

## AGENDA

### BOARD OF MAYOR AND ALDERMEN

April 1, 2008  
Mayor and all Aldermen

7:30 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation by McGladrey-Pullen, Independent Auditors.
4. 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.

#### Approve under supervision of the Department of Highways

- A. Pole petition:  
#120-55 for one pole on Second Street

#### Approve under supervision of the Department of Highways; subject to funding availability

- B. Sidewalk Petitions:  
233 Boynton Street  
780 Chestnut Street  
269 Currier Drive  
395 Kearney Circle

**Informational to be Received and Filed**

- C. Communication from Ed and Joy Osborne and family of Louise Covatis thanking the Board for the expressions of sympathy during their recent loss.
- D. Communication from Attorney Kathleen Sullivan advising of the release of expressions of interest relating to property at 17 Cedar Street.
- E. Manchester Transit Authority minutes and reports for February 2008.

**REPORTS OF COMMITTEES**

**COMMITTEE ON ACCOUNTS, ENROLLMENT  
AND REVENUE ADMINISTRATION**

- F. Advising that it has approved use of the City Seal by Hank Balch, of Green Bay Signs, in a brochure for the Manchester Police Department Child Identification kit.  
*(Unanimous vote.)*

**COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

- G. Advising that communication from Mayor Guinta relative to the establishment of a Department of Administrative Services has been received and filed.  
*(Unanimous vote)*

**COMMITTEE ON COMMUNITY IMPROVEMENT**

- H. Advising that a request by James Burkush, Fire Chief, to replace the Fire Chief's vehicle with a recycled Police cruiser from the fleet has been approved.  
*(Unanimous vote)*

- I.** Recommending that a request by James Burkush, Fire Chief, to prepare and submit two 80/20% grant applications to the 2008 Firefighter Grants (AFG) for Self-Contained Breathing Apparatus units and a new Fire Pumper be approved.  
*(Unanimous vote)*
- J.** Recommending that a request for sewer abatement for 84 Ashland Street be granted and approved in the amount of \$204.75 as recommended by EPD.  
*(Unanimous vote)*
- K.** Recommending that a petition for:  
Layout and discontinuance of a portion of Elm East Back Street  
(AKA Manhattan Lane, AKA Harry Theo Drive)  
be referred to a Road Hearing at a date to be set by the City Clerk.  
*(Unanimous vote)*
- L.** Recommending that a request from Charles DePrima, Acting Director, Parks, Recreation & Cemetery Department, requesting additional funds totaling \$83,815.50 for the City portion of the Piscataquog River Park Pedestrian Bridge be approved.  
The Committee further recommends that the Parks, Recreation & Cemetery Department be directed to utilize funds from the Sullivan Park Project to cover the projected shortfalls in the Piscataquog River Park Pedestrian Bridge project.  
The Committee also recommends that the department be directed to immediately go out to bid for completion of the project and work with the Planning Department to complete the necessary budget authorizations and report directly to the Board of Mayor and Aldermen.  
*(Unanimous vote)*

#### **COMMITTEE ON LANDS AND BUILDINGS**

- M.** Advising that it has approved a Right-of-Way application for use of the Portsmouth Branch railway for installation of underground residential gas line at 61 Beech Street, subject to the review and approval of the City Solicitor and for such purpose a communication and easement agreement have been submitted by the City Solicitor.  
*(2007 Committee action; Unanimous vote with exception of Alderman Thibault who was absent.)*

## COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

- N.** Recommending that regulations for standing, stopping, parking and operation of vehicles be adopted as noted and those inconsistent therewith be repealed.  
*(Unanimous vote)*
- O.** Recommending that Section 70.82 Immobilization of Motor Vehicles for Non-payment of Parking Fines of the Code of Ordinances be amended to increase the fee for vehicle immobilization; and that same be referred to the Committee on Bills on Second Reading for technical review.  
*(Unanimous vote)*
- P.** Advising that it has approved a request from Mr. Alan Heacock of the Daniel Webster Council Boy Scouts to use Arms Park on April 13, 2008 for their annual Hike-a-thon.  
*(Unanimous vote)*
- Q.** Recommending that the request from Ms. Christine Hardy of Easter Seals to be granted twenty (20) one-day parking passes for use in conjunction with their annual "Walk With Me" event at Veteran's Park on June 5, 2008 be approved.  
*(Unanimous vote)*
- R.** Recommending that the request from the NH Department of Transportation to place permanent I-93 Detour Guidance Signs along Route 28 (South Willow Street) be approved.  
*(Unanimous vote)*

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.**

- 5.** Nominations to be presented by Mayor Guinta, if available.  
**Ladies and Gentlemen, what is your pleasure?**

6. Confirmation of nomination of Jeff Galvin to succeed Fred Urtz as architectural/design field representative to the Millyard Design Review Committee, term to expire January 1, 2010.  
**Ladies and Gentlemen, what is your pleasure?**
  
7. Nomination of Michael DeBlasi to represent Ward 3 on the Board of School Committee submitted by Alderman Sullivan.  
*(Note: Resume to follow under separate cover.)*
  
8. Report of Committee on Public Safety, Health and Traffic, recommending that the proposed Late Fee Forgiveness Program be approved and a temporary late fee ordinance will be presented to the Board of Mayor and Aldermen on April 1, 2008; and further recommending that the use of the online citation payment tool be approved.  
*(Unanimous vote.)*  
**Ladies and Gentlemen, what is your pleasure?**
  
9. Legislative Update presented by Mayor Guinta.  
**Ladies and Gentlemen, what is your pleasure?**
  
10. Communication from Thomas Arnold, Deputy City Solicitor, submitting a proposed easement for a portion of the Portsmouth Branch railroad right-of-way for 61 Beech Street, gas line.  
**A motion is in order to approve the easement and authorize the Mayor to execute same for and on behalf of the City, subject to the review and approval of the City Solicitor.**
  
11. Communication from Thomas Bowen, Director, Manchester Water Works, submitting Amendment No. 3 to the Verizon Wireless Derryfield Park Cell Site agreement; such having the approval of the Board of Water Commissioners.  
**A motion is in order that the amendment be approved and that the Mayor be authorized to execute same on behalf of the City subject to the review and approval of the City Solicitor.**

## TABLED ITEMS

*(A motion is in order to remove any item from the table.)*

12. Communication from Alderman O'Neil requesting the Board of Mayor and Aldermen identify and fund an additional \$108,000 for the Operation Drugs and Guns (DAG) program of the Manchester Police Department; and further that the Board fully fund the DAG program in Fiscal Year 2009 for a 12 month period.

*(Tabled 3/18/2008)*

***Note: Communication from Police Department requested at the 03/18/08 BMA meeting attached.)***

13. Petition to rezone a parcels of land located west of Mack Avenue and north of Frontage Road submitted on behalf of One Mack Avenue, LLC.

*(Tabled 03/18/2008)*

14. Communication from Carol Johnson, City Clerk, providing the Board a report on the current status of activities at the Office of the City Clerk.

*(Tabled 2/19/2008)*

***NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.***

15. 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)*

***NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.***

16. 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 2<sup>nd</sup> 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.)*  
**NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen, with additional materials provided by Finance.)**

17. 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)

***NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.***

18. NEW BUSINESS
  - A. Communications
  - B. Aldermen
  
19. If there is no further business a motion is in order to adjourn.

Verizon New England Inc.  
Right Of Way Department



875 Holt Ave  
Manchester, NH 03109

4AAGV3

March 26, 2008

Mrs. Paula LeBlond-Kang  
Deputy City Clerk  
908 Elm Street  
Manchester, New Hampshire 03101

Dear Paula:

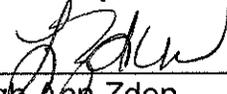
Enclosed are copies of our Petition and License.

The licensing of pole(s) and/or buried wire/conduit, in the City of Manchester, New Hampshire, as per attached.

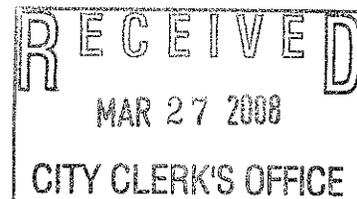
Will you kindly present the enclosed to the Alderman for their approval and signatures. Also, please fill in the date of licensing. It may then be recorded in the City Clerk's records and our recorded copy of same returned to this office. You may retain the remaining copy for your files.

If you have any questions concerning this license, please do not hesitate to call me at (603) 645-3318.

Yours Truly,

  
\_\_\_\_\_  
Leigh Ann Zdon  
Right-of-Way Department

laz  
enclosures



March 11, 2008

*Tel*

In The Board of Mayor and Alderman  
of the City of Manchester, New Hampshire:

**VERIZON NEW ENGLAND INC  
&  
PUBLIC SERVICE OF NEW HAMPSHIRE**

requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

**The placing and licensing of 1 replacement (120/55) on Second Street, in the City of Manchester, New Hampshire, as per attached.**

cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England Inc. and Public Service of New Hampshire.

No: 4AAGV3  
Dated: September 4, 2007  
Verizon New England, Inc.

By: *[Signature]*  
Right-of-Way Department

By: *[Signature]*  
Right-of-Way Department  
Public Service of New Hampshire

4AAGV3  
FORM NO. 2

**POLE LOCATION**

March 11, 2008

In The Board of Mayor and Alderman of the City of Manchester, New Hampshire, on \_\_\_\_\_ It appearing that the public good requires it, it is hereby

**ORDERED**

That the **VERIZON NEW ENGLAND INC. & PUBLIC SERVICE OF NEW HAMPSHIRE** be and hereby is granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary in the public way, hereinafter referred to as requested in the petition of said Company dated April 6, 1999.

All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, N.H., and this license is granted, subject to it's approval by the Surveyor of Highway and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be \_\_\_\_\_ feet and \_\_\_\_\_ feet; high of structures \_\_\_\_\_ feet and \_\_\_\_\_ feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, of the sidewalk, and of underground conduits and cables are designated or defined as shown upon a plan marked "VERIZON NEW ENGLAND, INC.", NO. ~~9AAGV3~~, dated September 9, 2005. Underground conduits, wires and cables shall be not less than 30" below the surface of the highway.

4AAGV3

This license is granted as to the following public ways in Manchester, New Hampshire.

**The placing and licensing of 1 replacement pole (120/55) on Second Street, in the City of Manchester, New Hampshire, as per attached.**

Granted By Vote of Board of Mayor and Aldermen, subject to approval of Surveyor of Highways at a meeting of said Board held \_\_\_\_\_, 2008

Approved  
Dept. of Highways

By: \_\_\_\_\_  
P.W.D.

Attest \_\_\_\_\_  
Leo Bernier / City Clerk

Received \_\_\_\_\_ at \_\_\_\_\_ and recorded in Records of Pole Location Licenses.

Volume, \_\_\_\_\_, Page \_\_\_\_\_, filed and an attested copy delivered to the said Verizon New England, Inc.

Attest: \_\_\_\_\_  
City Clerk

POLE LOCATION PLAN

VERIZON NEW ENGLAND INC & :

DATE 3-11-08

PLAN NUMBER 4AA6V3

MUNICIPALITY Manchester

HIGHWAY DIVISION NUMBER \_\_\_\_\_

STREET OR ROAD Second Street

MEMO NUMBER \_\_\_\_\_

VERIZON NEW ENGLAND INC .

MANCHESTER OFFICE

SHEET 1 OF 1

POLE NUMBERS ELECTRIC   TEL CO		LOCATION PLAN	DIST FROM T/W	SPAN	OWNER- SHIP	REMARKS
47/57	120/55	⊗ Street #791			JOINT	License RDCMT Pole
47/57	120/55	⊕		20'		By pole to be RMD
56	54	⊗ Second				By pole



March 11, 2008

*CM*

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of the City of Manchester, New Hampshire:

**VERIZON NEW ENGLAND INC  
&  
PUBLIC SERVICE OF NEW HAMPSHIRE**

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No: 4AAGV3  
Dated: September 4, 2007  
Verizon New England, Inc.

By: *[Signature]*  
Right-of-Way Department

By: *[Signature]*  
Right-of-Way Department  
Public Service of New Hampshire

4AAGV3  
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All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, N.H., and this license is granted, subject to it's approval by the Surveyor of Highway and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be \_\_\_\_\_ feet and \_\_\_\_\_ feet; high of structures \_\_\_\_\_ feet and \_\_\_\_\_ feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, of the sidewalk, and of underground conduits and cables are designated or defined as shown upon a plan marked "VERIZON NEW ENGLAND, INC.", NO. ~~9AAGV3~~, dated September 9, 2005. Underground conduits, wires and cables shall be not less than 30" below the surface of the highway.

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Granted By Vote of Board of Mayor and Aldermen, subject to approval of Surveyor of Highways at a meeting of said Board held \_\_\_\_\_, 2008

Approved  
Dept. of Highways

By: \_\_\_\_\_  
P.W.D.

Attest \_\_\_\_\_  
Leo Bernier / City Clerk

Received \_\_\_\_\_ at \_\_\_\_\_ and recorded in Records of Pole Location Licenses.

Volume, \_\_\_\_\_, Page \_\_\_\_\_, filed and an attested copy delivered to the said Verizon New England, Inc.

Attest: \_\_\_\_\_  
City Clerk

POLE LOCATION PLAN

VERIZON NEW ENGLAND INC &

DATE 3-11-08

PLAN NUMBER 4AABV3

MUNICIPALITY Manchester

HIGHWAY DIVISION NUMBER \_\_\_\_\_

STREET OR ROAD Second Street

MEMO NUMBER \_\_\_\_\_

VERIZON NEW ENGLAND INC

MANCHESTER OFFICE

SHEET 1 OF 1

POLE NUMBERS ELECTRIC   TEL. CO		LOCATION PLAN	DIST FROM T/W	SPAN	OWNER- SHIP	REMARKS
47	120	⊗ Street #791			Joint	License RDCMT Pole
57	55					
47	120	⊗ Second		20'		Rf pole to be removed
57	55					
56	54	⊗ Second				Rf pole



4AAGV3  
POLE LOCATION  
FORM NO. 1

March 11, 2008

*Utility*

In The Board of Mayor and Alderman  
of the City of Manchester, New Hampshire:

**VERIZON NEW ENGLAND INC  
&  
PUBLIC SERVICE OF NEW HAMPSHIRE**

requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

**The placing and licensing of 1 replacement (120/55) on Second Street, in the City of Manchester, New Hampshire, as per attached.**

cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England Inc. and Public Service of New Hampshire.

No: 4AAGV3  
Dated: September 4, 2007  
Verizon New England, Inc.

By: *[Signature]*  
Right-of-Way Department

By: *[Signature]*  
Right-of-Way Department  
Public Service of New Hampshire

4AAGV3  
FORM NO. 2

**POLE LOCATION**

**March 11, 2008**

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**ORDERED**

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All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, N.H., and this license is granted, subject to it's approval by the Surveyor of Highway and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be \_\_\_\_\_ feet and \_\_\_\_\_ feet; high of structures \_\_\_\_\_ feet and \_\_\_\_\_ feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, of the sidewalk, and of underground conduits and cables are designated or defined as shown upon a plan marked "VERIZON NEW ENGLAND, INC.", NO. ~~9AAGV3~~, dated September 9, 2005. Underground conduits, wires and cables shall be not less than 30" below the surface of the highway.

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Approved  
Dept. of Highways  
By: \_\_\_\_\_  
P.W.D.

Attest \_\_\_\_\_  
Leo Bernier / City Clerk

Received \_\_\_\_\_ at \_\_\_\_\_ and recorded in Records of Pole Location Licenses.

Volume, \_\_\_\_\_, Page \_\_\_\_\_, filed and an attested copy delivered to the said Verizon New England, Inc.

Attest: \_\_\_\_\_  
City Clerk

POLE LOCATION PLAN

VERIZON NEW ENGLAND INC &

DATE 3-11-08

PLAN NUMBER: 4AABV3

MUNICIPALITY: Manchester

HIGHWAY DIVISION NUMBER \_\_\_\_\_

STREET OR ROAD Second Street

MEMO NUMBER \_\_\_\_\_

VERIZON NEW ENGLAND INC

MANCHESTER OFFICE

SHEET 1 OF 1

POLE NUMBERS ELECTRIC   TEL CO		LOCATION PLAN	DIST FROM T/W	SPAN	OWNER- SHIP	REMARKS
47/57	120/55	⊗	#791		Joint	License Rptmt Pole
47/57	120/55	⊗		20'		By pole to be Rmvd
56	54	⊗				By pole





TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

RECEIVED  
MANCHESTER CITY CLERK

'08 MAR 20 A 9:09

I/we, Neil Foley, the  
Name(s)

owner(s) of the real estate abutting upon 233 Boynton St.  
Street Address

Manchester, NH 03102

Description (including footage): All Curbing on Boynton St. and Coburn St.  
to be reset! (~~100 FT~~) (100 FT)

desire that:

- A sidewalk be constructed along said frontage
- A sidewalk be reconstructed along said frontage
- Curbing be installed along said frontage
- Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

[Signature]  
Owner

233 Boynton St.  
Mailing Address

Phone #: 627-1001

Date: 3-20-08



TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

RECEIVED  
MANCHESTER CITY CLERK

'08 MAR 27 P1:18

I/we, Dawn Coursoyer, the  
Name(s)

owner(s) of the real estate abutting upon 780 Chestnut St. Manchester  
Street Address  
Manchester, NH 03104

Description (including footage): According to tax map. 81.62,  
request for cost.  
Please include the cost to pave grass  
in the city easement between the side walk &  
Street (if possible).

desire that:

- A sidewalk be constructed along said frontage
- A sidewalk be reconstructed along said frontage
- Curbing be installed along said frontage
- Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed: Dawn Coursoyer Owner

780 Chestnut St. Manchester NH  
Owner  
Mailing Address

Phone #: 603-669-9933

Date: 3/27/08



TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

RECEIVED  
MANCHESTER CITY CLERK

'08 MAR 26 P2:21

I/we, ROGER FRIEDEN, the  
Name(s)

owner(s) of the real estate abutting upon 269 CURRIER DRIVE  
Street Address

Manchester, NH 0310

Description (including footage):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

desire that:

- A sidewalk be constructed along said frontage
- A sidewalk be reconstructed along said frontage
- Curbing be installed along said frontage - *curbs are falling apart*
- Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed: Roger Frieden  
Owner

\_\_\_\_\_  
Owner  
269 Currier Dr Manchester, NH 03104  
Mailing Address

Phone #: 641-3228

Date: 3/26/08



TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

RECEIVED  
MANCHESTER CITY CLERK

'08 MAR 20 P2:06

I/we, John Cronin + Maureen Cronin the  
*Name(s)*

owner(s) of the real estate abutting upon 395 Kearney Cir  
*Street Address*

Manchester, NH 0310

Description (including footage):

Approx 110' Feet of  
granite curb.

desire that:

- A sidewalk be constructed along said frontage
- A sidewalk be reconstructed along said frontage
- Curbing be installed along said frontage
- Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed:

[Signature]  
*Owner*

Maureen Cronin  
*Owner*

722 Chestnut St, Manch. NH 03104  
*Mailing Address*

Phone #: 624-4333

Date: 3-17-08

JOHN CRONIN  
MAUREEN CRONIN  
722 Chestnut Street  
Manchester, NH 03104

RECEIVED  
MANCHESTER CITY CLERK

'08 MAR 20 P2:06

March 18, 2008

Carol Johnson, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

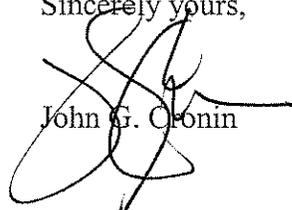
Re: 50/50 Program

Dear Clerk Johnson:

Enclosed is an Application to be considered for the 50/50 Program. We are building a new house at 395 Kearney Circle and desire that granite curbing be installed along the frontage. Please process the Application at your earliest convenience. If you require any additional information from us, please let me know.

