, first of all. Secondly, you may not remember, but when I first came here it was apparent to me that the human resource office was overstaffed. There was a deputy and I eliminated the deputy because I couldn't justify in my mind paying \$74,000 to have somebody follow me around and make decisions when I wasn't there, when I'm usually there. And so the structure is that we have specialists and then myself. And when there's decisions to be made, the specialist in whatever area that is and I discuss it. We look at contracts, we look at ordinances, laws, and we make a determination as to what is the proper thing to do. You know I have no...I'm leaving, but I do not recommend to the Board that you do this. The payroll function is so intertwined with our collective bargaining agreements and our payroll, I mean our ordinances and other laws. You just can't imagine. There's not a day that goes by that I am not meeting with the payroll compensation manager to discuss important issues to make sure that the payrolls are done properly and that everybody is paid properly. It's also intertwined with our benefits, etc. If I may request that...if I leave there's not going to be anybody around to represent the interests and the information that's really needed for the Board to make an intelligent decision about this, and so I would ask that the...if it's going to go to the Committee on Administration that that happen prior to my departure so at least I can give some facts to the committee for you to consider before rendering any type of decision.

Alderman Shea stated Ginnie, you've been on vacation, I guess. Who has made the decisions in your absence?

Ms. Lamberton responded if it's a big decision it waits for me. I usually go through email or I call in when I'm away. I'm never that far away.

Mayor Guinta stated I called her on vacation.

Ms. Lamberton stated I check my email. I go to internet cafes and do that.

Alderman Lopez stated I think that as far as the process of the applications for the HR you can continue. There's no reason for you not to continue in that process. It takes a little while to go through, as we all know. But I think the Committee on Administration chairman can call a meeting next week and get Mrs. Lamberton's input and the Finance Officer's, to bring back before the 19th, if they so desire. I just think it's an opportunity just to look at other ways of doing things. We always talk about it. We talk about it when people leave. I want to remind the Board that we're not doing anything that we don't do when other department heads leave or other employees leave...that we review that particular position and see if it's needed and move forward in that vein.

Alderman O'Neil stated I think we'll do our best to try to meet before the end of the month, but it's not that far away. And the letter from Alderman Lopez asks for a report back by the 19th of February. This is going to require at least a couple meetings of the Administration Committee. So I think if the departments, either Virginia or Bill, have an opinion, or if others have an opinion, don't wait for the committee meeting to be called. Get that information to us as soon as possible. And secondly, the fact that Virginia's going to be gone the 30th or 31st, whatever the date is, of January, we're going to need somebody...do you plan on appointing

somebody from the staff as acting HR director? We're going to need somebody to be our liaison from the department.

Mayor Guinta stated we're moving as quickly as we can. My intention was to move as quickly as we could as a City to replace the position. There appeared, just based on the timeline, that there was probably going to be a small period of time where there was going to be an overlap, and my intention was to name an interim internally while we conclude the committee review process.

Alderman Gatsas stated I would suggest that...I believe that is one of the most vital positions in this City. I would ask you if you could get Ms. Lamberton to stay until somebody comes in, because I don't think somebody's going to walk into that office and...and I'm not asking her to give up her retirement. I'm asking her if she would come in as a consultant, or whatever. Because I think it's the most vital position we have in the City, that if somebody is calling about a claim, and why isn't it being paid, and I have a premature birth, you know, that is a very serious item to people, and not to have somebody that's going to be there and fully acclimating to what those changes are, I have a problem with it. As it would be, you know, Murphy's Law is going to say that Ginnie is going to leave and we're going to have some problems. So I would suggest that that position be left alone and we move forward and fill it, and Receive and File Alderman Lopez's position.

Alderman Domaingue asked what's the timeline for getting to a point where we are interviewing candidates? I know you said you were in the process of putting together a selection committee.

Mayor Guinta responded next week. I think it's next week. We've already received the applicants; I've reviewed them. Tomorrow we're going to complete...we have...I'm not ready to announce it this evening, but we'll

announce tomorrow the selection committee. We would expect to start interviews next week.

Ms. Lamberton stated the interviews have been scheduled for next week. The applicants have gotten letters from HR, telling them what date and time to report for their interviews.