Thank you for your assistance.

Sincerely yours,

  
John G. Cronin

JGC:bjm

Perhaps you sent a lovely card,  
Or sat quietly in a chair  
Perhaps you sent a funeral spray,  
If so we saw it there.  
Perhaps you spoke the kindest words,  
As any friend could say:  
Perhaps you were not there at all,  
Just thought of us that day,  
Whatever you did to console our hearts,  
We thank you so much whatever the part.  
By the family of  
LOUISE COVATIS

BOARD OF MAYOR  
AND ALDERMAN,

Thank you for  
the beautiful flower  
your kindness  
and sympathy  
was greatly  
appreciated

Ed & Joy

OSBORNE

# WADLEIGH, STARR & PETERS, P.L.L.C.

WILLIAM C. TUCKER  
EUGENE M. VAN LOAN III  
JOHN E. FRIBERG, Sr.  
JAMES C. WHEAT  
JOHN A. LASSEY  
RONALD J. LAJOIE  
KATHLEEN N. SULLIVAN  
JEFFREY H. KARLIN  
DONALD J. PERRAULT  
MARC R. SCHEER  
GREGORY G. PETERS  
ROBERT E. MURPHY, Jr.

Attorneys At Law  
95 Market Street  
Manchester, New Hampshire 03101  
Telephone (603) 669-4140  
Facsimile (603) 669-6018

INTERNET: WWW.WADLEIGHLAW.COM

*Serving New Hampshire since 1899*

DEAN B. EGGERT  
MICHAEL R. MORTIMER  
KATHLEEN C. PEHL  
RICHARD THORNER  
CHARLES F. CLEARY  
CHRISTINE DESMARAIS-GORDON  
JENNIFER L. MURPHY (Of Counsel)  
TODD J. HATHAWAY  
STEPHEN J. JUDGE  
STEPHEN L. BOYD  
GREGORY M. SARGENT  
ALISON M. BETHEL  
MICHAEL J. TIERNEY

March 24, 2008

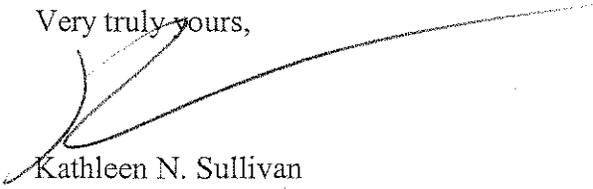
Carol A. Johnson, Deputy City Clerk  
c/o Land and Buildings Committee  
City of Manchester  
One City Hall Plaza  
Manchester, New Hampshire 03101-4006

RE: Solicitation of Expressions of Interest

Dear Ms. Johnson:

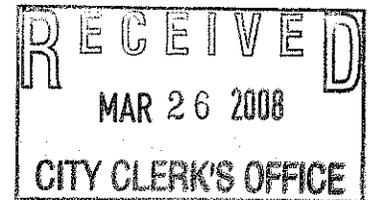
Enclosed is a Notice regarding Solicitation of Expressions of Interest in Property located at 17 Cedar Street, Manchester, New Hampshire. If you or any of your associates have any interest in the property, please let me know.

Very truly yours,

  
Kathleen N. Sullivan  
ksullivan@wadleighlaw.com

/sos

enclosures



**SOLICITATION OF EXPRESSIONS OF INTEREST IN PROPERTY OF  
THEO & SON CEDAR REALTY, LLC  
17 CEDAR STREET  
MANCHESTER, NEW HAMPSHIRE**

Theo & Son Cedar Realty, LLC (the "Owner") is soliciting expressions of interest in an undeveloped, premier parcel of real estate located at 17 Cedar Street, Manchester, New Hampshire. The property is located in the arena overlay zoning district, and located across Cedar Street from the Verizon Wireless Arena. The property is shown as Tax Map 144, Lot 2 on the Tax Maps for the City of Manchester. A copy of the deed to the property is attached hereto, along with a notification from the City of Manchester discontinuing a portion of Elm Street East Back Alley (a/k/a Harry Theo Lane) abutting the westerly boundary of the property, and a copy of the City tax map (please note that the building shown on the tax map has been demolished).

The Owner is soliciting expressions of interest from parties interested in either entering into a long term lease agreement with the Owner, or purchasing the property.

NOTE: This is not an offer to lease or sell, nor a contract. No representations or warranties are made by the Owner in this solicitation of interest. The Owner retains the right to reject any and all offers.

Please notify Thomas Theodosopoulos c/o Kathleen N. Sullivan, Wadleigh, Starr & Peters, P.L.L.C., 95 Market Street, Manchester, New Hampshire 03101 (603-669-4140) of your interest in the property, in writing.



Deachmant Lawie,

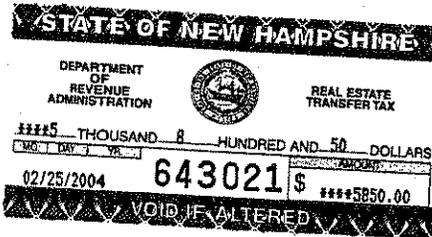
4016307

2004 FEB 25 PM 12:32

Q92

14.37  
2  
16.37

5850  
8



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that CEDARCO Investment Corporation, a New Hampshire corporation with a principal place of business at 33 South Commercial Street, Manchester, County of Hillsborough and State of New Hampshire grants to Theo & Son Cedar Realty, LLC, a New Hampshire limited liability company having a mailing address of PO Box 4632, Manchester, New Hampshire, 03108, with WARRANTY COVENANTS:

A certain tract of land, with the buildings thereon, situated in Manchester, County of Hillsborough and State of New Hampshire, bounded and described as follows to wit:

Beginning at a point on the easterly line of Manhattan Lane, one hundred and 18/100 (100.18) feet from the intersection of the easterly line of Manhattan Lane and the northerly line of Auburn Street; thence running North 12° 00' 02" East one hundred twenty and 24/100 (120.24) feet along the easterly line of Manhattan Lane to a point at the intersection of the easterly line of Manhattan Lane and the southerly line of Cedar Street; thence running South 78° 02' 07" East one hundred and 10/100 (100.10) feet along the southerly line of Cedar Street to a point; thence running South 12° 00' 02" West one hundred twenty and 20/100 (120.20) feet to a point; thence running North 78° 03' 37" West one hundred and 10/100 (100.10) feet to the point of beginning.

Said premises being Parcel B-9b as shown on a "Disposition Map, Spruce St. Project, Manchester Housing Authority" by George C. Benjamin, C.E., dated April 20, 1960, and revised August 4, 1961; containing 12,030 square feet.

Subject to restrictive covenants as recited in deed recorded in Hillsborough County Registry of Deeds, Book 1673, Page 159.

Meaning and intending to describe and convey the same premises conveyed to the Grantor by foreclosure deed February 27, 1996 and recorded in the Hillsborough County Registry of Deeds in Book 5698, Page 420.

BK 7174 PG 035

D-4

CEDARCO Investments Corporation hereby releases, to said grantee, all of its right, title and interest in and to the above described premises. The above described premises do not constitute homestead property.

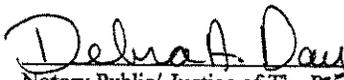
Executed this 19<sup>th</sup> day of February, 2004.

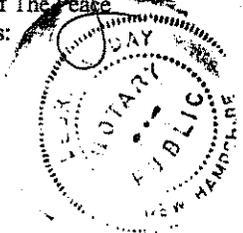
CEDARCO Investment Corporation

  
\_\_\_\_\_  
Stephen Grzywacz, President  
Duly Authorized

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Then personally appeared before me this February 19, 2004, the said Stephen Grzywacz, the duly authorized President of CEDARCO Investment Corporation and acknowledged the foregoing to be her voluntary act and deed.

  
\_\_\_\_\_  
Notary Public/ Justice of The Peace  
My Commission expires:  
DEBRA A. DAY  
Notary Public - New Hampshire  
My Commission Expires September 3, 2006



BK7174PG0036



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

August 9, 2007

Cliff Harris  
Verani Realty  
165 South River Road  
Bedford, NH 03110

Re: Petition to Discontinue a portion of Elm East Back Street

Dear Mr. Harris:

Please be advised that in action taken by the Board of Mayor and Aldermen at a meeting held on August 7, 2007, it was voted to discontinue a portion of Elm East Back Street such area reduced in size from the initial petition and being a portion described herein.

Enclosed for your review is a copy of the petition reflecting actions taken.

Sincerely,



Carol A. Johnson  
Deputy City Clerk

Enclosures

pc: Assessors  
Building  
City Solicitor  
Highway  
Planning  
M. Kapos  
Theo & Son Cedar Realty, LLC  
MDF Properties, LLC  
Theodosopoulos Lambros Tr

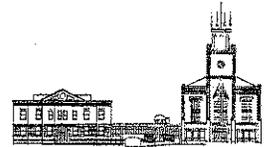
One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6455 Fax (603) 624-6481  
[www.ManchesterNH.gov](http://www.ManchesterNH.gov)

D-6



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

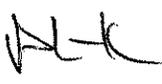
Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: Board of Mayor and Aldermen

From: Paula L-Kang   
Deputy Clerk

Date: August 3, 2007

Re: BMA Agenda of August 7, 2007 – Tabled Item #29

Enclosed please find a legal description of the area that is presently proposed to be discontinued, which is a reduction from the original petition and is the action currently requested of the Board.

#### Enclosures

pc: Solicitor  
Highway  
Building  
Planning  
Assessors

Partial Rd Discontinuance  
Elm East Back Street

RECEIVED  
MANCHESTER OFFICE

07 AUG -3 P 3:30

Beginning at a point, said point being the intersection of the southerly line of Cedar Street with the easterly line of Elm East Back Street, said point being 100.1' west of the westerly line of Willow Street; thence, southerly by the said line of Elm East Back Street 120.2; thence, westerly, perpendicular to the said street line 20.0' across Elm East Back Street to a point in the westerly street line; thence, northerly 120.2' by the westerly line of Elm East Back Street a point in the southerly line of Cedar Street; thence, easterly by the southerly line of Cedar Street and across Elm East Back Street to the point of beginning.

Michael Kapos  
Michael Kapos  
Date 8/3/07

Tom Theodosopoulos  
Tom Theodosopoulos  
Date 8-3-07

# WADLEIGH, STARR & PETERS, P.L.L.C.

WILLIAM C. TUCKER  
EUGENE M. VAN LOAN III  
JOHN E. FRIBERG, Sr.  
JAMES C. WHEAT  
JOHN A. LASSEY  
RONALD J. LAJOIE  
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Attorneys At Law  
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CHRISTINE DESMARAIS-GORDON  
JENNIFER L. MURPHY (Of Counsel)  
TODD J. HATHAWAY  
STEPHEN J. JUDGE  
STEPHEN L. BOYD  
GREGORY M. SARGENT  
ALISON M. BETHEL  
MICHAEL J. TIERNEY

March 24, 2008

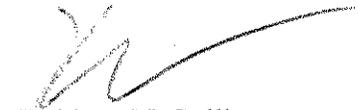
Honorable Frank Guinta, Mayor  
City of Manchester  
One City Hall Plaza, Suite 120  
Manchester, New Hampshire 03101-4006

RE: Solicitation of Expressions of Interest

Dear Mayor Guinta:

Enclosed is a Notice regarding Solicitation of Expressions of Interest in Property located at 17 Cedar Street, Manchester, New Hampshire. If you or any of your associates have any interest in the property, please let me know.

Very truly yours,



Kathleen N. Sullivan  
ksullivan@wadleighlaw.com

/sos

enclosures

RECEIVED  
MAR 25 2008  
MAYOR'S OFFICE

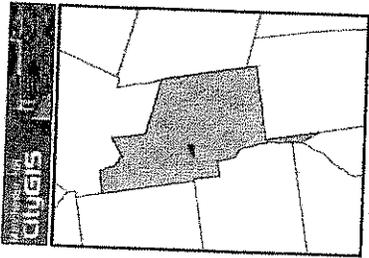
**SOLICITATION OF EXPRESSIONS OF INTEREST IN PROPERTY OF  
THEO & SON CEDAR REALTY, LLC  
17 CEDAR STREET  
MANCHESTER, NEW HAMPSHIRE**

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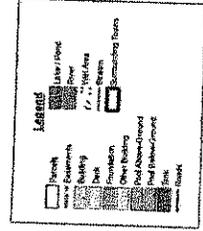
The Owner is soliciting expressions of interest from parties interested in either entering into a long term lease agreement with the Owner, or purchasing the property.

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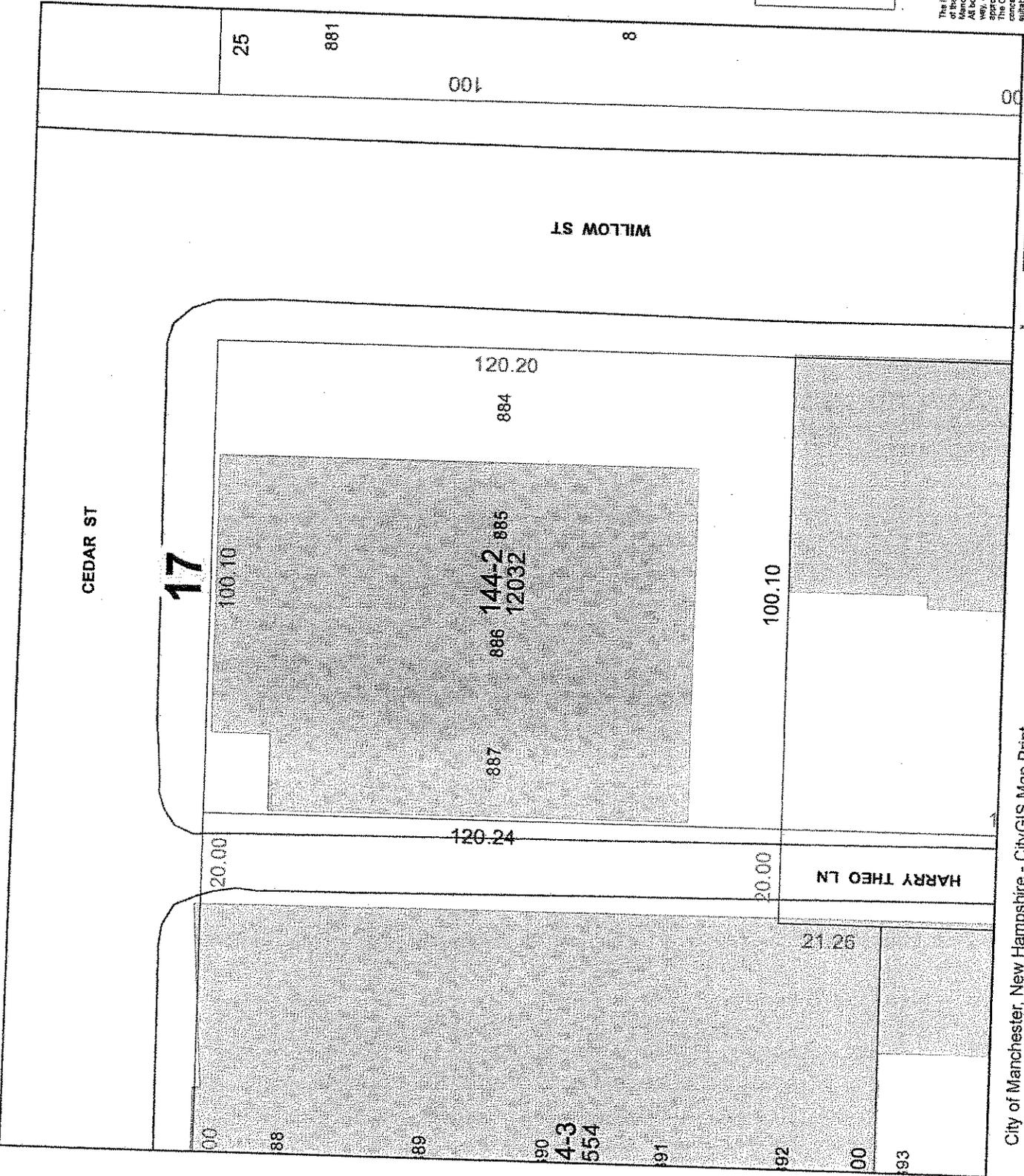


Area Map Showing Sheet Of Map A1-L14



**DISCLAIMER**

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, New Hampshire. This map is not survey-quality. All boundaries, areas, measurements, dimensions, etc. appearing on this map are only to be considered approximations, and as such they should not be used for legal purposes. The City makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or timeliness of the information for any particular use. The City assumes no liability for any damages, direct or indirect, arising from the use of this information. The information was compiled from various City, County, and State government agencies and departments, and are available for inspection and copying during normal business hours. By using this map, you agree to these terms and conditions.