Alderman Gatsas stated I just hope they're not watching this program.

Alderman Sullivan stated I think it was stated earlier that the City Charter requires that we have a Human Resources department, as well as a Finance department. Is that correct?

Mayor Guinta responded it requires that we...yes.

Alderman Sullivan asked how would doing what is being proposed here be in line with the City Charter? Wouldn't it require a change in the charter?

Mayor Guinta responded I would defer to the City Solicitor on that, but I suspect it would require some amendments.

Mr. Tom Arnold, Deputy City Solicitor stated the Charter provides a list of departments. It goes on to provide that all departments of the City in existence on the effective date of this charter shall remain as then organized until nine Aldermen shall vote to establish, eliminate, combine or otherwise reorganize departmental structure. So it takes a vote of nine Aldermen.

Alderman M Roy stated just as a point of history, this would be the same process that we took with the Traffic Department folding into Highway.

Alderman O'Neil stated I remember...and I'm trying to think back to specific, but I think there was a legal interpretation at one time that even if the Charter says the department exists, you only have to fund it for a dollar. It doesn't say you have to have any positions in it or anything like that. I can't remember the specific...it was years ago that it came up.

Alderman Garrity asked can we move the question, Your Honor? Let it go to committee.

Mayor Guinta responded let me just go to an Alderman who hasn't spoken.

Alderman Ouellette stated I wasn't going to chime in on this, but since everyone else has...The School Department was brought up a couple of times, and the way the School District functions is, they have a human resources department; they have an HR director. That falls under the guidelines of the business administrator, so you can still have a human resources department, and you can still have an HR director. It's just a matter of probably reclassifying what that position might be or how that's going to be function. To Alderman Roy's point about merging the School District along with the City, I just want to make one thing clear, to just up and do that would be very difficult because a human resources director in the School District has to have expertise in special education; they have to have an expertise in teacher certifications and things of that nature that maybe a human resources director on the City side wouldn't have to have. So that isn't just as...it's kind of like comparing apples and oranges. It's not that simple.

Alderman DeVries stated I just wanted to briefly comment, because I was glad to hear both yourself and Alderman Gatsas mention that they were concerned about the issue being brought forward being an impediment possibly to the hire of the

new HR director. Because would you believe, I had the same concerns with the School Department and School District concern that that would somehow prove to be an impediment in hiring our best candidate for our new superintendent. I hope we are both proven wrong, because both positions are very important and need the best-qualified candidates.

Alderman Gatsas stated on a parliamentary question: This is to go to a committee, and if that is defeated, then the proper motion would be to Receive and File.

Alderman Sullivan asked the Clerk to state the motion for the record.

Deputy City Clerk Normand stated the motion is to refer this item to the Committee on Administration.

At the request of **Alderman Gatsas**, a roll call vote was taken. Aldermen O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Ouellette, Domaingue, and M. Roy voted yea. Aldermen Gatsas, Sullivan, J. Roy, Osborne, and Pinard voted nay.

The motion carried.

Mayor Guinta vetoed the item.

Alderman O'Neil made a motion to override the veto. The motion was duly seconded by Alderman Shea.

At the request of **Alderman O'Neil**, a roll call vote was taken. Aldermen O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Ouellette, Domaingue, and M. Roy voted yea. Aldermen Gatsas, Sullivan, J. Roy, Osborne, and Pinard voted nay.

Mayor Guinta's veto was sustained.

***Alderman Gatsas** moved to Receive and File this item. The motion was duly seconded by **Alderman Sullivan**.*

At the request of **Alderman Lopez**, a roll call vote was taken. Aldermen Gatsas, Sullivan, J. Roy, Osborne and Pinard voted yea. Aldermen Lopez, Shea, DeVries, Garrity, Smith, Ouellette, Domaingue, M. Roy and O'Neil voted nay.

The motion to receive and file failed.

***Alderman Gatsas** made a motion to table the item. The motion was duly seconded by **Alderman Sullivan**.*

At the request of **Alderman Gatsas**, a roll call vote was taken. Aldermen Gatsas, Sullivan, J. Roy, Osborne, Pinard, and DeVries voted yea. Aldermen O'Neil, Lopez, Shea, Garrity, Smith, Ouellette, Domaingue and M. Roy voted nay.

The motion to table failed.

Alderman Roy stated I'd like to make the motion...we could do this all night with roll calls but...I'd like to make the motion that the Mayor and Alderman Lopez as Chairman of the Board, our Human Resources Director, and our Finance Director possibly sit down and report back to this Board at the next meeting and come up with a solution.

Mayor Guinta stated let me just say that I don't object to looking at other alternatives to try to save money and become more efficient. I've had some time

to look at this. I've thought about it. I thought about it when I was considering the Department of Administration. And ultimately after review and research, I don't see the synergies that are going to be identified by moving some of these small portions of the responsibility of HR over to Finance. Now I certainly commend and appreciate Alderman Lopez and the members of this Board trying to seek those synergies from a consolidation perspective, and I certainly don't want to dissuade anybody from continuing that process on other...except that we're on a timeline here, and this started back in December, and I just...I've researched this for about a year. When we were looking at the Department of Administration, I pulled that proposal for this very reason. Ultimately, I didn't see the synergy. I'll yield to Alderman Lopez. Maybe he has an alternative motion.

Alderman Lopez stated I just want to say this is just an opportunity to look at things in a different light. In 2003 the Finance Officer said he needed more people, and he wanted to go big scale. We don't want that big scale. And as I indicated, when a department head or an employee leaves we always review that position. You know, just to look at something and review something I think has a lot of benefits. If we say no to one thing, why shouldn't we say no to a two-year budget; why shouldn't we say no to Parks & Recreation? We're trying to do a spirit of cooperation here and get the right facts, and working with you, and trying to do efficiency. That's all I hear, the word efficiency, efficiency. How do we know if the efficient is going to be there if we don't even search out the minuses and plusses of whether it's a good idea or a bad idea? Regardless of whether it comes from me or comes from you, or any other Alderman on this Board, or any department head. Traffic took us a long time. Purchasing took us a long time, but we dissect it at committee and came out with a good solution. So we're not given an opportunity here to really look at efficiency, other than to say, we need an HR director. We might need an HR director. It might be at a lower grade, if you move the payroll division into Finance. So that's where I'm coming from. I just

don't know, why do we pick and choose not to go to committee? This Board is structured for committees to come back to us with some recommendations.

Mayor Guinta stated the response I would give is I did, in my last budget address, I did include – I believe in my last budget address – a Department of Administration for consideration for this Board for the last year. It didn't go anywhere. I further reviewed it and decided that ultimately, some of the synergies I was looking for were either too long term or just weren't feasible, given the existing structure. Part of that was Info Systems; part of it was the HR function; some of it was the Finance functions. I looked at this maybe not as narrow as your proposal looks at it. I did look at it on a broader scale and I did, after about a year of review and research, decide that ultimately we wouldn't identify them. I certainly still feel that same way. I don't believe there is anything that precludes the chairman of the committee, a member of this Board, to continue its own personal research and review. I'm going to...at this point, unless there's a different recommendation, I'll continue to go through the process. If you want to talk about some of the...if there are functions that should be moved, maybe that can happen. I don't want the position itself removed, of HR director, because I do believe that's a position this City needs. It's required to have, in my view, because of the complexity of our budget; because of the complexity of the issues that the department deals with, I think you need a high level individual leading that department. Certainly in the spirit of cooperation, I would absolutely sit down with you at any time over the next two weeks to talk more specifically about it. I'd be more than happy to talk to the chairman of Administration about it. But at this point, this is where the vote is. I would certainly entertain either another option or I'd be happy to sit down with you over the next few days.

Alderman Lopez stated Your Honor, there's no sense in really doing that. You vetoed it, so that's the end of the ballgame as far as the Committee on

Administration looking at this particular plan. The veto was upheld, so in the spirit of cooperation, it's not going anywhere, and I agree, we could vote on this thing all night and be nine to five.

Mayor Guinta stated I just have a difference of opinion. I still want to cooperate with this Board and I certainly will. But I haven't heard any compelling reason from either department that suggests we should engage in this discussion. There's no reason that members of the Board cannot bring these issues forward. I think this is somewhat unique in the sense that we posted the position, we're about to interview people for that position, and this could potentially send the wrong message. I certainly hope it doesn't, if there are possible changes that are made, but it is certainly different than Traffic being consolidated as a division into the Highway Department. I mean...very, very different skill sets; very different responsibilities. There are federal implications to what the HR director and department does that other departments don't share the same burden.