City of Manchester, New Hampshire - CityGIS Map Print

D-11

Deachmant Lewis,

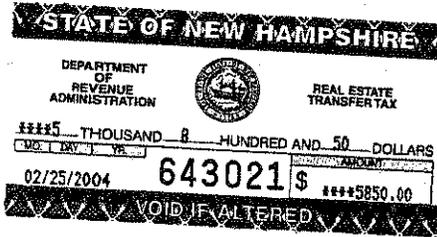
4016307

2004 FEB 25 PM 12:32

Q92

14.37  
2 -  
16.37

5850.00  
8



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that CEDARCO Investment Corporation, a New Hampshire corporation with a principal place of business at 33 South Commercial Street, Manchester, County of Hillsborough and State of New Hampshire grants to Theo & Son Cedar Realty, LLC, a New Hampshire limited liability company having a mailing address of PO Box 4632, Manchester, New Hampshire, 03108, with WARRANTY COVENANTS:

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Subject to restrictive covenants as recited in deed recorded in Hillsborough County Registry of Deeds, Book 1673, Page 159.

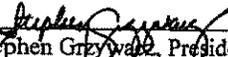
Meaning and intending to describe and convey the same premises conveyed to the Grantor by foreclosure deed February 27, 1996 and recorded in the Hillsborough County Registry of Deeds in Book 5698, Page 420.

BK 7174PG0035

CEDARCO Investments Corporation hereby releases, to said grantee, all of its right, title and interest in and to the above described premises. The above described premises do not constitute homestead property.

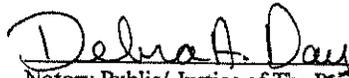
Executed this 19<sup>th</sup> day of February, 2004.

CEDARCO Investment Corporation

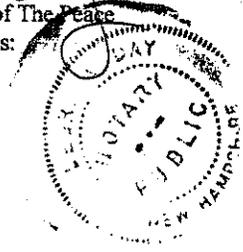
  
\_\_\_\_\_  
Stephen Grzywacz, President  
Duly Authorized

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

Then personally appeared before me this February 19, 2004, the said Stephen Grzywacz, the duly authorized President of CEDARCO Investment Corporation and acknowledged the foregoing to be her voluntary act and deed.

  
\_\_\_\_\_  
Notary Public/ Justice of The Peace  
My Commission expires:

DEBRA A. DAY  
Notary Public - New Hampshire  
My Commission Expires September 3, 2006



BK7174PG0036



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

August 9, 2007

Cliff Harris  
Verani Realty  
165 South River Road  
Bedford, NH 03110

Re: Petition to Discontinue a portion of Elm East Back Street

Dear Mr. Harris:

Please be advised that in action taken by the Board of Mayor and Aldermen at a meeting held on August 7, 2007, it was voted to discontinue a portion of Elm East Back Street such area reduced in size from the initial petition and being a portion described herein.

Enclosed for your review is a copy of the petition reflecting actions taken.

Sincerely,

  
Carol A. Johnson  
Deputy City Clerk

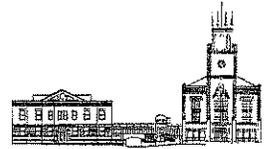
Enclosures

pc: Assessors  
Building  
City Solicitor  
Highway  
Planning  
M. Kapos  
Theo & Son Cedar Realty, LLC  
MDF Properties, LLC  
Theodosopoulos Lambros Tr



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

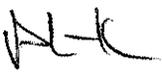
Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: Board of Mayor and Aldermen

From: Paula L-Kang   
Deputy Clerk

Date: August 3, 2007

Re: BMA Agenda of August 7, 2007 – Tabled Item #29

Enclosed please find a legal description of the area that is presently proposed to be discontinued, which is a reduction from the original petition and is the action currently requested of the Board.

#### Enclosures

pc: Solicitor  
Highway  
Building  
Planning  
Assessors

Partial Rd Discontinuance  
Elm East Back Street

RECEIVED  
MANCHESTER DISTRICT

'07 AUG -3 P3:30

Beginning at a point, said point being the intersection of the southerly line of Cedar Street with the easterly line of Elm East Back Street, said point being 100.1' west of the westerly line of Willow Street; thence, southerly by the said line of Elm East Back Street 120.2; thence, westerly, perpendicular to the said street line 20.0' across Elm East Back Street to a point in the westerly street line; thence, northerly 120.2' by the westerly line of Elm East Back Street a point in the southerly line of Cedar Street; thence, easterly by the southerly line of Cedar Street and across Elm East Back Street to the point of beginning.

Michael Kapos  
Michael Kapos  
Date 8/3/07

Tom Theodosopoulos  
Tom Theodosopoulos  
Date 8-3-07

**MANCHESTER  
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799  
TELEPHONE (603) 623-8801  
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR  
PETER ESCALERA, VICE CHAIR  
JOSEPH DESELLE  
MAUREEN A. NAGLE  
CAROL WILLIAMS

DAVID SMITH  
EXECUTIVE DIRECTOR

March 26, 2008

Ms. Carol Johnson, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Dear Carol,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, March 25, 2008. Enclosed are the approved Minutes of the February 26, 2008 Commission Meeting, February 2008 Financial Report, and February 2008 Ridership Report.

The next scheduled Commission Meeting will be Tuesday, April 29, 2008 at 5:00 PM.

If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

A handwritten signature in black ink, appearing to read 'David Smith', written in a cursive style.

David Smith  
Executive Director

DS:cr

Enclosures

**MANCHESTER  
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799  
TELEPHONE (603) 623-8801  
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR  
PETER ESCALERA, VICE CHAIR  
JOSEPH DESELLE  
MAUREEN A. NAGLE  
CAROL WILLIAMS

DAVID SMITH  
EXECUTIVE DIRECTOR

**Manchester Transit Authority**

**February 26, 2008 Commission Meeting**

**MEMBERS PRESENT:**

Chairman John H. Trisciani  
Vice Chairman Peter Escalera  
Commissioner Joseph Deselle  
Commissioner Maureen A. Nagle  
Commissioner Carol Williams

**PERSONNEL PRESENT:**

David Smith, Executive Director  
Karyn Bennett, Assistant Executive Director  
William J. Cantwell, Supt. of Administration  
Paul Beauregard, Shop Manager  
Michael Whitten, Operations Planning Manager

1. a. Chairman TRISCIANI called the meeting to order at 5:02 PM.
- b. **Approve Minutes of January 29, 2008 Commission Meeting.** DESELLE made a motion to approve the Minutes of January 29, 2008 Commission Meeting.  
  
Seconded by NAGLE. All Commissioners in favor.

**MANAGEMENT REPORTS**

2. a. **Financial Report for January 2008.** NAGLE made a motion to approve the Financial Report for January 2008. Seconded by DESELLE.  
  
**Transit Operation:** CANTWELL reported revenues were \$19,678 (6.59%) more than budget. Farebox, ticket, and shuttle revenues were over budget by \$2,865 (9.92%). Farebox income approximated \$806 per day. Significant variances were revenue from the sale of fuel to the City and an increase in accrual for January's Federal operating subsidy expense. Transit expenses were \$13,494

(3.85%) more than budget. There were several significant variances in labor, fringe benefits, services, and materials and supplies. Labor was higher due to hiring of an additional transit driver and labor for snow removal. Fringe benefits were lower against the budget for health insurance and an adjustment of a workers compensation entry expense was made to correct a posting error. Legal expenses were higher this month, and materials and supplies were higher due to increase cost of fuel to both MTA and City Departments.

**School Operation:** CANTWELL reported revenues were \$5,280 (2.42%) less than budget. School charters were \$439 ahead of budget. Expenses were \$42,339 (15.32%) less than budget. Significant variances were in labor; \$19,500 for school bus drivers and \$4,000 for mechanics. Most of the variance for school labor was caused by snow day cancellations and 2-hour delays, and the mechanics labor was for snow plowing. SMITH said since the school year will be extended, June expenses would be over budget.

The balance sheet was reviewed. CANTWELL explained cash flow for January was good, but today the cash position is low because we are waiting for execution of an FTA operating grant that was filed in October 2007.

All Commissioners in favor of approving January 2008 Financial Report.

b. **Operations Reports for January 2008.**

**Transit-School Report:**

**Transit:** BENNETT reported the new interlines will become effective March 10<sup>th</sup> and should resolve remaining timing issues since the inception of new routes. One transit operator is retiring March 9<sup>th</sup> and a spare transit operator has been promoted to fill this position. WHITTEN, HOLDEN, and transit operator Joanne

Beauregard conducted travel training at Pariseau high-rise with 18 residents in attendance in response to the closing of Vista Foods.

**School:** On January 31<sup>st</sup> staff met with representatives from Manchester Fire Department, School District, Elliot Hospital, CMC, and Rockingham Ambulance to discuss operating procedures when responding to a bus accident. These procedures will be included into the City's Emergency Response Plan. During the month we operated 175 school charters and licensed 3 school bus drivers. Staff continues to meet on the Accident Review Committee, Safety Committee, Bioguys, and with the Manchester School District. TRISCIANI discussed procedures of having a list driver and school bus ready in the event of an accident. BENNETT explained we first radio drivers in the area who may be empty so they can get to the accident scene sooner than pulling a bus out of the yard. TRISCIANI also commented on not bringing bus operators to outside meetings when there is a problem with a school run.

**Transit-School Statistics Ridership Report:** WHITTEN reported on passenger counts. Shopper shuttle ridership continues to go down because of the closing of Vista Foods on McGregor Street. Overall passenger counts rose from December and were higher this month as compared to January 2007. Since the December 10<sup>th</sup> service changes, buses are now running on time and ridership is reflecting positively with those changes.

Airport, Lake/Hanover, and Front Street ridership has decreased about 25%. Ridership has increased on all other routes. SMITH explained the Lake/Hanover route no longer services East Industrial Park Drive (those passengers ride Route 4-Elliot) and the Front Street route no longer has Saturday service. Passengers

per revenue hour are 10.68. Demand response service (StepSaver) continues to grow. There were no missed trips this month and 96% of the trips ran on time. There was 1 minor vehicle collision and only 4 complaints this month.

WHITTEN explained the new graphs he presented to the Board. The bar graph is for the fixed routes passenger counts and illustrates a big drop in September, but October responded when we did the service changes. This was the same for December, once we got the buses back on time January responded. WHITTEN said now that all routes are fixed we should continue to see growth. WHITTEN explained the line chart is passenger ridership counts per route. The only route falling is the So. Willow bus.

**Maintenance Report:** BEAUREGARD reported during the month they did 20 school bus, 3 E&H, and 16 transit bus inspections. Overtime increased because of snow removal. School bus road calls increased because of the cold weather and there were 3 transit road calls. They did 3 City repair work orders.

### **NEW BUSINESS**

3. a. **Boy Scout Troop 135 Spaghetti Supper – April 5th.** Alderman Lopez made a request for donation of a transit bus to pick up senior citizens and bring them to the Annual Spaghetti Supper put on by Boy Scout Troop 135. SMITH recommended not doing this charter request because it violates the Federal charter regulations. NAGLE made a motion to inform Alderman Lopez that we cannot honor his request due to legalities. Seconded by DESELLE. All Commissioners in favor.

### **OLD BUSINESS**

4. a. Update Regarding Budget Presentation to Mayor – 2/26/08. SMITH updated the Board on his budget presentation to Mayor Guinta. The Mayor was strong in saying the City faces a tough budget year. He discussed the challenges the City is facing with reduced revenues from the State, permits, fines and fees, and everything connected to a suffering economy. The Mayor questioned what the effects on Federal funds would be if Local funds were cut. SMITH responded that Federal funds are dependent on Local funds, and if Local funds are cut that magnifies the effect on transit service because we lose Federal funding. The Mayor asked for Local funding needs and request we respond with an illustration of what would happen if they level funded us from last year. For Commissioners, SMITH explained we requested \$1,278,000 for FY2009, and this year the City's contribution was \$1,176,000; \$102,000 difference. SMITH said if we look at the difference of \$102,000 between last years' City grant and what we would request this year, we would lose more than \$102,000 in federal matching funds. He estimates we would be looking at a \$225,000 cut for that loss of \$102,000 in Local funds. This equates to 5,300 hours of fixed route service, we have more than 5,000 hours of fixed route and paratransit service on Saturdays and this may be where we would have to cut service. WILLIAMS responded there are a lot of people who depend on Saturday bus service. SMITH also discussed a betterment budget with the Mayor; including reinstating Saturday service to Front Street, addition of Bodwell Road, and reinstating Boynton Street service, and the various grant projects we have planned. Although he was interested, the message the Mayor relayed was not to rely on the betterment budget and be prepared for potential cuts. Board members encouraged

each other to talk to their Aldermen. SMITH said the time to interact is when the Mayor makes his recommendations.

- b. **Update on Safety and Security.** SMITH reported BENNETT, HOLDEN, and transit trainers worked on a training program with MPD Crime Prevention Unit Officer Paul Rondeau. They conducted their first safety/security training classes last week and will be holding more sessions this week. WHITTEN has altered his working hours and began working on Saturdays which now provides drivers with security coverage after the Street Supervisor's shift is over.
- c. **Triennial Review Advisory Comment on School Bus Operation.** SMITH explained we drafted a letter to the FTA protesting their advisory comment on the Triennial Review regarding school bus service. The FTA agreed with every point we made and have rewritten the Triennial Review to take out incorrect references to an exemption required to be granted by the FTA Administrator. We showed them the exemption has not been granted by the Administrator for transit systems in our category having been grandfathered years ago, and we showed them that an exemption notice was not necessary and they agreed with us. The issue is now closed and there is no longer a threat of having to defend our operation of school bus service.
- d. **Global Positioning System.** SMITH talked about Sprint's proposal for automatic vehicle location that was discussed at last months' Board meeting. He likes the system and feels it would add value for customer service and the security of locating drivers in the event of an emergency, but because it has a cost over and above what we are spending now, he feels we should not purchase at this time. Board members agreed.

## OTHER BUSINESS

5. a. First Transit Regional Meeting. SMITH asked Board Members if they would like to attend First Transit's Regional Meeting on March 7, 2008 in Connecticut. TRISCIANI, DESELLE, ESCALERA, and WILLIAMS expressed their interest in attending. NAGLE will be unavailable.
- b. Date for Next Meeting. Tuesday, March 25, 2008.

With no further business to come before the Board, NAGLE made a motion to adjourn the meeting at 6:15 PM. Seconded by DESELLE. All Commissioners in favor.