Alderman Shea stated you have probably appointed, in my humble opinion, at least six interim directors. Is that correct? Probably more, probably less. Maybe you'll still have to appoint an interim director.

Mayor Guinta stated I believe I will.

Alderman Shea stated if a person coming into the City government for an interview isn't considered a logical candidate or if the committee here, the Aldermanic Board, failed to approve that person, you understand where the Aldermen are coming from.

Mayor Guinta stated I'm not sure what your point is.

Alderman Shea stated if you nominate someone for HR director and we decide that person isn't the person that we want, we can reject that. Is that correct?

Mayor Guinta responded yes, that's correct.

Alderman Shea stated and in that case there would have to be an interim director of some sort, I would assume. So there is a lot of dependency upon the cooperation between the Board of Mayor and Aldermen and the Mayor, and the Mayor and the Board of Aldermen. And I'm not saying that that person wouldn't get the approval. I'm not saying that. But if somehow or other between the time that the person were nominated by you and there was some sort of feedback given to the Aldermanic Board wherein that person would not be a competent person, we would have to still live with the fact that we would need, like you said, a Human Resources director, and therefore you would have to appoint an interim director. What I'm trying to get across is that the more we close off ideas and the thoughts of Aldermen, the less we are going to be stymied in our thought processes, because we're going to say, we don't want to look at this because basically it's a done deal, or basically we don't have the insight to understand logically what should be done by this Board because we're really not in a position...we are kind of controlled by the thoughts and ideas maybe of other people who feel as if their ideas are sound and their ideas are superior to ours. And therefore, I think we have to be cautious as a Board that we don't close the door on suggestions and thoughts simply because of the expediency of a particular appointment. That's what I'm trying to get at. That we've waited a while for a very important position for Fire Chief. We certainly had an important position as far as the Health director is concerned. We certainly waited almost a year for an Information Systems person. We certainly have had a problem with filling the position up at the Highway and Parks & Rec. We probably have another major person retiring from another department. And we've always said, well, we'll put an interim in there

and therefore that interim can fulfill the responsibility to a certain point, whereby we feel as if we can appoint a person. So I'm just saying that we have to be very careful that we don't close our thoughts and ideas. Thank you.

Alderman Osborne stated I thought about this quite a bit when I got the letter from Mr. Lopez, and I feel the same way as Mr. Gatsas or the Mayor. It's a very, very important position that we have to hold onto. And as it stands now, I think you'll find throughout the United States, there's a lot of cities and so on that have tried this consolidation, and they're trying to get out of it. Anyway, it's something that you have to look at in the long run, and it's pretty hard to do that because this could cost you more than what it's worth, once you get into it and you try to get back out of it again, it's probably going to cost you three times as much. It's not an easy situation. I think what we should have is a director and that's the way it should be. You can't consolidate all departments into one. It's just almost impossible. They're completely different...Police, Fire. Are you going to consolidate them too? You can't do it. I think this should be left alone.

Alderman Shea stated we did it before. That was done by Finance years back when I first became an Alderman. It was transferred to Human Resources for whatever reason, because I believe the present resource person decided that they would assume that responsibility. So it's not as if it's inventing the wheel. The wheel was invented. The wheel was going on, but we decided to change the wheel to put it on a different wagon. That's all we did.

Alderman Osborne stated Your Honor, we're talking the 21st century, not the 18th century.

Alderman Shea stated this was ten years ago.

Alderman O'Neil stated just a clarification. When you said that the Department of Administration didn't go anywhere, you were continuing, Your Honor, to develop your information. The committee didn't have any information to act on as you were developing your proposal. I just want to clarify that. We did not determine to not go forward.

Mayor Guinta stated I'm sorry. I was not faulting the committee.

Alderman O'Neil stated and secondly I just want to get a clarification. You would be okay if the committee did take a look at the payroll function. I don't want to put words in your mouth. You were very strong against merging HR into Finance, but if I'm misspeaking, Your Honor, correct me, but I thought I heard you say you'd be okay with looking at the payroll function.

Mayor Guinta responded I believe what I said is that there's nothing that precludes the chairman of the committee to look at any of these things any time. As the chairman of the committee, you're entitled to bring those proposals at the committee level at any time. It doesn't require a Board vote. Alderman Lopez was probably trying to gather and gain some support from the full Board, and probably trying to keep in mind the fact that we've got this other process moving forward. There's nothing that stops the committee itself from reviewing anything under its purview.

Alderman O'Neil asked do you believe...and I'm not trying to trip you up on this...even if there was a study going on, whether the payroll function should remain in HR or be moved to Finance, affects your ability to recruit, offer and hire an HR director?

Mayor Guinta responded I want to be very careful to not send a mixed message to the pool of applicants, that the responsibilities of the HR director are not going to change. I personally have not been convinced to this point that the functions should be moved to Finance. Expanding my answer a little bit, I looked at this under the purview of a Department of Administration for the better part of a year, and ultimately decided, for many reasons, that this is not the right time to bring forward and to push a large department like a Department of Administration. Again, that's very different than what Alderman Lopez was talking about. In that review I looked at some of these smaller suggestions, including the payroll function. And I personally believe that if you're going to move the payroll function into Finance, you probably have to break out Finance into a treasury and a financial administrative office. It completely then changes the need for an HR department. The HR department would have to go into the financial administration services department, I think, and it would have the HR function. But now you're talking about a massive change in internal organizations in this building. Some of the other issues that I looked at are the footprint of this building, that don't really allow some of those changes to be made. So ultimately I decided to withdraw my proposal for the department of administration and look at other consolidations that make more sense.

Mayor Guinta stated we need some sort of motion.

Alderman Lopez stated I think it's been a good conversation, and since the HR director, and maybe it's going to help the rest of the colleagues here. You said you didn't have a chance to talk to the Finance Officer. Is that correct?

Mayor Guinta responded I have not spoken to the Finance Officer about the request.

Alderman Lopez stated each of the people received a copy of this correspondence, and since the HR director has put her signature on, I'd like to ask the Finance Officer, and I know it puts you on the hot seat, but I trust your opinion, and I'd like to have your viewpoint of having payroll in the Finance.

Mr. Bill Sanders, Finance Director, stated I don't know, as I'm sitting here tonight whether it's a good idea or not a good idea. I would think that I would need at least 30 days to look just at the payroll function to make sure I understood what it was that was finance-related that we could absorb or assume. I'd need to understand what the connections to the rest of the HR department are and how integrated it is with HR and whether I thought it was a good idea to... whether I was talking about moving two and a half people or one and a half people up to the department. I know none of that information as I sit here today. I regret that I don't have a firm opinion for you, but right now it would be that I don't know and I would need more information. As it relates to the whole HR function, I would say that I'm not a human resources expert by any stretch of the imagination, and I don't think any finance officer could be. I would acknowledge a lot of what was said this evening about this is a very complicated City with 1,200 employees, with a lot of demands of the human resource function, and they do need human resource professionals doing the job down there. From that backdrop then, I probably am little skeptical that the Finance Department could absorb the entire HR function, but I don't know today what I would think about payroll.

Alderman Lopez asked Mr. Sanders, since you were the School finance officer, did you do payroll for 1,600 employees?

Mr. Sanders responded yes, the payroll function at the School District reports to the finance officer, that's correct, and we did, yes.

Alderman Lopez stated I don't want to prolong this all night, so I'll just table my correspondence at this time.

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to table this item. Alderman Domaingue voted to opposition to the motion to table.

20. Communication from Carol Johnson, City Clerk, requesting the Board reschedule the January 22, 2008 Road Hearing to the earliest convenient date possible to be set by the City Clerk.

Mayor Guinta asked do we have a date set?

City Clerk Carol Johnson stated it's my understanding that February 26, 2008, is probably going to be the date.

Mayor Guinta asked and that would be part of the motion?

City Clerk Johnson responded please.

Alderman Smith made a motion to approve this item. It was duly seconded by Alderman Osborne.