**Transit**

**February 2008**

**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Eight Months Ending February 29, 2008**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Farebox Revenue</b>					
Farebox Revenue	\$17,185.43	\$17,625.00	\$157,308.78	\$143,115.00	\$14,193.78
Adult Fares	1,836.00	2,300.00	14,624.75	18,400.00	(3,775.25)
Adult Monthly Fares	5,566.00	2,400.00	29,721.00	19,200.00	10,521.00
Senior Citizens Fares	650.00	1,000.00	6,465.00	8,000.00	(1,535.00)
Senior Citizen Monthly Fare	1,831.00	1,000.00	8,754.60	8,000.00	754.60
Disabled Rider Fare	1,618.54	1,750.00	15,305.94	14,000.00	1,305.94
Student Fares	547.50	850.00	4,992.50	6,800.00	(1,807.50)
<b>Total Farebox and Tickets</b>	<b>29,234.47</b>	<b>26,925.00</b>	<b>237,172.57</b>	<b>217,515.00</b>	<b>19,657.57</b>
<b>Shuttle and Excursions</b>					
Shopping Shuttle	1,260.00	1,260.00	9,540.00	10,080.00	(540.00)
Excursion Revenue			1,322.00	2,880.00	(1,558.00)
<b>Total Shuttle and Excursions</b>	<b>1,260.00</b>	<b>1,260.00</b>	<b>10,862.00</b>	<b>12,960.00</b>	<b>(2,098.00)</b>
<b>Other Revenue</b>					
Sale of Fuel to City Departments	31,548.46	28,750.00	259,784.07	230,000.00	29,784.07
Sale of Maintenance Service to City	1,584.50	2,000.00	9,805.91	16,000.00	(6,194.09)
Advertising Revenue-Bus	1,802.60	5,500.00	45,681.63	44,000.00	1,681.63
Sale of Vehicles and Equipment			1,800.00		1,800.00
Sale of Scrap Materials			401.23		401.23
Interest Income	174.21	750.00	6,239.37	6,000.00	239.37
Photo Picture ID Revenue	6.00	25.00	128.00	200.00	(72.00)
Other Non-Transp. Revenue	0.01	25.00	837.30	216.00	621.30
<b>Total Other Revenue</b>	<b>35,115.78</b>	<b>37,050.00</b>	<b>324,677.51</b>	<b>296,416.00</b>	<b>28,261.51</b>
<b>Total Operational Income</b>	<b>65,610.25</b>	<b>65,235.00</b>	<b>572,712.08</b>	<b>526,891.00</b>	<b>45,821.08</b>
<b>Operating Assistance</b>					
City of Manchester	98,059.50	98,060.00	784,476.00	784,480.00	(4.00)
Town of Bedford	3,600.00	3,600.00	28,800.00	28,800.00	
State of New Hampshire			34,000.00	34,000.00	
Federal Operating Subsidy	145,044.00	131,090.00	1,065,614.00	1,053,532.00	12,082.00
<b>Total Operating Assistance</b>	<b>246,703.50</b>	<b>232,750.00</b>	<b>1,912,890.00</b>	<b>1,900,812.00</b>	<b>12,078.00</b>
<b>Total Revenue</b>	<b>312,313.75</b>	<b>297,985.00</b>	<b>2,485,602.08</b>	<b>2,427,703.00</b>	<b>57,899.08</b>
<b>Expenses</b>					
<b>Labor</b>					
Transit Operator Wages	63,924.58	58,618.00	512,813.20	474,047.00	38,766.20
Transit Operator Overtime Wages	11,131.72	7,473.00	66,434.41	60,415.00	6,019.41
StepSaver Operator Wages	11,694.53	13,003.00	90,969.87	104,938.00	(13,968.13)
StepSaver Operator Overtime Wages	2,311.37	1,868.00	18,484.31	15,104.00	3,380.31
Mechanic Wages	15,021.92	11,970.00	105,655.67	96,333.00	9,322.67
Mechanic Overtime Wages	4,094.67		8,581.14		8,581.14
Transp. Admin Wages	12,648.51	9,284.00	92,163.52	74,716.00	17,447.52
Transp. Admin Overtime Wages	521.10	175.00	5,751.03	1,400.00	4,351.03
Maint. Admin Wages	3,549.55	3,657.00	27,342.58	29,433.00	(2,090.42)
Maint. Admin Overtime Wages			10.93		10.93
General Admin Wages	7,212.95	7,025.00	63,750.53	56,539.00	7,211.53
Gen. Admin Overtime Wages	110.25	113.00	468.58	904.00	(435.42)
<b>Total Labor</b>	<b>132,221.15</b>	<b>113,186.00</b>	<b>992,425.77</b>	<b>913,829.00</b>	<b>78,596.77</b>

**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Eight Months Ending February 29, 2008**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
<b>Fringe Benefits</b>					
Health Insurance Expense	\$47,945.14	\$53,140.00	\$373,498.46	\$432,320.00	(\$58,821.54)
Dental Insurance Expense	1,472.13	1,245.00	10,124.73	9,960.00	164.73
Life Insurance Expense	629.40	676.00	4,733.24	5,408.00	(674.76)
Pension Expense	7,360.00	6,656.00	49,696.00	53,248.00	(3,552.00)
FICA Expense	11,338.30	11,110.00	93,054.26	90,544.00	2,510.26
Worker's Compensation	12,305.55	4,531.00	36,572.27	37,045.00	(472.73)
Unemployment Compensation	517.00	366.00	3,216.00	2,928.00	288.00
Transit Operator Vacation Wages	5,039.21	5,017.00	46,609.16	40,136.00	6,473.16
Transit Operator Holiday Wages	5,624.24	3,923.00	47,070.33	37,269.00	9,801.33
Transit Operator Sick Wages	5,158.73	3,923.00	27,464.89	31,384.00	(3,919.11)
Mechanic Vacation Wages	1,693.27	1,395.00	12,569.04	11,160.00	1,409.04
Mechanic Holiday Wages	1,562.12	1,224.00	14,166.88	9,792.00	4,374.88
Mechanic Sick Wages		94.00	2,286.56	752.00	1,534.56
Transp. Admin Vacation Wages	161.02	1,258.00	9,634.47	10,064.00	(429.53)
Transp. Admin Holiday Wages	617.00	1,382.00	11,566.82	11,056.00	510.82
Transp. Admin Sick Wages	85.22	674.00	2,773.16	5,392.00	(2,618.84)
Maint. Admin Vacation Wages	711.83	827.00	7,277.22	6,616.00	661.22
Maint. Admin Holiday Wages	266.02	563.00	4,453.99	4,504.00	(50.01)
Maint. Admin Sick Wages		99.00	8,225.92	792.00	7,433.92
Gen Admin. Vacation Wages	572.08	828.00	5,888.74	6,624.00	(735.26)
Gen. Admin Holiday Wages	401.13	843.00	6,955.45	6,744.00	211.45
Gen. Admin Sick Wages		149.00	325.29	1,192.00	(866.71)
Transit Uniform Allowance	40.80	779.00	3,646.36	6,232.00	(2,585.64)
Maintenance Uniform Allowance	426.65	448.00	3,219.18	4,875.00	(1,655.82)
Pool Allowance		100.00	1,992.00	800.00	1,192.00
License Reimbursement		42.00	250.00	336.00	(86.00)
Burden Adjustment	(11,791.16)	(15,580.00)	(93,893.71)	(123,578.00)	29,684.29
<b>Total Fringe Benefits</b>	<b>92,135.68</b>	<b>85,712.00</b>	<b>693,376.71</b>	<b>703,595.00</b>	<b>(10,218.29)</b>
<b>Services</b>					
Management Consultant	13,819.71	12,917.00	113,196.98	103,336.00	9,860.98
Commissioner Expense	506.69	83.00	570.42	664.00	(93.58)
Auditing Expense			6,428.00	6,000.00	428.00
Legal Expense	743.60	583.00	7,608.35	4,664.00	2,944.35
Service Bureau	1,199.62	630.00	4,239.20	5,040.00	(800.80)
Security Service		83.00	717.38	664.00	53.38
Outside Advertising	99.39	417.00	5,432.82	3,336.00	2,096.82
Drug & Alcohol Testing		583.00	859.50	4,664.00	(3,804.50)
Pre-Employment Medical		83.00	685.94	664.00	21.94
Janitorial Service and Supplies	847.46	667.00	5,369.72	5,336.00	33.72
Bank Service Charges	514.85	650.00	3,975.69	5,200.00	(1,224.31)
<b>Total Services</b>	<b>17,731.32</b>	<b>16,696.00</b>	<b>149,084.00</b>	<b>139,568.00</b>	<b>9,516.00</b>
<b>Materials and Supplies</b>					
Fuel Operations	25,081.77	20,403.00	191,653.81	164,716.00	26,937.81
Sale of Fuel to City Departments	30,871.22	28,125.00	248,523.37	225,000.00	23,523.37
Maintenance Parts	3,974.07	9,985.00	23,739.85	80,465.00	(56,725.15)
Purchase Discounts	(85.94)	(250.00)	(842.88)	(2,000.00)	1,157.12
Tires Expense		1,103.00	6,193.46	8,910.00	(2,716.54)
Oil and Grease	398.59	371.00	2,692.16	2,995.00	(302.84)
Maintenance Supplies	1,095.79	863.00	7,734.38	6,898.00	836.38
Body Shop Supplies	433.01	720.00	3,925.70	5,760.00	(1,834.30)

**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Eight Months Ending February 29, 2008**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Hazardous Materials</b>		\$90.00		\$720.00	(\$720.00)
Outside Parts and Labor	50.00	83.00	710.09	664.00	46.09
Repairs-Inner City Terminal		250.00	116.50	2,000.00	(1,883.50)
Repairs-Building and Grounds	506.00	883.00	10,757.94	7,068.00	3,689.94
Repairs-Shop Equipment	12.18	270.00	1,983.27	2,160.00	(176.73)
Repairs-Radio Equipment		42.00		336.00	(336.00)
Repairs-Office Equipment	229.93	367.00	2,437.76	2,936.00	(498.24)
Office Supplies	756.64	917.00	4,737.29	7,336.00	(2,598.71)
Transit Schedules and Tickets		<u>1,250.00</u>	<u>9,089.80</u>	<u>10,000.00</u>	<u>(910.20)</u>
<b>Total Materials and Supplies</b>	<b>63,323.26</b>	<b>65,472.00</b>	<b>513,452.50</b>	<b>525,964.00</b>	<b>(12,511.50)</b>
<b>Utilities</b>					
Electricity	2,301.93	1,988.00	14,346.92	15,904.00	(1,557.08)
Natural Gas	6,798.04	4,000.00	14,019.20	8,200.00	5,819.20
Telephone	581.66	663.00	4,841.86	5,304.00	(462.14)
Water	<u>282.60</u>	<u>159.00</u>	<u>1,413.42</u>	<u>1,272.00</u>	<u>141.42</u>
<b>Total Utilities</b>	<b>9,964.23</b>	<b>6,810.00</b>	<b>34,621.40</b>	<b>30,680.00</b>	<b>3,941.40</b>
<b>Insurance</b>					
Public Liability Insurance	11,361.00	11,969.00	90,884.00	95,752.00	(4,868.00)
Other Liability	<u>885.00</u>	<u>1,204.00</u>	<u>7,087.64</u>	<u>9,632.00</u>	<u>(2,544.36)</u>
<b>Total Insurance</b>	<b>12,246.00</b>	<b>13,173.00</b>	<b>97,971.64</b>	<b>105,384.00</b>	<b>(7,412.36)</b>
<b>Other Expenses</b>					
Dues and Memberships	140.00	83.00	443.66	664.00	(220.34)
Tolls and Parking			10.00		10.00
Training and Meetings	271.35	250.00	1,196.04	2,000.00	(803.96)
Grievance Expense		38.00		304.00	(304.00)
Depreciation	<u>36,000.00</u>	<u>36,000.00</u>	<u>288,000.00</u>	<u>288,000.00</u>	
<b>Total Other Expenses</b>	<b>36,411.35</b>	<b>36,371.00</b>	<b>289,649.70</b>	<b>290,968.00</b>	<b>(1,318.30)</b>
<b>Total Expenses</b>	<b><u>364,032.99</u></b>	<b><u>337,420.00</u></b>	<b><u>2,770,581.72</u></b>	<b><u>2,709,988.00</u></b>	<b><u>60,593.72</u></b>
<b>Net Income (Loss)</b>	<b><u>(51,719.24)</u></b>	<b><u>(39,435.00)</u></b>	<b><u>(284,979.64)</u></b>	<b><u>(282,285.00)</u></b>	<b><u>(2,694.64)</u></b>



**School**

**February 2008**

**Manchester Transit Authority**  
**Income Statement School**  
**For the Eight Months Ending February 29, 2008**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Student Transportation</b>					
Pupil Contract	\$186,124.41	\$166,709.00	\$1,338,924.14	\$1,333,672.00	\$5,252.14
Manchester Skill Center	9,896.25	10,598.00	79,170.30	84,784.00	(5,613.70)
Special Needs	11,310.00	13,572.00	90,480.00	104,052.00	(13,572.00)
Student Tickets	(30.00)		(22.50)		(22.50)
<b>Total Student Transportation</b>	<b>207,300.66</b>	<b>190,879.00</b>	<b>1,508,551.94</b>	<b>1,522,508.00</b>	<b>(13,956.06)</b>
<b>School Charter</b>					
Student Athletics	13,926.20	15,000.00	91,958.45	91,000.00	958.45
Student Fieldtrips	9,058.00	8,000.00	55,464.25	56,000.00	(535.75)
<b>Total School Charters</b>	<b>22,984.20</b>	<b>23,000.00</b>	<b>147,422.70</b>	<b>147,000.00</b>	<b>422.70</b>
<b>Other Revenue</b>					
Sale of Vehicles and Equipment			4,000.00		4,000.00
Interest Income	13.82	100.00	1,590.07	800.00	790.07
Other Non-Transp. Revenue	89.40		1,019.70		1,019.70
<b>Total Other Revenue</b>	<b>103.22</b>	<b>100.00</b>	<b>6,609.77</b>	<b>800.00</b>	<b>5,809.77</b>
<b>Total Operational Income</b>	<b>230,388.08</b>	<b>213,979.00</b>	<b>1,662,584.41</b>	<b>1,670,308.00</b>	<b>(7,723.59)</b>
<b>Expenses</b>					
<b>Labor</b>					
School Operator Wages	70,942.87	82,234.00	542,665.45	596,318.00	(53,652.55)
School Operator Overtime Wages	1,367.53	2,544.00	16,590.40	18,601.00	(2,010.60)
Transit Operator Wages	177.67	212.00	254.49	1,465.00	(1,210.51)
Transit Operator Overtime Wages	425.03		2,320.12		2,320.12
Mechanic Wages	7,193.99	9,993.00	67,741.96	80,423.00	(12,681.04)
Transp. Admin Wages	6,845.28	7,309.00	60,668.63	58,820.00	1,848.63
Transp. Admin Overtime Wages	677.13	408.00	2,547.89	3,264.00	(716.11)
Maint. Admin Wages	4,042.09	3,401.00	24,132.45	27,370.00	(3,237.55)
General Admin Wages	3,629.41	3,957.00	28,099.17	31,843.00	(3,743.83)
Gen. Admin Overtime Wages		32.00		256.00	(256.00)
<b>Total Labor</b>	<b>95,301.00</b>	<b>110,090.00</b>	<b>745,020.56</b>	<b>818,360.00</b>	<b>(73,339.44)</b>
<b>Fringe Benefits</b>					
Health Insurance Expense	2,160.35		2,550.85		2,550.85
Dental Insurance Expense	(23.09)		229.29		229.29
FICA Expense	8,222.64	7,955.00	53,182.35	59,609.00	(6,426.65)
Worker's Compensation	2,818.00	3,396.00	24,586.84	25,132.00	(545.16)
School Operator Vacation Wages	3,338.89	2,567.00	9,418.39	8,782.00	636.39
School Operator Holiday Wages	572.97	2,216.00	21,809.66	28,804.00	(6,994.34)
School Uniform Allowance	30.00	547.00	1,534.44	4,376.00	(2,841.56)
Maintenance Uniform Allowance			76.40		76.40
Tool Allowance			408.00		408.00
License Reimbursement		250.00	1,590.00	2,000.00	(410.00)
Burden Adjustment	11,791.16	15,580.00	93,893.71	123,578.00	(29,684.29)
<b>Total Fringe Benefits</b>	<b>28,910.92</b>	<b>32,511.00</b>	<b>209,279.93</b>	<b>252,281.00</b>	<b>(43,001.07)</b>
<b>Services</b>					
Management Consultant	13,819.72	12,917.00	113,197.00	103,336.00	9,861.00

**Manchester Transit Authority**  
**Income Statement School**  
**For the Eight Months Ending February 29, 2008**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Commissioner Expense	\$506.69	\$83.00	\$563.91	\$664.00	(\$100.09)
Auditing Expense			9,642.00	9,000.00	642.00
Legal Expense	884.40	583.00	4,392.96	4,664.00	(271.04)
Service Bureau	2,272.39	1,045.00	7,667.38	8,360.00	(692.62)
Security Service		125.00	1,075.86	1,000.00	75.86
Outside Advertising	57.41	833.00	872.55	6,664.00	(5,791.45)
Driver and Criminal Record	256.50		2,258.25		2,258.25
Drug & Alcohol Testing		667.00	3,744.67	5,336.00	(1,591.33)
Pre-Employment Medical		250.00	3,535.70	2,000.00	1,535.70
Janitorial Service and Supplies	847.52	667.00	5,369.99	5,336.00	33.99
Bank Service Charges	6.50		6.00		6.00
<b>Total Services</b>	<b>18,651.13</b>	<b>17,170.00</b>	<b>152,326.27</b>	<b>146,360.00</b>	<b>5,966.27</b>
<b>Materials and Supplies</b>					
Fuel Operations	20,998.12	19,658.00	140,953.64	137,635.00	3,318.64
Maintenance Parts	4,092.96	5,436.00	40,083.62	38,062.00	2,021.62
Tires Expense		1,528.00	7,991.79	10,697.00	(2,705.21)
Oil and Grease	287.69	304.00	2,580.49	2,131.00	449.49
Maintenance Supplies	989.13	720.00	7,003.60	5,760.00	1,243.60
Body Shop Supplies	144.96	613.00	2,708.03	4,904.00	(2,195.97)
Hazardous Materials	184.00	77.00	184.00	616.00	(432.00)
Outside Parts and Labor		83.00		664.00	(664.00)
Repairs-Building and Grounds	187.66	783.00	7,431.24	6,264.00	1,167.24
Repairs-Shop Equipment	10.38	230.00	1,034.82	1,840.00	(805.18)
Repairs-Radio Equipment		42.00		336.00	(336.00)
Repairs-Office Equipment	195.89	300.00	2,054.63	2,400.00	(345.37)
Office Supplies	748.90	750.00	4,197.10	6,000.00	(1,802.90)
School Schedules and Tickets	1,790.00	167.00	2,749.10	1,336.00	1,413.10
<b>Total Materials and Supplies</b>	<b>29,629.69</b>	<b>30,691.00</b>	<b>218,972.06</b>	<b>218,645.00</b>	<b>327.06</b>
<b>Utilities</b>					
Electricity	1,960.92	1,763.00	12,114.98	14,104.00	(1,989.02)
Natural Gas		4,000.00	5,914.85	8,100.00	(2,185.15)
Telephone	495.52	588.00	4,134.27	4,704.00	(569.73)
Water		141.00	947.63	1,128.00	(180.37)
<b>Total Utilities</b>	<b>2,456.44</b>	<b>6,492.00</b>	<b>23,111.73</b>	<b>28,036.00</b>	<b>(4,924.27)</b>
<b>Insurance</b>					
Public Liability Insurance	14,335.00	15,949.00	114,671.00	127,590.00	(12,919.00)
Other Liability	741.00	1,009.00	5,926.98	8,072.00	(2,145.02)
<b>Total Insurance</b>	<b>15,076.00</b>	<b>16,958.00</b>	<b>120,597.98</b>	<b>135,662.00</b>	<b>(15,064.02)</b>
<b>Other Expenses</b>					
Dues and Memberships		292.00	660.49	2,336.00	(1,675.51)
Tolls and Parking	4.50		24.50		24.50
Training and Meetings	20.06	417.00	1,832.17	3,336.00	(1,503.83)
Grievance Expense		38.00		304.00	(304.00)
Depreciation	19,637.49	21,000.00	161,453.41	168,000.00	(6,546.59)
<b>Total Other Expenses</b>	<b>19,662.05</b>	<b>21,747.00</b>	<b>163,970.57</b>	<b>173,976.00</b>	<b>(10,005.43)</b>
<b>Total Expenses</b>	<b>209,687.23</b>	<b>235,659.00</b>	<b>1,633,279.10</b>	<b>1,773,320.00</b>	<b>(140,040.90)</b>