Alderman Smith asked I have a concerned citizen who's very well involved and I wonder if it had anything to do with the Second Street West Back or was it the other petition?

City Clerk Johnson explained the reason for the requesting a different date is because the Clerk's office and the Union Leader's schedule did not coincide, and the end result was the legal notice did not appear in time to meet the Road Hearing requirements under statute.

Alderman Smith stated I did see it in the Union Leader on the Second Street West Back, the public notice.

City Clerk Johnson stated the public notice was published a day late. It should have been published on Election Day, and it was actually published the day after. That actually is the Clerk's error, and I will take responsibility for that.

Alderman Smith stated okay, thank you very much.

Alderman Roy asked Carol, is there any conflict with school vacation that week?

City Clerk Johnson responded it is school vacation week. We were trying to schedule it at the earliest possible date that the Mayor would be available to chair the meeting. I should also note that we also have to meet legal requirements, and I'm presuming we're going to try to get the Road Hearing in that the CIP passed at the same time, so we do three Road Hearings on the same evening, and we need abutters lists to get out for that as well. We have to notify all abutters for each of these streets.

Mayor Guinta asked is there an earlier date that we could do it?

City Clerk Johnson responded the next earliest date...I have Thursday, February 14, 2008, but I'm not sure that this boardroom is available. We may have already scheduled a public hearing that notices went out with the 30-day notices. We're trying to...the honorary City Clerk is informing me that it's Valentine's Day, probably not a good night for most of the Board. We will work on a date. If you want to approve it to be scheduled at the first possible date, maybe we can work

with the Mayor and the Chairman of the Board to see if we can come up with a date.

Mayor Guinta stated if necessary, you don't have to put it around my schedule. The Chairman of the Board could always chair it.

City Clerk Johnson stated if they just do it at the earliest possible date, then we'll work that in and perhaps we can get it in the week before.

There being no opposition, the motion carried. The Road Hearing originally scheduled for January 22, 2008, will be rescheduled at the earliest possible date, to be set by the City Clerk.

21. Petition for demolition and removal of hazardous buildings at 123 Cleveland Street.

On motion of Alderman Smith, duly seconded by Alderman Garrity, it was voted to approve this item.

Mayor Guinta stated we want to make sure that Alderman Smith is credited with that motion.

22. Petition from poll workers requesting an increase in pay on Election Day.

City Clerk Johnson stated Your Honor, the petition was submitted to the City Clerk along with some other information, and the Clerk's office actually would support some change in structure, and would ask the Board to refer it either to the Human Resources Committee or Committee on Administration.

Alderman O'Neil, as a former moderator and selectman, made a motion to send this item to the Committee on Administration. The motion was duly seconded by Alderman Sullivan.

There being none opposed, the motion carried.

- 23.** 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.

(Note: amount to be presented by the Clerk)

Deputy City Clerk Normand stated the Clerk would just note that the amount in question is \$175,395.15.

On motion of Alderman J. Roy, duly seconded by Alderman M. Roy, it was voted to commit the warrant as presented.

Alderman Gatsas stated that sounds like an awful high amount. Is that normally what we see? It seems very high.

Mayor Guinta asked the amount of collection for sewer charges, \$175,395.15...does that sound like it's high?

City Clerk Johnson stated that's the correct amount that was provided by the Environmental Protection Division earlier today.

Mr. Kevin Sheppard, Deputy Highway Director, stated I asked staff that same question, as far as that amount, and we have started to see an escalation of that over the past few years. History: FY '06, that was around \$91,000; FY '07, that was around \$111,000. So we have started to see that number come up, and

obviously we feel it's part of the issues with the housing market right now. Ultimately, all of these fees are collected. It may take longer.

Alderman Gatsas stated it's a fifty percent increase from last year.

24. Resolution:

“Authorizing the Finance Officer to effect a transfer of Six Thousand Dollars (\$6,000) from Contingency to the Fire Safe Intervention Program.”

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted that the Resolution ought to pass and be Enrolled.

TABLED ITEMS

25. Report of the Committee on Bills on Second Reading recommending that *Ordinance:*

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)

This item remained on the table.

26. Report of the Committee on Bills on Second Reading recommending that *Ordinance:*

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin's Cemetery.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)
(Tabled 09/05/2006)

This item remained on the table.