**Manchester Transit Authority  
Income Statement School  
For the Eight Months Ending February 29, 2008**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Net Income (Loss)</b>	<u>\$20,700.85</u>	<u>(\$21,680.00)</u>	<u>\$29,305.31</u>	<u>(\$103,012.00)</u>	<u>\$132,317.31</u>

# Commissioners Memorandum



**To:** Commissioners  
**From:** Mike Whitten, Operations Planning Manager  
**Date:** March 20, 2008  
**Re:** Transit Ridership Report – February 2008

<u>Routes</u>	<u>February</u>			<u>FYTD</u>		
	Weekdays Saturdays	FY 2007	FY 2008	FY 2007	FY 2008	% Change
		20	21		169	
	4	4		34		
Bridge St-Dartmouth Route #1		1,317		11,232		
Hanover-Massabesic Route #2		2,829		22,912		
Brown Ave-Airport Route #3		2,150		18,386		
Elliot-Industrial Park Route #4		2,057		17,309		
River Rd-SNHU Route #5		1,436		11,603		
Bremer-Mast Rd Route #6		4,803		29,427		
VA Hospital Route #7		1,449		11,258		
So. Willow Route #8		4,943		38,656		
DW Highway Route #9		786		6,279		
Valley-Weston Rd. Route #10		4,285		30,386		
Front St. Route #11		1,721		14,464		
So. Beech Route #12		4,776		31,266		
Bedford Highlands Route #13		4,636		36,925		
<b>UPass Riders - NHCTC</b>	673	699	3.86%	3,447	4,857	40.91%
Vista Shuttle	212	0	-100.00%	2,139	1,360	-36.42%
Hannaford Shuttle	559	623	11.45%	4,101	3,539	-13.70%
Stop & Shop Shuttle	132	168	27.27%	1,202	1,048	-12.81%
<b>Weekday Fixed Route Totals</b>	31,679	34,218	8.01%	248,934	255,217	2.52%
<b>Saturday Fixed Route Totals</b>	3,252	3,761	15.65%	29,504	30,833	4.50%
<b>MTA Specials &amp; Excursions</b>	0	0	100.00%	77	101	31.17%
<b>Fixed Route Weekday Average</b>	1,584	1,629	2.87%	1,482	1,495	0.84%
<b>Total Transit Passengers Served</b>	<b>34,931</b>	<b>37,979</b>	<b>8.73%</b>	<b>278,515</b>	<b>286,151</b>	<b>2.74%</b>
<b>Total StepSaver Passengers Served</b>	932	951	2.04%	7,165	8,030	12.07%

Mike Whitten  
 Operations Planning Manager

# Ridership Comparison Report February 2008

## Routes

	FY 2008		FY 2007		FY 2008		FY 2007		% Change
	21	20	4	4	169	34	34	168	
Brown Ave-Airport Route #3					18,386	18,043	1.90%		
Hanover-Massabesic Route #2					22,912	25,922	-11.61%		
Elliot-Industrial Park Route #4					17,309	15,910	8.79%		
Bremer-Mast Rd Route #6					29,427	31,226	-5.76%		
Bridge St-Dartmouth Route #1					22,490	18,579	21.05%		
VA Hospital Route #7					38,656	30,983	24.77%		
So. Willow Route #8					17,882	16,963	5.42%		
River Rd-SNHU Route #5					30,386	28,151	7.94%		
DW Highway Route #9					14,464	15,530	-6.86%		
Valley-Weston Rd. Route #10					31,266	28,733	8.82%		
Front St. Route #11					36,925	36,562	0.99%		
So. Beech Route #12									
Bedford Highlands Route #13									
Airport-Route #1									
Gofffalls Route #3									
Lake-Hanover St. Route #2	1,317	1,850	1,317	1,850					
Page-Elliot Route #4	2,829	2,903	2,829	2,903					
Pinard-Bremer Route #5	2,150	1,925	2,150	1,925					
Gossler-St. Anselm Route #6	4,803	3,624	4,803	3,624					
VA Hospital Route #7	2,766	1,982	2,766	1,982					
So. Willow Route #8	4,943	3,363	4,943	3,363					
DW Highway-River Rd Route #9	2,222	1,722	2,222	1,722					
Valley-Weston Rd. Route #10	4,285	2,895	4,285	2,895					
Front St. Route #11	1,721	1,729	1,721	1,729					
So. Beech Route #12	4,776	3,815	4,776	3,815					
Bedford Mall Route #13	4,636	3,826	4,636	3,826					

71-18

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that a request of Henry Balch, Green Bear Signs, to use the City Seal for the purpose of making brochures for the Manchester Police Department's Child Identification project be approved.

*(Unanimous vote)*

Respectfully submitted,

  
Clerk of Committee  
*Deputy*



# CITY OF MANCHESTER

*Office of the City Clerk*



Carol A. Johnson  
City Clerk

Matthew Normand  
Deputy City Clerk

## MEMORANDUM

TO: Committee on Administration/Information Systems  
Ald. O'Neil, Garrity, Osborne, Pinard, Domaingue,

FROM: Matthew Normand  
Deputy City Clerk 

DATE: March 21, 2008

RE: Use of City Seal

We have received a request from Henry Balch of Green Bear Signs asking permission to use the City Seal for the purpose of making brochures for the Manchester Police Department. Traditionally, the Committee on Administration reviews requests for such usage.

Chairman O'Neil has requested that this item be forwarded to committee members via written poll to expedite this time-sensitive project. Please contact our office by March 26, 2008 to record your vote. If we do not hear by noon on Wednesday, you will be recorded in favor.

Thank you.

**Normand, Matthew**

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**Subject:** FW: City Seal Request

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**From:** hwb515@comcast.net [mailto:hwb515@comcast.net]  
**Sent:** Saturday, March 08, 2008 7:20 PM  
**To:** Normand, Matthew  
**Subject:** Re: City Seal Request

Dear Board of Aldermen,

My name is Hank Balch, I am a Vendor with the city of Manchester, #23770 Green Bear Signs and Graphics, LLC

I was resently asked by Manchester Police Officer Paul Rondeau, if I could assist him with a project he is currently involved with.

The project deals with the identification of children thourgh an I.D. Kit generously provided by both the Dartmouth-Hitchcock and the Catholic Medical Center.

I volunteered to provide the artwork and setup of an A-board style informational prop to be used at the display.

My request is to have a eps or an ai formated copy (Vector) of the artwork for the city of Manchester Seal.

This artwork will be used to create the Manchester Police Dept shirt badge that will be on the display.

Please feel free to contact me or officer Rondeau with any questions

Thank you for your time,

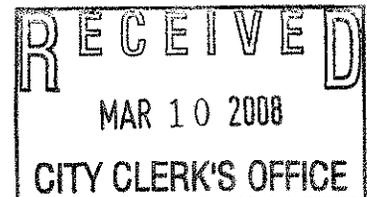
Hank Balch

Green Bear Signs and Graphic

603-494-3767

Officer Paul Rondeau

603-668-8711 ext 310



3/10/2008

F-3

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully advises, after due and careful consideration, that communication from Mayor Guinta relative to the establishment of a Department of Administrative Services has been received and filed.

*(Unanimous vote)*

Respectfully submitted,



Clerk of Committee  
*Healey*

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully advises, after due and careful consideration, that a request by James Burkush, Fire Chief, to replace the Fire Chief's vehicle with a recycled Police cruiser from the fleet has been approved.

*(Unanimous vote)*

Respectfully submitted,

  
Clerk of Committee  
*Deputy*

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully advises, after due and careful consideration, that a request by James Burkush, Fire Chief, to prepare and submit two 80/20% grant applications to the 2008 Firefighter Grants (AFG) for Self-Contained Breathing Apparatus units and a new Fire Pumper has been approved.

*(Unanimous vote)*

Respectfully submitted,

  
Clerk of Committee  


**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a request for sewer abatement for 84 Ashland Street be granted and approved in the amount of \$204.75 as recommended by EPD.

*(Unanimous vote)*

Respectfully submitted,

  
Clerk of Committee  
*Deputy*

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a petition:

Layout and discontinuance of a portion of Elm East Back Street  
(AKA Manhattan Lane, AKA Harry Theo Drive)

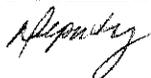
be referred to a Road Hearing at a date to be set by the City Clerk.

*(Unanimous vote)*

Respectfully submitted,



Clerk of Committee



**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a request from Charles DePrima, Acting Director, Parks, Recreation & Cemetery Department, requesting additional funds totaling \$83,815.50 for the City portion of the Piscataquog River Park Pedestrian Bridge be approved.

The Committee further recommends that the Parks, Recreation & Cemetery Department be directed to utilize funds from the Sullivan Park Project to cover the projected shortfalls in the Piscataquog River Park Pedestrian Bridge project.

The Committee also recommends that the department be directed to immediately go out to bid for completion of the project and work with the Planning Department to complete the necessary budget authorizations and report directly to the Board of Mayor and Aldermen.

*(Unanimous vote)*

Respectfully submitted,

  
Clerk of Committee  
*Deputy*

2/20/08

Chuck DePrima  
Acting Director



**CITY OF MANCHESTER**  
*Parks Recreation and Cemetery Department*

February 12, 2008

Community Improvement Committee  
City of Manchester Community Improvement Program  
One City Hall Plaza  
Manchester, NH 03101

**Re: Piscataquog River Park Pedestrian Bridge**

Dear committee members:

I am writing to request additional funding to complete the above mentioned project this spring. As you are aware the Mother's Day floods destroyed a 110 ft. span pedestrian bridge at Piscataquog River Park. At the time we originally made or project worksheet (PW) for FEMA, we had estimated with the assistance of an engineer what the cost would be to replace the bridge so that it would be out of harms way if a flood event ever occurred again.

Our original budget from CIP and FEMA combined was 126,709.72. To date we have spent \$42,500 in engineering fees and \$60,000 to purchase the bridge bringing the total to \$102,500. We recently received the bids to install the bridge at a cost of \$178,200 bringing the overall total to \$280,700. Based on these totals the project will be under funded by \$111,754. I am requesting \$83,815.50 to cover the city portion (25%) of the total project over run.

Please do not hesitate to contact me should you have any questions regarding this matter and thank you for your consideration.

Best Regards,

Chuck DePrima, Acting Director

**Cc:** Ald. Mike Garrity, Chairman CIP  
Robert MacKenzie, Planning Director  
Sam Maranto, CIP  
Bill Sanders, Finance Director

625 Mammoth Road • Manchester, New Hampshire 03104 • (603) 624-6565 • FAX: (603) 624-6569  
Cemetery Division • 765 Brown Ave • Manchester, NH 03103 • (603)624-6514  
E-mail: [parke@manchesternh.gov](mailto:parke@manchesternh.gov) • Website: [www.manchesternh.gov/CityGov/Pks/](http://www.manchesternh.gov/CityGov/Pks/)

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Lands and Buildings respectfully advises, after due and careful consideration, that it has approved a Right-of-Way application for use of the Portsmouth Branch railway for installation of a underground residential gas line at 61 Beech Street, subject to the review and approval of the City Solicitor and for such purpose a communication and easement agreement have been submitted by the City Solicitor.

*(Unanimous vote with the exception of Alderman Thibault who was absent.)*

Respectfully submitted,

  
Clerk of Committee  




**City of Manchester  
Office of the City Solicitor**

One City Hall Plaza  
Manchester, New Hampshire 03101  
(603) 624-6523 Fax (603) 624-6528  
TTY: 1-800-735-2964  
Email: [solicitor@ManchesterNH.gov](mailto:solicitor@ManchesterNH.gov)

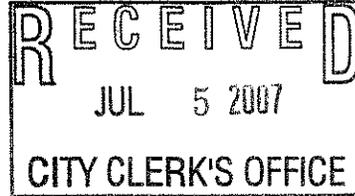
Thomas R. Clark  
City Solicitor

Thomas I. Arnold, III  
Deputy City Solicitor

Daniel D. Muller, Jr.  
~~Michael A. Battaglia~~  
Gregory T. Muller  
~~Michael A. Beausoleil~~

July 5, 2007

Leo Bernier, Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101



**Re: Gary Janas**

Dear Leo:

I have enclosed the original application form for Private Sector Use of Former Portsmouth Branch Rail Right-of-Way Line which I received from Gary Janas Monday July 2, 2007.

Pursuant to the City of Manchester Policy Regarding Private Sector Use of the Former Portsmouth Branch Railroad Line Right-of-Way this application should be submitted to the Committee on Lands and Buildings.

Thank you for your assistance.

Very Truly Yours,

Thomas I. Arnold, III  
Deputy City Solicitor

TIA/hms  
enclosure

pc: Gary Janas

M-2



# Private Sector Use of Former Portsmouth Branch Rail Right-of-Way Line

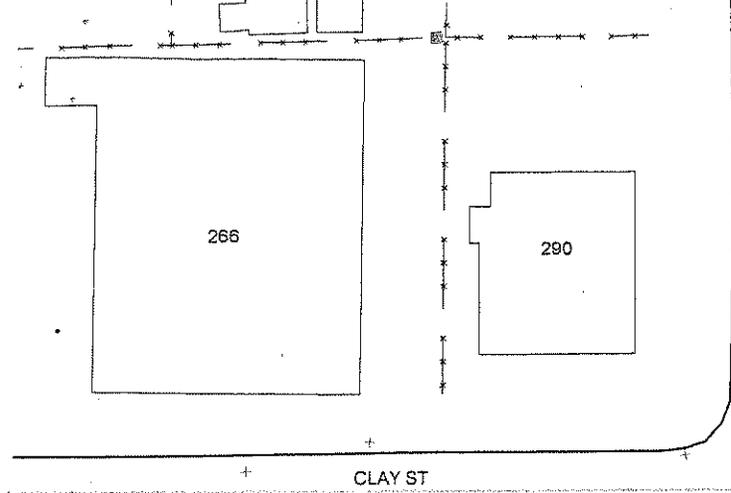


## Application Form

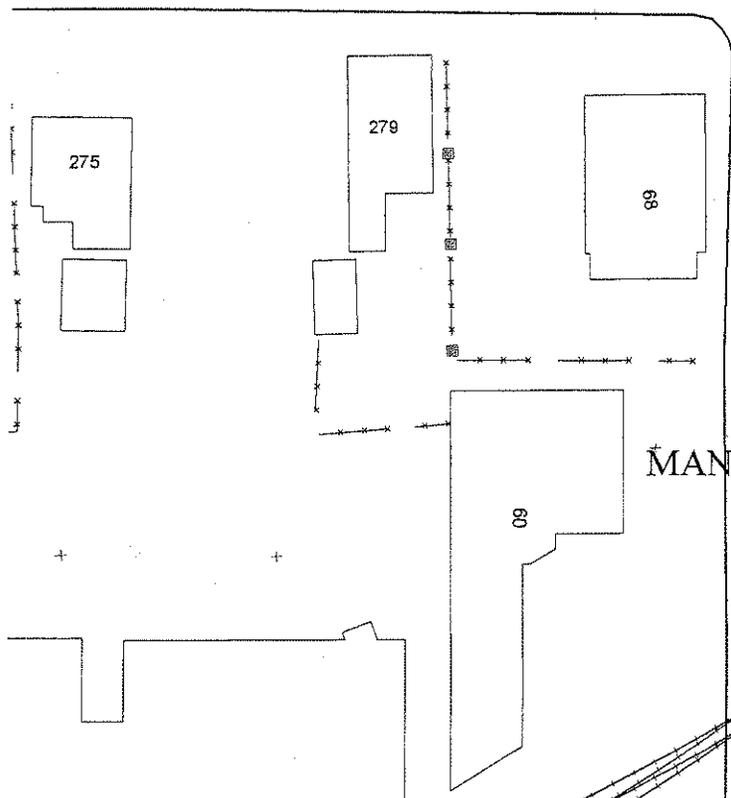
### TO BE COMPLETED BY APPLICANT

1. Application submission date: 6-22-07
2. Name(s) of abutting applicant property owner(s)
  1. Gary Janas
  2. Glenn Janas
3. Street address of abutting applicant property: 61 Beech St  
Manchester
4. Mailing address of abutting applicant property owner: Beech St  
Manchester, NH
5. Telephone number & e-mail address where applicant abutting property owner can be reached: 603-669-6670
6. Applicant (if other than abutting property owner): \_\_\_\_\_
7. Mailing address of applicant (if other than than abutting property owner): \_\_\_\_\_
8. Telephone number & e-mail address where applicant (if other than abutting property owner can be reached: \_\_\_\_\_
9. Tax map & lot number of abutting applicant property: \_\_\_\_\_
10. List of specific uses planned for corridor: Gas line to building at  
61 Beech St.
11. Required application materials.
  - (a) Application Form
  - (b) Boundary plan of the entire affected area prepared and signed by a licensed land surveyor. Plan shall show, at minimum, the boundaries of the affected portion of the former rail corridor, the location of the applicant's abutting property, and existing and proposed site conditions.
  - (c) Statement of policy acceptance (see item #12).
12. Statement of Policy Acceptance. *I hereby certify that the above information is correct; that I have submitted herewith all of the pertinent required documentation; that I have read and am familiar with the "City of Manchester Policy Regarding Private Sector Use of the Former Portsmouth Branch Railroad Line Right-of-Way"; and that, if granted a revocable license to use City-owned rail corridor land, will fulfill the provisions of that Policy.*