- 27.** Report of the Committee on Community Improvement advising that it has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

(Unanimous vote)

(Tabled 05/15/2007. Additional materials provided by Finance enclosed.)

This item remained on the table.

- 28.** A Majority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

be denied at this time.

The Committee notes that the business owner should work with the neighborhood and may return with a petition after addressing issue as noted in a communication from Alderman Garrity enclosed herein.

(Aldermen Garrity, Pinard and Duval in favor. Aldermen Lopez and Gatsas opposed.)

(Tabled 06/05/2007)

A Minority report of the Committee on Bills on Second Reading recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential One Family District (R-1B), being a portion of Tax Map 381, Lot 47 with an address of 466 South Willow Street and abutting South Lincoln, South Willow and Parkview Streets. A majority of the property is currently zoned B-2 and the petition would extend the B-2 to include the entire lot.”

ought to pass.

The minority advises that the proposed zoning, in its opinion, is consistent with the highest and best use of the property and that neighborhood concerns can be best addressed through the development process at the Planning Board level, therefore, that such rezoning should be considered subject to the Planning Board approving any plans for development of the property.

S/Alderman Lopez
(Tabled 06/05/2007)

This item remained on the table.

29. NEW BUSINESS

Alderman O’Neil stated Bob MacKenzie may be able to help me out with this. There is a notice out in the community. It’s calling for a Hallsville Neighborhood Meeting. And of course any time we hear Hallsville, we think of Alderman Shea. But Bob, clarify for me that this is in fact the neighborhood project related to the “Hollow,” as many of us called it. Massabesic and...maybe Bob can just give a quick overview that that actually was part of Hallsville, just for clarification because there is some confusion in the City on this.

Mr. Bob MacKenzie, Planning Director, stated the “Hollow” really is the commercial core of what was the larger neighborhood that was the Hallsville that extended out even to Mammoth Road and a little bit further east. Actually Halls Corner, which Hallsville came from, was at Lake Avenue and Belmont Street. So I know that the Hallsville School has given the impression that that’s the center, but really that entire neighborhood was Hallsville School.

Alderman O'Neil stated but this is the "Hollow," Massabesic and Belmont, the general area of Massabesic and Belmont, is the intent of this neighborhood meeting at the Elliot Hospital. Thank you, Your Honor.

Alderman Lopez stated Tony Simon, a state representative, was here this evening. They contacted myself through former Pat Long in naming the Manchester District Court House. The correspondence you received was in reference to Armand Capistran, a Manchester native, that was a lawyer, judge, and so on, as the correspondence so reads. I believe that some of my colleagues may want to weigh in on this before we take a vote on it. I think that they'd like to say something.

Alderman DeVries stated the concern that I had voiced to Representative Simon was that I could think of immediately one other individual we possibly should consider honoring, and that would be Judge Martin Laughlin, who did live in Ward 8. And we have one other Alderman that probably knew him far better than I, and that would be Ms. Domaingue. I had expressed a concern, and he agreed that this was another very qualified individual to name a building after. I don't think he thought at the time of changing his particular piece of legislation, but since then I've had a suggestion from Alderman Domaingue that we possibly consider naming the building after both individuals. I really don't know the procedure, if that's ever been done, sharing two individuals in that honor, or if it's always just one. I don't know if there is another place that we...another court house in the City that we might consider. It just leads me to believe that I'm not ready to weigh in this evening, and I realize that the House might like to 'exec' this legislation quickly, but if they require something from us, I'm hoping that they can wait a few more weeks until we have a chance to see if there is another

way to honor, or make sure we have honored, all of the appropriate individuals in this rare opportunity.

Alderman Domaingue stated I'm certainly familiar and don't dispute Judge Capistran's accomplishments or contributions to the legal profession. As a member of the legal profession and frankly as someone who grew up five houses down from Marty Laughlin, I've seen first hand what he offers as a person and also what he offered as a judge and what he offered after he retired from the bench. I think that in an ideal situation I would love to see both of these individuals honored, perhaps by naming both Capistran and Laughlin in honor of this building. I don't know of any other opportunity to name a courthouse in Manchester at this time. There simply isn't such a place.

Alderman O'Neil stated my only...and I know both families very, very well. I'm not sure Judge Laughlin ever served in the district court level. He was definitely on the federal court, and if you're going to start doing that, there are probably at least a couple other district court judges that sat in that district court for a lot of years, and this is no disrespect to Judge Laughlin because I know the family very well. Judge Capistran is very appropriate because he sat in that court for all those years, and I think we need to be respectful of that. And maybe we need to get some information back. I don't believe Judge Laughlin ever sat at the district court level.

Mayor Guinta asked would anyone object if we held...I know the request is to do it this evening because the house committee is 'execing' later this week I think he said. But would anyone object for us to obtain a list of district court judges who have served and resided in the City of Manchester for this Board to make a review of that information and then make a recommendation to the committee? Even if they exec it out, it could be amended. I don't know if it's a house bill or a senate

bill. It could always be amended on the senate side or they could hold it for a month. We want to do the right thing. We want to honor the right person. We want to have the research done on our end. And it may end up being Judge Capistran; I think it probably would be.

Alderman Lopez stated that might be a solution, but we have to convey to the committee that before we give our blessings to one, we want to look at and make sure that other judges are considered.

Mayor Guinta stated we'd be happy to draft a letter and get it to the committee. I think Representative Simon said they're bringing it up on Thursday, so we can get a letter to the committee tomorrow.

Mayor Guinta stated I have an item of New Business that was just handed out to you. It's from Deputy Chief Lussier regarding the Police Canine Unit. He had verbalized this request to me, late last week I think it was, and I haven't had enough time to really get it on the agenda. After reviewing it and speaking with him, I think it's a reasonable request to bring forward to this Board. I won't read it because I think everyone had an opportunity to read it, but would anybody like to make a motion?

***Alderman Pinard** made a motion to approve a request from the Manchester Police Department for authorization to spend up to \$48,000 from Contingency for the purchase of two police canines and to send these dogs and their handlers for training. The motion was duly seconded by **Alderman M. Roy**.*

Alderman Roy stated you know that I have always supported and 100% will vote yes for this. I had a couple of questions regarding why the facility in Ward 1 won't be used for training or can it be used or what we can do to possibly...I see

police cars from all over the state going up River Road with the canine logo on it, and I'm just wondering why, if the state police can train there, is there an opportunity for us to train there and keep our officers a little bit more local?

Deputy Police Chief Mark Lussier responded we held our own canine academies in the past. It's still a possibility. Right now the Boston Police Department just announced that they are having an academy on March 10th, or approximately that time frame, and we're seeking to take advantage of that.

Alderman Roy asked can we look into in the future...from what I understand from other officers around the state, this is an excellent facility. The older buildings work well for training, and there is also the exterior training facility. Is that something that we could look into? Maybe not for this training. Go do Boston and I'll support that wholeheartedly, but look into possibly bringing instructors here and maybe offering some of Manchester's expertise to other departments around the state or the New England region.

Deputy Chief Lussier stated I'd encourage that and I'd be happy to do that.

Alderman Roy stated all right, if that is possible...I see the state police holding training there every week and I've had absolutely no complaints from residents now that they've moved it to the south end of the YDC property. I know that they do gunfire and lost child, and use the words, and I really can't speak highly enough to what the canines bring to New Hampshire and especially Manchester. So I'll support this wholeheartedly, but I would like to see if we could bring something closer to home.

Mayor Guinta called for a vote on the motion. *There being none opposed, the motion carried.*

Alderman Shea stated we're all aware of the fact that two departments are running over budget, so I'm hoping that there are certain contingency plans in place so that they can meet their obligations.

Mayor Guinta stated I will be coming out with some recommendations for this Board to try to address those particular issues.

Alderman Shea stated thank you, Your Honor. We have to think of the people doing the work.

Mayor Guinta stated absolutely.

Alderman O'Neil asked Your Honor, can I have clarification on the item that we just voted on? Is the Police Department looking for \$50,000 from us?

Mayor Guinta responded up to \$48,400.

Alderman O'Neil asked did we identify the source? I didn't hear it if we did.

Mayor Guinta stated I would assume the motion included Contingency.

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

A True Record. Attest.

City Clerk