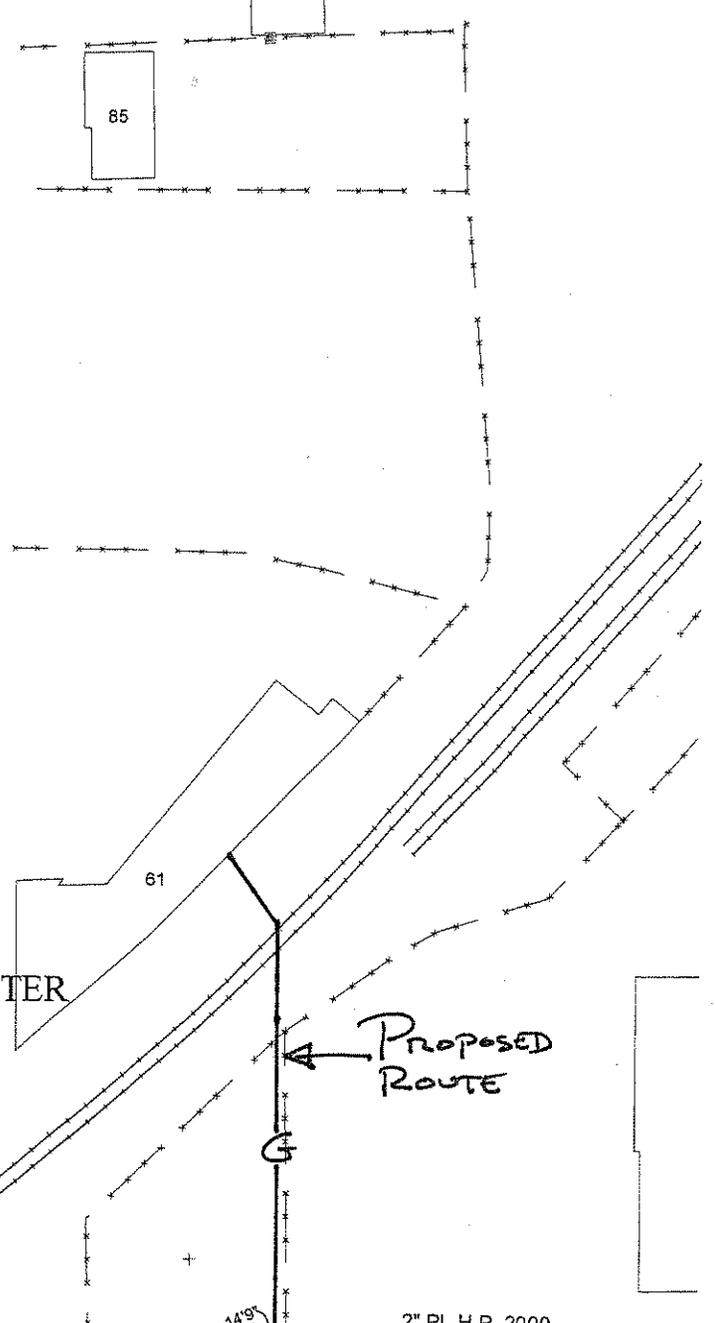
Owner's Signature:	1. <u>[Signature]</u>
	2. <u>Glenn Janas</u>
Date of owner signature:	<u>6-22-07</u>
Agent's Signature:	_____
Date of agent signature:	_____



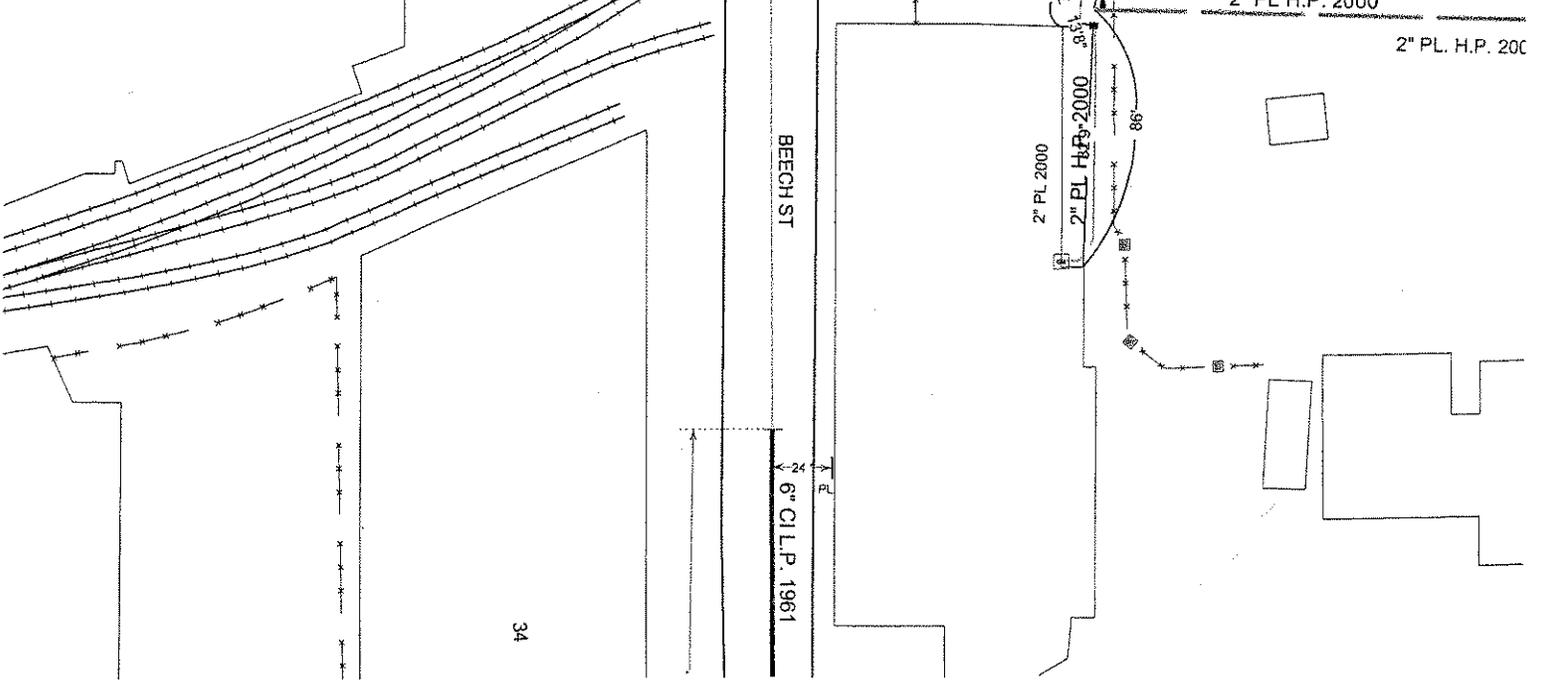
CLAY ST



MANCHESTER



Proposed Route



2" PL H.P. 2000

2" PL. H.P. 200

BEECH ST

6" C.I.L.P. 1961

2" PL 2000  
2" BL H.P. 2000

M-4

## To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety, Health & Traffic respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

**RESCIND NO PARKING ANYTIME:**

On Page Street, west side, from a point 500 feet north of Candia Road to a point 60 feet north (Ord. 8934).

**Section 70.36 Stopping, Standing, or Parking Prohibited**

On A Street, south side, from a point 30 feet west of South Main Street to a point 75 feet westerly (Ord. 2533).

**RESCIND NO PARKING LOADING ZONE:**

On Rimmon Street, east side, from a point 148 feet south of Kelley Street to a point 24 feet south.

**RESCIND NO PARKING – LIVE PARKING ONLY DURING SCHOOL HOURS-  
EMERGENCY ORDINANCE:**

On Jewett Street, east side, from Hayward Street to Merrill Street.

**NO PARKING ANYTIME:**

On Witt Avenue, east side, from Cilley Road northerly to the dead end.

On A Street, south side, from South Main Street to a point 105 feet westerly.

**NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Boynton Court, east side, from a point 75 feet south of Valley Street to the dead end.

**NO PARKING 7 AM – 3 PM – MONDAY/FRIDAY – EMERGENCY ORDINANCE:**

On Jewett Street, east side, from Hayward Street to Merrill Street.

**NO PARKING ANYTIME:**

On Market Street, east end of the street, from the south end of the street to a point 25 feet north.

*(Unanimous vote.)*

Respectfully submitted,

  
Clerk of Committee

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that Section 70.82 Immobilization of Motor Vehicles for Non-payment of Parking Fines of the Code of Ordinances be amended to increase the fee for vehicle immobilization; and that same be referred to the Committee on Bills on Second Reading for technical review.

*(Unanimous vote.)*

Respectfully submitted,



Clerk of Committee

# City of Manchester New Hampshire

*In the year Two Thousand and*

## AN ORDINANCE

"Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.82 Immobilization of Motor Vehicles for Non-Payment of Parking Fines increasing the fee for immobilization and inserting reference to the Parking Division."

Page 1 of 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged appear in regular type.

### § 70.82 IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES.

(A) Any person to whom is sent or issued notification of violations of preceding sections of this subchapter and who does not pay the charges prescribed above, or any vehicle that has accumulated a total of at least \$30 in unpaid parking fees at any parking garage or garages, may be ~~summoned upon complaint to the Manchester District Court~~ **subject to towing and storage or immobilization by the Parking Division provided notice of intent to tow and store or immobilize said vehicle has been placed on the vehicle or sent to the last known address listed with the State Motor Vehicle Department of the state in which the vehicle is registered.** The penalty of violation of this subchapter in such case shall be no less than the fine indicated in the applicable payment schedule, no portion of which may be suspended, and/or

(B) Any vehicle found parked on any public street, parking lot or any other place for which three or more outstanding parking violation "final notices" for violations of the preceding section have been sent equaling at least \$100 may be subject to towing and storage or immobilization by the **Parking Division** or Manchester Police Department provided notice of intent to tow and store or immobilize said vehicle has been placed on the vehicle or sent to the last known address listed with the State Motor Vehicle Department of the state in which the vehicle is registered. Said notice shall contain the following information:

- (1) The date, time and location of the violations leading to the issuance of the notice;
- (2) That the subject vehicle will be towed, stored or immobilized after a specific date of not less than five days after the date of the notice unless all the outstanding violations and late fees are paid;

# City of Manchester New Hampshire

*In the year Two Thousand and*

## AN ORDINANCE

"Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.82 Immobilization of Motor Vehicles for Non-Payment of Parking Fines increasing the fee for immobilization and inserting reference to the Parking Division. "

Page 2 of 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(C) Any vehicle towed and stored or immobilized in accordance with the preceding may be released as follows:

- (1) By payment of all charges due.
- (2) By posting cash bond with the Police Department / **Parking Division** in an amount sufficient to make full payment of all parking charges due arising out of violations subject to the provisions of this chapter in order to allow judicial determination regarding the matter in question.
- (3) By judicial determination.

(D) In the event that any motor vehicle has been towed and stored or immobilized pursuant to this chapter, a further precondition to the release of said vehicle shall be the payment by the party seeking the release of said vehicle of all fees and charges incurred by the city for the towing and storage and immobilization of said vehicle. Further the vehicle shall not be released until the person requesting it presents satisfactory evidence of his/her right to possession and signs a receipt upon receiving the vehicle. The fee for immobilization shall be \$50 \$100. The fee for towing and storage of a vehicle shall be that set out in the then current towing contracts between the Police Department and the various towing companies.

(E) When a motor vehicle has been immobilized pursuant to the provisions of this chapter, the **Parking Division** / Manchester Police Department shall affix a warning notice on the windshield of the vehicle advising the driver not to attempt to operate the vehicle or remove the immobilization device, and advising the operator or owner of the procedure to have the immobilization device removed.

(F) It shall be unlawful for any person to tamper with or attempt to destroy or remove any **Parking Division** / Manchester Police Department immobilization device from a vehicle without authorization by the Manchester Police Department or **Parking Division**, and the penalty for such action upon conviction shall be a violation and a fine of \$100, no portion of which may be suspended.

II. These ordinances shall take effect upon passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that a request from Mr. Alan Heacock of the Daniel Webster Council Boy Scouts to use Arms Park on April 13, 2008 for their annual Hike-a-thon has been approved.

*(Unanimous vote.)*

Respectfully submitted,



Clerk of Committee

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee further recommends, after due and careful consideration, that the request from Ms. Christine Hardy of Easter Seals to be granted twenty (20) one-day parking passes for use in conjunction with their annual "Walk With Me" event at Veteran's Park on June 5, 2008 be approved.

*(Unanimous vote.)*

Respectfully submitted,



Clerk of Committee

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the request from the NH Department of Transportation to place permanent I-93 Detour Guidance Signs along Route 28 (South Willow Street) be approved.

*(Unanimous vote.)*

Respectfully submitted,



Clerk of Committee



# City of Manchester

3-18-2008  
Nominated  
Mr. Galvin  
Aldermen  
- Confirmed

Office of the Mayor  
Hon. Frank C. Guinta

March 18, 2008

The Honorable Board of Aldermen  
One City Hall Plaza  
Manchester, NH 03101

Re: Nominations

Dear Members of the Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1) Jeff Galvin to succeed Fred Urtz (term limit) as architectural/design field representative to the Millyard Design Review Committee, term to expire January 1, 2010;
- (2) Alderman Michael Lopez as an aldermanic representative to the Manchester Development Corporation;
- (3) Alderman George Smith as an aldermanic representative to the Manchester Development Corporation.

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated.

Sincerely,

Frank C. Guinta  
Mayor



**JEFF GALVIN, LEED® AP**

*Project Manager*

Jeff joined the firm in 2003 and specializes in healthcare design. He is one of our LEED® Accredited Professionals and provides expert input on many of our sustainable projects. Jeff earned his Bachelor of Architecture from Norwich University.

One of our most experienced medical office building designers, Jeff has planned facilities and spaces to accommodate from two to 20 different physicians, in various specialties. Each of his MOB projects has required blending the unique programming needs of various physicians and staff, while designing to address the comfort of patients and occupants.

**EDUCATION**

Norwich University,  
Bachelor of Architecture

**PROFESSIONAL AFFILIATIONS**

LEED® Accredited Professional

**CONTACT**

jeff.galvin@LBPA.com

**REFERENCE**

Peggy Pinkham, President/CEO  
St. Andrews Hospital  
207-633-2121  
mpinkham@standrewshealthcare.org

**PROJECT WORK**

**St. Andrews Hospital**  
Family Care Center  
Med/Surg Renovations

**New London Hospital**  
Additions and Renovations

**Androscoggin Valley Hospital**  
CT Scan Room Renovations  
ED Renovations  
St. Luke's MOB Renovations

**Sebasticook Valley Hospital**  
Additions and Renovations

**Goodall Hospital**  
Outpatient Services Suite Fit-up

**Blue Hill Medical Office Building**  
Interior Renovations

**New Hampshire Orthopaedics**  
Additions and Renovations

**PRIMEX<sup>3</sup> (LEED® Silver Certified)**  
Corporate Headquarters

**RECOMMENDED  
BY F. ERTZ**

**Johnson, Carol**

---

**From:** Sullivan, Peter  
**Sent:** Friday, March 28, 2008 12:22 AM  
**To:** Johnson, Carol  
**Subject:** School Board nomination

Dear Carol,

I have decided to nominate Michael DeBlasi of 55 N. River Rd. to fill the vacant seat on the Manchester Board of School Committee from Ward 3.

Later today, I will deliver a copy of Mike's resume and cover letter for inclusion in the attachments for next Tuesday's aldermanic meeting. Naturally, I am also requesting that his nomination be placed on the agenda for Tuesday.

Thanks in advance for your help,

Peter M. Sullivan  
Alderman, Ward 3  
391-7117

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the proposed Late Fee Forgiveness Program be approved and a temporary late fee ordinance will be presented to the Board of Mayor and Aldermen on April 1, 2008.

The Committee further recommends that the use of the online citation payment tool be approved.

*(Unanimous vote.)*

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Johnson", written in black ink.

Clerk of Committee

## Legislative Update – March 28, 2008

The following bills are being tracked by the Mayor's Office and city departments as of **Friday, March 28, 2008** (\* means department head or representative may testify)

### MAYOR'S OFFICE SUPPORTS

**HB1573** – relative to hazardous and dilapidated buildings (OTP/w Amendment by House – voice vote) *also supported by Building Department*

**SB507** – relative to extended terms of imprisonment for criminal street gang members (OTP/w Amendment by Senate; in House Criminal Justice and Public Safety Committee) *also supported by Police Department*

### MAYOR'S OFFICE OPPOSED

**HB1623** – relative to the penalty for possession of marijuana (OTP/w Amendment by House – 193-141) *also opposed by Police Department*

### MAYOR'S OFFICE TRACKING

**HB1645** – relative to administration of the New Hampshire retirement system and benefits for members (OTP/w Amendment by House – 259-60) *also tracked by Finance Department*

**SB468** – relative to the reinsurance pool and the New Hampshire vaccine association (OTP/w Amendment by Senate; in House Commerce Committee) *also tracked by Health Department and Human Resources Department*

### BOARD OF MAYOR AND ALDERMEN SUPPORT

**HB1181** – naming the Manchester district courthouse the Armand Capistran district courthouse (OTP by House; in Senate Public and Municipal Affairs Committee) *BMA vote on Feb. 4, 2008, (unanimous)*

**SB371** – making various changes to the city of Manchester employees' contributory retirement system (OTP by Senate; in House Executive Departments and Administration) *BMA vote on Dec. 4, 2007, (11 yea, 2 abstentions)*

### BOARD OF MAYOR AND ALDERMEN OPPOSE

**SB373** – relative to dental insurance coverage for members of the Manchester employees' contributory retirement system *BMA vote on Feb. 19, 2008, to **oppose** (7 yea, 5 nay, 2 abstentions)* \*\*\* **Note on SB373** \*\*\* – The entire text of the bill was amended, removing all reference to the dental insurance coverage for members of the Manchester employees' contributory retirement system. The bill is now relative to definitions for and the application of the civil unions law to the retirement system. (OTP/w Amendment by Senate; in House Executive Departments and Administration)

## DEPARTMENTS SUPPORT

### **Assessor's Office**

**HB1478** – relative to the quorum for meetings of the equalization standards board (OTP by House – voice vote)

### **Building Department**

**HB1573** – relative to hazardous and dilapidated buildings (OTP/w Amendment by House – voice vote) *also supported by Mayor's Office*

### **City Clerk's Office**

**HB1240** – relative to disqualification of certain election officers and relative to arrangement of polling places (OTP/w Amendment by House; in Senate Election Law and Internal Affairs Committee)

**SB375** – allowing veterinarians to inform town and city clerks about dogs that have been euthanized or died during treatment (OTP by Senate; in House Municipal and County Government Committee)

**SB478** – relative to processing absentee ballots (OTP by Senate; in House Election Law Committee)

### **Environmental Protection Division (Public Works)**

\***HB1581** – relative to the formation of stormwater utility districts (OTP/w Amendment by House – 163-113) *also tracked by Water Works*

### **Fire Department**

**HB1594** – relative to hazardous material reporting requirements and establishing fees for hazardous materials facilities and employees (OTP/w Amendment by House Ways and Means Committee – 11-6; minority report filed)

### **Health Department**

**HB1171** – establishing a commission to study air quality issues in public school buildings (OTP by House; in Senate Education Committee)

**HB1201** – allowing communities to conduct point of dispensing exercises to test emergency management operations plans, allowing qualified health professionals to prescribe and administer flu vaccine during such exercises, and granting immunity to such qualified health professionals (OTP by House; in Senate Education Committee)

**HB1395** – establishing the AIDS drug assistance program fund (OTP/w Amendment by House-voice vote)

**HB1405** – regulating outdoor wood-fired hydronic heaters (OTP/w Amendment by House; in Senate Energy, Environment and Economic Development Committee)

**HB1422** – establishing a committee to study the prevention of childhood obesity (OTP/w Amendment by House; in Senate Health and Human Services Committee)

**SB395** – establishing a commission to review New Hampshire's statutes on human immunodeficiency virus education, prevention, and control (OTP/w Amendment by Senate; in House Health, Human Services and Elderly Affairs Committee)

**SB512** – relative to emergency management powers (OTP/w Amendment by Senate; in House Health, Human Services and Elderly Affairs Committee)

**Police Department**

**SB507** – relative to extended terms of imprisonment for criminal street gang members (OTP/w Amendment by Senate; in House Criminal Justice and Public Safety Committee) *also supported by Mayor's Office*

**Water Works**

**HB1202** – relative to monitoring privately owned water distribution programs (OTP/w Amendment by House – voice vote)

**DEPARTMENTS OPPOSE**

**City Clerk's Office**

**HB1318** – relative to temporary plates issued by motor vehicle dealers (OTP by House)

**Fire Department**

**SB210** – relative to making various changes to the regulation of plumbers and water treatment technicians by the board of licensing and regulation of plumbers (OTP/w Amendment by House; in Senate Executive Departments and Administration Committee)

**Health Department**

**HB1457** – allowing smoking in cigar bars (OTP/w Amendment by House; in Senate Commerce, Labor and Consumer Protection Committee)

**SB428** – establishing a commission to study the funding of vaccines for children who are not covered by private health insurance (OTP/w Amendment by Senate; in House Health, Human Services and Elderly Affairs Committee)

**Police Department**

**HB1623** – relative to the penalty for possession of marijuana (OTP/w Amendment by House – 193-141) *also opposed by Mayor's Office*

**DEPARTMENTS TRACKING**

**Finance Department**

**HB1645** – relative to administration of the New Hampshire retirement system and benefits for members (OTP/w Amendment by House – 259-60) *also tracked by Mayor's Office*

**Fire Department**

**HB331** – relative to time limits on design review (OTP by House; in Senate Public and Municipal Affairs Committee)

**HB781** – relative to duties of the department of safety (OTP/w Amendment by House; 200-124)

**SB212** – relative to the regulation of home inspectors (OTP/w Amendment by Senate; in House Executive Departments and Administration Committee)

**Manchester Economic Development Office**

**HB1404** – relative to liability insurance for passenger rail service (OTP by House; in Senate Transportation and Interstate Cooperation Committee)

## **Police Department**

**HB432** – relative to certain on-premises beverage and liquor licenses (OTP/w Amendment by House; 219-107) *also tracked by Office of Youth Services*

## **Water Works**

**HB1254** – relative to the ability of towns to regulate the storage of deicing chemicals (OTP/w Amendment by House; in Senate Public and Municipal Affairs Committee)

**HB1353** – extending the commission to study issues relative to groundwater withdrawal (OTP/w Amendment by House; in Senate Energy, Environment and Economic Development Committee)

**HB1408** – relative to the right-to-know law (OTP by House – voice vote)

**HB1568** – relative to endangering the public water supply (OTP/w Amendment by House)

**HB1579** establishing a commission to study issues relating to land development and land development regulation in New Hampshire (OTP/w Amendment by House – voice vote)

**HB1581** –relative to the formation of stormwater utility districts (OTP/w Amendment by House – 163-113) *also supported by EPD*

**SB158** – relative to review of activities affecting surface waters (OTP/w Amendment by Senate; in House Resources, Recreation and Development Committee)

**SB352** – relative to shoreland protection (OTP/w Amendment by Senate; in House Resources, Recreation and Development Committee)

**SB358** – relative to mooring permits (OTP by Senate; in House Resources, Recreation and Development Committee)

## **Youth Services**

**HB432** – relative to certain on-premises beverage and liquor licenses (OTP/w Amendment by House; 219-107) *also tracked by Police Department*

**HB632** – relative to the penalty for death resulting from the trafficking of controlled drugs (OTP by House; in Senate Judiciary Committee)

**HB1197** – relative to liquor advertising (OTP by House – voice vote)

**HB1257** – relative to license suspensions for persons operating under the influence of drugs (OTP/w Amendment by House; in Senate Judiciary Committee)

**HB1258** – relative to vehicle impoundment following an arrest for DWI or refusing consent to a blood alcohol test (OTP/w Amendment by House; in Senate Judiciary Committee)

**HB1264** – relative to prohibiting ATV and trail bike use on state-owned rail trails acquired using federal funds (OTP w/Amendment by House; in Senate Transportation and Interstate Cooperation Committee)

**HB1622** – allowing counties to implement a first-time offender alcohol and substance treatment program, requiring the department of justice to administer grants to counties for such program, and making an appropriation therefor (OTP/w Amendment by House)

**HB1633** – relative to the regulation of licensed alcohol and drug use counselors (OTP/w Amendment by House)

**SB324** – consolidating all substance abuse services in the office of alcohol and drug abuse prevention within the department of health and human services (OTP by Senate; in House Health, Human Services and Elderly Affairs Committee)

**SB379** – relative to boating while intoxicated and transporting alcoholic beverages by a minor (OTP/w Amendment by Senate; in House Transportation Committee)

### PASSED BOTH HOUSES

**HB291** – relative to licensure of fireworks sellers (**tracked by Fire Department**)

**HB1151** – relative to reporting dates for the instream flow pilot program (**tracked by Water Works**)

**HB1295** – establishing a commission to study issues relating to stormwater (**supported by Environmental Protection Division and Water Works**)

**SB117** – relative to fireworks display permits and the position of permissible fireworks inspector (**supported by Fire Department**)

### INTERIM STUDY

**HB842** – establishing safety requirements and procedures for firefighters (**opposed by Fire Department**)

**HB584** – including 17-year olds in the juvenile justice system (**opposed by Mayor's Office and Police Department**)

### KILLED BY LEGISLATURE

**HB329** – relative to fire equipment servicing certification program (**tracked by Fire Department**)

**HB374** – increasing the appropriation to the firemen's relief fund (**opposed by Fire Department**)

**HB460** – relative to conservation restrictions to protect public water supplies (**tracked by Water Works**)

**HB630** – relative to an electronic controlled drug prescription monitoring program (**tracked by Office of Youth Services**)

**HB779** – relative to funding of retirement system benefits and supplemental allowances (**tracked by Fire Department**)

**HB1144** – allowing veterans discharged under honorable conditions to be eligible for the veterans property tax credit (**tracked by Assessors Office**)

**HB1178** – relative to the definition of beverage (**tracked by Youth Services**)

**HB1199** – relative to the residency requirements for the elderly property tax exemption (**tracked by Assessor's Office**)

**HB1267** – allowing municipalities to adopt a non-wartime veterans property tax credit (**tracked by Assessor's Office**)

**HB1269** – authorizing local governing bodies to place certain properties on a conservation priority list and requiring owners of land designated as conservation priority land to notify the municipality before offering the land for sale (**tracked by Water Works**)

**HB1272** – relative to "meetings" under the right-to-know law (**tracked by Water Works**)

**HB1362** – establishing a selection process for compulsory assistant election official service (**opposed by City Clerk's Office**)

\***HB1310** – relative to information for property tax assessments of commercial and industrial properties (**supported by Assessor's Office**)

**HB1329** – relative to the authority of elected municipal authorities in dealing with municipal utilities (**tracked by Water Works**)

**HB1409** – creating a right of first refusal for a municipality in which certain utility property or stock is proposed to be sold by a utility (**tracked by Water Works**)

**HB1419** – relative to voting machine costs (**opposed by City Clerk’s Office**)  
**HB1421** – relative to an exemption from the indoor smoking act for certain restaurants (**opposed by Health Department**)  
**HB1439** – relative to a moratorium on large groundwater withdrawals intended for commercial bottling (**tracked by Water Works**)  
**HB1444** – relative to vacancies in county offices (**opposed by City Clerk’s Office**)  
**HB1455** – increasing the amount of the veteran property tax credit and enabling municipalities to extend the Veteran property tax credit to include all veterans who have been honorably discharged (**tracked by Assessor’s Office**)  
**HB1541** – relative to service in the Vietnam Conflict for purposes of qualification for the Veterans property tax credit (**tracked by Assessor’s Office**)  
**HB1559** – requiring home confinement for certain drug possession crimes (**tracked by Youth Services**)  
**HB1574** – increasing the beer tax (**tracked by Youth Services**)  
**HB1621** – relative to requiring a refundable deposit on beverage containers “bottle bill” (**opposed by Public Works**)  
**HB1629** – relative to the evaluation of recycling and energy conversion options for grease trap wastes at the Winnepesaukee river basin program’s Franklin wastewater treatment facility and making an appropriation therefore (**supported by Environmental Protection Division**)  
**SB62** – relative to penalties for violations of the state building code (**supported by Fire Department**)  
**SB179** – establishing an automated external defibrillator advisory commission (**supported by Fire Department**)  
**SB257** – relative to penalties for life safety code violations under municipal housing standards (**tracked by Fire Department**)  
**SB405** – Establishing a committee to study driver’s license revocation and continuous alcohol monitoring (**tracked by Youth Services**)  
**SB457** – extending the veterans property tax credit to all honorably discharged Veterans (**tracked by the Assessor’s Office**)  
**SB514** – relative to mercury exposure reduction and requiring insurance coverage for mercury-free fillings, vaccines, and injections for certain persons (**opposed by Health Department**)  
**SB535** – relative to exceptions to highway surveillance prohibitions (**supported by Parking Services**)

**TABLED**

**HB76** – creating an environmental policy for New Hampshire (**tracked by Water Works**)  
**HB1436** – relative to requiring inclusion of an automatic continuation clause in collectively bargained agreements with public employees “evergreen clause” (**opposed by Mayor’s Office**)  
**SB384** – relative to the repair of septic systems prior to the sale of waterfront property (**tracked by Water Works**)  
**SB417** – relative to changes to the shoreland protection act (**tracked by Water Works**)



**City of Manchester  
Office of the City Solicitor**

One City Hall Plaza  
Manchester, New Hampshire 03101  
(603) 624-6523 Fax (603) 624-6528  
TTY: 1-800-735-2964  
Email: [solicitor@ManchesterNH.gov](mailto:solicitor@ManchesterNH.gov)

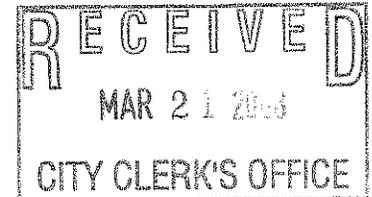
Thomas R. Clark  
City Solicitor

Thomas I. Arnold, III  
Deputy City Solicitor

~~Daniel D. Muller, Jr.~~  
~~Michele A. Battaglia~~  
Gregory T. Muller  
~~Michael A. Beausoleil~~

March 21, 2008

Board of Mayor and Aldermen  
C/o Carol Johnson, Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101



Re: Portsmouth Branch railroad right-of-way/61 Beech Street/gas line.

Gentlemen:

As its meeting on August 6, 2207 the Committee on Lands and Buildings advised that "after due and careful consideration, that it has approved a Right-of-Way application for the use of the Portsmouth Branch railway for installation of a underground residential gas line at 61 Beech Street, subject to the review and approval of the City Solicitor."

Since the committee's recommendation I have undertaken to negotiate the terms of an easement across the rail line. A copy of the proposed easement, which has been approved by this office, is attached hereto.

This office will be happy to answer any questions regarding the attached easement when it is taken up by the board

Very truly yours,

Thomas I. Arnold, III  
Deputy City Solicitor

*For registry use:*  
*Tax Stamp:*  
*Recording Fee:*  
*Return to:*

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### EASEMENT AGREEMENT

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 2008, by and between **The City of Manchester**, having its principal office at One City Hall Plaza, Manchester, New Hampshire 03101, (hereinafter referred to as "Grantor"), being the owner of certain land in Manchester, County of Hillsborough, New Hampshire more particularly described in a deed dated \_\_\_\_\_ and recorded with the County of Hillsborough Registry of Deeds (the "Registry") in Book \_\_\_\_\_, Page \_\_\_\_ (the "Grantor's Land") and **Energy North Natural Gas, Inc. d/b/a KeySpan Energy Delivery New England**, a New Hampshire corporation, having its principal office at 52 Second Avenue, Waltham, MA 02451 (hereinafter referred to as "Grantee"). Grantor and Grantee are collectively referred to herein as the "Parties".

WITNESSETH, that Grantor, in consideration of One (\$1.00) Dollar and other good and valuable consideration paid by Grantee, does hereby grant and release unto Grantee, their successors and assigns, forever, an easement and right-of-way on, over, under, across, through and along certain portions of Grantor's Land (the "Property"). A copy of the plan of easement, showing the location and/or dimensions of said easement and right-of-way herein granted (the "Easement Area"), is attached hereto and made a part hereof as "Exhibit A". This easement agreement along with said plan shall be recorded at the County of Hillsborough Registry of Deeds.

Said easement and right-of-way herein granted include the following rights and privileges:

FIRST: The permanent and perpetual easement, right, privilege and authority to construct, reconstruct, relocate, operate, repair, maintain and remove underground and/or grade level gas systems, including but not limited to gas mains, gas service pipes and valves, together with all necessary appurtenances and accessories thereto (collectively, the "Gas Facilities"), as Grantee may now and from time-to-time deem necessary, all within the Easement Area. All such gas mains or gas service pipes shall be at least three (3) feet below grade and shall be installed in a protective metal sleeve. The gas service valve cover shall be flush with grade.



# MANCHESTER WATER WORKS

281 LINCOLN ST., MANCHESTER, NEW HAMPSHIRE 03103-5093 Tel. (603) 624-6494

C. ARTHUR SOUCY  
President

RICHARD M. BUNKER  
Clerk

LOUIS C. D'ALLESANDRO  
DYLAN R. CRUESS  
WILLIAM A. BEATON  
PATRICK J. JORDAN

Ex Officio  
HON. FRANK C. GUINTA  
Mayor

THOMAS M. BOWEN, P.E.  
Director and Chief Engineer

ROBERT BEAURIVAGE, P.E.  
Asst. Director

February 28, 2008

Board of Mayor and Aldermen  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

**RE: AMENDMENT NO. 3 - VERIZON WIRELESS DERRYFIELD PARK CELL SITE**

Dear Board of Mayor and Aldermen:

The Board of Water Commissioners, at their meeting on Tuesday, February 26, 2008, approved the Third Amendment for the Verizon Wireless Lease Agreement for use of the city cell site at Derryfield Park.

As outlined in the October 17, 2007 letter from Attorney Thomas W. Hildreth, the amendment essentially covers the relocation of equipment already placed at the site. It is my understanding that this modification has been reviewed by representatives of the Manchester Fire Communication Division and found to be acceptable. The document has also been reviewed by Attorney Thomas Clark of the City's Solicitor's office.

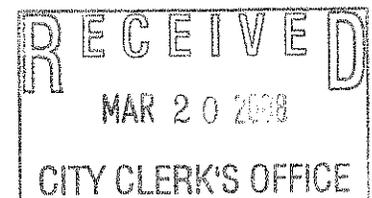
**IT IS THEREFORE RESPECTFULLY REQUESTED THAT THE BOARD APPROVE THE AMENDMENT AS SUBMITTED.**

Sincerely,

Thomas M. Bowen, P.E.  
Director

TMB:edg

cc Thomas Clark, City Solicitor  
Jody Rivard, Fire Communications Division



# Memo

- 4 -  
02-26-08

February 12, 2008

TO: BOARD OF WATER COMMISSIONERS

FROM: *TMB* THOMAS M. BOWEN, P.E., DIRECTOR

RE: VERIZON WIRELESS LEASE AMENDMENT – DERRYFIELD PARK

---

Attached for the Board's consideration is an October 17, 2007 letter from Attorney Thomas W. Hildreth on behalf of his client, Verizon Wireless, for a Third Amendment to the Lease Agreement for the antenna on Manchester Water Works' property at Derryfield Park. The nature of the amendment is to allow Verizon simply to modify the placement of existing and proposed antennas previously authorized at different heights along the tower. This request has been under review by representatives of the City's Fire Communications Division and it is their opinion that the requested changes will have no adverse impact.

The Board may recall that in 2007 amendment was authorized which added additional antennas and increased the compensation to Manchester Water Works from \$1,167.00 per month to \$1,760.00 per month, or \$21,200.00.

**IT IS THEREFORE RECOMMENDED THAT THE BOARD APPROVE AMENDMENT NO. 3 AS SUBMITTED AND AUTHORIZE THE DIRECTOR TO FORWARD THE SAME TO THE BOARD OF MAYOR AND ALDERMEN FOR THEIR APPROVAL.**

TMB:ds

Attachment

bwc1

## Manchester Water Works

281 Lincoln St., Manchester, NH 03103, tel. 603-624-6494, fax: 603-628-6020

11-2



McLane, Graf,  
Raulerson &  
Middleton

*Professional Association*

NINE HUNDRED ELM STREET • P.O. BOX 326 • MANCHESTER, NH 03105-0326  
TELEPHONE (603) 625-6464 • FACSIMILE (603) 625-5650

THOMAS W. HILDRETH  
Direct Dial: (603) 628-1177  
Internet: tom.hildreth@mcclane.com  
Admitted in NH, ME, MA

OFFICES IN:  
MANCHESTER  
CONCORD  
PORTSMOUTH

October 17, 2007

Thomas Clark, Esquire  
City Solicitor  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Tom Bowen  
Executive Director  
Manchester Water Works  
281 Lincoln Street  
Manchester, NH 03103

Re: Verizon Wireless – Manchester, NH (Derryfield Park) Cell Site

Gentlemen:

Enclosed please find duplicate originals of the proposed Third Amendment to Option and Lease Agreement (the "Third Amendment") for the above-referenced site. The Third Amendment does not add any new equipment; it simply relocates equipment previously installed on the tower. Specifically, Verizon Wireless will lower 8 of the 12 panel antennas from the 159' level to the 60' level. Because this amendment will not require the installation of additional equipment on the tower, and will actually decrease the stress burden on the tower in terms of weight, we propose no revenue adjustment.

I understand that you will need to have this proposal reviewed by the City's communications director. Presuming he clears the change, please have both originals executed on behalf of the City of Manchester and return them to me. Upon receiving the signed documents, I will forward them to Verizon Wireless for final execution and return a fully-executed original of the Amendment to you.

Please do not hesitate to contact me should you have any questions or concerns. Once again thank you for your assistance with this matter.

Sincerely yours,

Thomas W. Hildreth

TWH/DW  
Enclosures

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October 17, 2007 11:31:03 AM

11-3

**THIRD AMENDMENT  
TO OPTION AND LEASE AGREEMENT**

THIS THIRD AMENDMENT TO OPTION AND LEASE AGREEMENT ("Third Amendment") is made as of this \_\_\_\_ day of \_\_\_\_\_, 2007, by and between The City of Manchester, a municipality, through the Manchester Water Works, having offices at 908 Elm Street, Manchester, New Hampshire 03101 (the "Lessor") and CELLCO Partnership d/b/a Verizon Wireless, a Delaware general partnership, with a principal place of business at One Verizon Way, Basking Ridge, New Jersey 07920 (the "Tenant").

WHEREAS, Lessor and Tenant entered into an Option and Lease Agreement dated August 28, 1995 (the "Lease") with respect to Tenant leasing a 60' x 60' parcel of land on which is located a telecommunications tower owned by Lessor (the "Tower"), together with a right of way for ingress and egress, seven days a week, twenty-four hours a day, on foot or motor vehicle, including trucks, and an easement for the installation and maintenance of utility wires, cables, conduits and pipes over, under or along a right of way extending from the nearest public/utility right of way to the demised premises, all located in Derryfield Park on certain real estate in Manchester, County of Hillsborough, State of New Hampshire (hereinafter referred to as the "Property");

WHEREAS, Section 7c. of the Lease provided Tenant with the right to install 12 cellular panel antennas between the 135 and 165 foot levels of the Tower, as well as the right to install up to four (4) six (6) foot diameter microwave dishes on the Tower, with precise locations and sizes to be determined;

WHEREAS, Lessor and Tenant executed an Amendment to Option and Lease Agreement dated April 3, 2001 (the "First Amendment") in order to delete the last sentence of Section 7c. and replace it with a sentence permitting Tenant to install up to four (4) microwave dishes, each up to eight (8) feet in diameter;

WHEREAS, Lessor and Tenant executed a Second Amendment to Option and Lease Agreement dated July 5, 2007 in order to delete the last sentence of Section 7c. and replace it with a sentence permitting Tenant to install up to six (6) microwave dishes, each up to eight (8) feet in diameter, so that, presently Tenant has the following inventory of equipment on the Tower:

Equipment	Approx. AGL Centerline Elevation (ft)
(12) directional panel antennas and mount	159
(1) 6' microwave dish and mount	165
(1) 6' microwave dish and mount	128
(1) 6' microwave dish and mount	120
(1) 6' microwave dish and mount	80
(1) 2' microwave dish and mount	75
(1) 4' microwave dish and mount	70

WHEREAS, Lessor and Tenant desire to amend the Lease further to allow Tenant to modify the current panel antenna arrangement by lowering eight (8) of the twelve (12) directional panel antennas (two sectors) to a centerline height of sixty (60) feet.

WHEREAS, the parties desire to effect these arrangements by way of this Third Amendment to the Lease.

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, Lessor and Tenant, each intending to be legally bound hereby, agree that the Lease shall be amended as follows:

1. SECTION 7c. The first sentence of Section 7c. of the Lease is hereby deleted and replaced with the following underlined text, so that, as amended, said sentence will read as follows:

“Tenant shall have the exclusive right to install its wireless communications antennas between the 50 and 165 foot level.”

2. EQUIPMENT MODIFICATION. Tenant shall complete the modification contemplated by this Third Amendment within sixty (60) days of Tenant’s receipt of a building permit from the City of Manchester; provided, however, that if Tenant is delayed or prevented from performing the modification within said sixty-day period by reasons beyond its reasonable control, then, so long as Tenant is diligently pursuing the efforts necessary to complete the modifications, it shall be afforded additional time.

3. RATIFICATION. Except as amended by this Third Amendment, the Lease, as previously amended, shall remain in full force and effect and is hereby ratified and reaffirmed.

4. COUNTERPARTS. This Third Amendment may be executed simultaneously in counterparts, each of which shall be deemed an original, and each such counterpart shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly executed on the dates indicated below, to be effective as of the day and year first written above.

LESSOR:

CITY OF MANCHESTER

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_, 2007

TENANT:

CELLCO PARTNERSHIP  
d/b/a Verizon Wireless

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_, 2007

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October 17, 2007 11:16:18 AM

SECOND: The privilege of such access from the street to the Easement Area as is necessary for the enjoyment of the easement and right-of-way herein granted.

THIRD: Grantee covenants that, in the event the surface of the Easement Area is disturbed at any time and from time to time by Grantee or any party acting on behalf of Grantee, then Grantee, at its sole cost and expense, within reasonable time, shall repair and restore the surface of the Easement Area to the condition which existed prior to any disturbance.

FOURTH: Grantor agrees not to erect or maintain any building within the Easement Area.

FIFTH: The Gas Facilities and other appurtenances which are installed, constructed and maintained by Grantee in the Easement Area shall at all times be and remain the property of Grantee, and shall be maintained and serviced exclusively by Grantee.

SIXTH: As to their respective obligations hereunder, the Parties agree to comply with all applicable codes, rules, regulations and laws.

The easement and right-of-way herein granted is non-exclusive and shall be binding upon and inure to the benefit of the successors and assigns of the respective Parties hereto.

IN WITNESS WHEREOF, Grantor has caused this INDENTURE to be duly executed the day and year first above written.

Grantor  
The City of Manchester, New Hampshire

By: \_\_\_\_\_  
Frank C. Guinta  
Mayor

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH, ss

On the \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_ before me, the undersigned, personally appeared Frank C. Guinta, who acknowledged to me that he executed the same in his capacity as Mayor of the City of Manchester, New Hampshire, and that by his signature he executed the instrument.

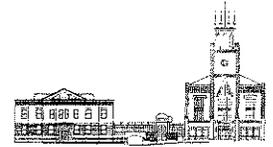
\_\_\_\_\_  
Notary Public/Justice of the Peace  
My Commission Expires: \_\_\_\_\_



# CITY OF MANCHESTER

## Board of Aldermen

3.18.2008 Tabled



BOARD OF MAYOR & ALDERMEN

DATE: March 18, 2008  
ON MOTION OF ALD. O'Neil  
SECONDED BY ALD. Shea

### MEMORANDUM

VOTED TO Table   
CITY CLERK

TO: Board of Mayor and Aldermen

FROM: Dan O'Neil  
Alderman-at-Large

DATE: March 13, 2008

RE: Operation Drugs & Guns (DAG) and the Manchester Police Department.

Late last week, Chief John Jaskolka and I spoke briefly about the status of the "DAG" initiative in Manchester. That brief discussion led to a formal discussion this week with Dep. Chief Glenn Leidemer and Lt. Kevin Kelly.

The success of "Operation DAG" has been tremendous. Since implementation in May of 2007 through last week, there have been:

- 320 undercover purchases;
- 78 suspects arrested;
- 19 search warrants executed;
- Seized various amounts of cocaine, crack cocaine, marijuana, heroin, XTC, and Oxycodone;
- \$67, 000 in US currency seized;
- 61 firearms seized that were either illegally obtained or illegally possessed  
(More than the previous 5 years combined)

It is my understanding that funds for "Operation DAG in FY2008 will run out by the end of this month (March). If additional funds are not made available, "Operation DAG" will be suspended for the balance of this fiscal year. That is unacceptable to me, as well as to the citizens of Manchester. We must identify funding immediately so that this very successful program can continue. There may be no greater need in the city.

With that said, I request that the Board of Mayor and Aldermen identify and fund an additional \$108,000 (based on an average cost per month to date of \$36,000) so that the program can continue through the end of June. I also request that we fully fund "Operation DAG" for a full 12 months in FY 2009. Those dedicated funds should be budgeted in excess of \$400,000.



**John A. Jaskolka**  
Chief

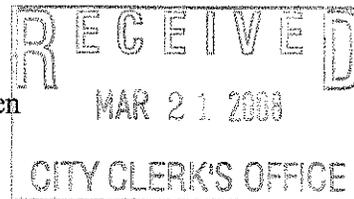
# City of Manchester Police Department

Ralph Miller Public Safety Center  
351 Chestnut Street  
Manchester, New Hampshire 03101-2294  
(603) 668-8711 Business Phone  
(603) 668-8941 Main Fax  
(603) 628-6137 Administrative Offices Fax

**Commission**  
Calvin T. Cramer  
John J. Tenn  
Nory Marquez  
Thomas D. Noonan  
Thomas J. Hammond  
**Deputy Chiefs**  
Glenn S. Leidemer  
Gary T. Simmons  
Marc P. Lussier  
**Executive Secretary**  
Kim Demers

24 March 2008

The Honorable Board of Mayor and Aldermen  
City of Manchester  
1 City Hall Plaza  
Manchester, NH 03101



## Re: **Operation DAG [Drugs and Guns]**

As requested by Alderman Lopez, below you will find a brief overview of Operation Streetsweeper and the City funded initiative - Operation DAG.

Operation Streetsweeper began in 1995 as a multi-agency operation targeting the drug traffic problem in the City. In its 'original' format, Streetsweeper was used to target crack cocaine trafficking. Since its inception, the Streetsweeper program has produced hundreds of arrests and continues to have a positive impact on the criminal element operating within the City.

In a further attempt to address quality of life issues in the City, in the late 1990s MPD and the US Attorney for the District of NH added a second component to Streetsweeper. Streetsweeper became not just a drug trafficking operation, but instead, incorporated all species of violent crime. This second tier involved gang interdiction, traffic enforcement and knock & talk patrols. These operations were conducted together with the NH State Police.

Speaking specifically to the undercover operation now known as DAG, this operation involves participation from the Manchester Police Special Investigations Unit, Manchester Police Special Reaction Team, the NH State Police Narcotics Investigation Unit, the Attorney General's Drug Task Force and the NH State Forensics Lab. Each participating agency is allocated a certain amount of money and must submit an invoice to MPD for reimbursement.

A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY



Monies are also allocated for the purchase of illegal drugs. The costs associated with the purchase of these drugs are substantial; however, such funding is paramount to the success of the initiative.

Part of the reason for the success of Streetsweeper, and now DAG, is, in part, because these investigations often open the door to a number of other drug dealers that ultimately get arrested. Also of great importance given the significant increase in the number of firearms on our streets, these investigations now also concentrate on violent offenders and prohibited persons.

This general overview and the accompanying data speak strongly to the success of DAG. While the statistical data is impressive and demonstrates its significant accomplishments, it does not begin to describe the positive impact Streetsweeper and DAG operations have had on the quality of life in Manchester. Unfortunately, the data cannot capture the number of drug trafficking operations that have been shut down, the violence that has been prevented, or the number of career criminals that have been removed from our streets. Nor does it reflect the improvements this has made to our neighborhoods.

Attached are the Streetsweeper 'stats' for the years 2000, 2002, 2004, 2005 & 2006. I have also included the 'stats' for 2007/2008 – the first year the City funded the operation.

In the years 2001 and 2003, MPD undercover personnel participated in 2 large-scale wiretap investigations that were manpower intensive and the department did not have the resources to simultaneously conduct those investigations and the Streetsweeper initiative.

Included with the 'stats' for each year you will also see the amount of Streetsweeper funds received for that particular year as well as the starting and ending dates for each year's grant. The amount of drugs, currency and firearms noted in the 'stats' reflect seizures made during arrests and execution of search warrants.

Lastly, during the Board's March 18<sup>th</sup> meeting, the question was asked: is there any money left in the department's Special Projects account? The answer is yes. Of the \$341,000 deposited into the account to hire, train and equip 5 Officers, we currently have \$281,065.

In saying that, however, I bring to the Board's attention the Finance Director's request to forecast any possible deficit. Initially, we submitted a projected deficit of \$506k. We have since adjusted that to \$320k. In projecting the adjusted figure, we applied the remaining \$281,065 from the Special Projects account.

Therefore, if the \$108k is approved for the DAG initiative and we are directed to take it out of the Special Projects account, the forecasted deficit will rise accordingly.

As you review this information and the accompanying data, and as you consider funding this initiative, please bear in mind we have momentum on our side and a demonstrated

history of success. I urge you to approve an additional \$108,000 to continue Operation DAG.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Leidemer', with a long horizontal line extending to the right.

Glenn S. Leidemer  
Deputy Chief / Investigations

2000

\$197,850  
May 30th - September 30th  
115 arrests  
30 Search Warrants  
17 Lbs of Cocaine  
1.5 Lbs of Crack  
360 bags of Heroin  
113 Lbs of Marijuana  
6,200 tabs of XTC  
\$39,000 in currency  
5 Firearms

2002

\$207,866  
June 1<sup>st</sup> - September 30<sup>th</sup>  
122 arrests  
36 Search Warrants  
31 Lbs of Cocaine  
1 Lb of Crack  
1 Oz of Heroin  
106 Lbs of Marijuana  
669 tabs of XTC  
\$493,470 in currency  
12 Firearms

2004

\$109,082  
June 1<sup>st</sup> - September 30<sup>th</sup>  
92 Arrests  
26 Search Warrants  
2.2 Lbs of Cocaine  
1.5 Lbs of Crack  
25 grams of Heroin  
15 Lbs of Marijuana  
3,423 tabs of XTC  
\$106,000 in currency  
6 Firearms

2005

\$277,020  
May 20<sup>th</sup> - September 30<sup>th</sup>  
75 Arrests  
19 Search Warrants  
2 Lbs of Cocaine  
2 Lbs of Crack  
2.5 Oz of Heroin  
48 Lbs of Marijuana  
540 tabs of XTC  
\$267,000 in currency  
10 Firearms

2006

\$276,800  
April 5<sup>th</sup> - September 30<sup>th</sup>  
114 Arrests  
25 Search Warrants  
9.9 Lbs of Cocaine  
2.5 Lbs of Crack  
2.5 Oz of Heroin  
2 Lbs of Marijuana  
No stat available for XTC seized  
\$156,000 in currency  
16 Firearms

2007/08 [DAG]

\$346,860 total  
\$55,000 on May 15<sup>th</sup> + \$291,860 on July 1<sup>st</sup>  
May 15<sup>th</sup> - March 11<sup>th</sup>  
89 arrests  
21 Search Warrants  
5 ¼ Lbs of Cocaine  
18 ½ Oz of Crack  
17.8 Lbs of Marijuana  
6.3 Oz of Heroin [8,000 street bags]  
414 prescription pills - primarily Oxycodone  
\$69,347 in currency  
61 Firearms



CITY OF MANCHESTER
Planning and Community Development



Robert S. MacKenzie, AICP
Director

Planning
COMMISSIONER OF PUBLIC WORKS
IN BOARD OF MAYOR & ALDERMEN
Growth Management

Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

March 5, 2008

Ms. Carol Johnson, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

DATE 3-18-2008

ON MOTION OF AID. Garrity

SECONDED BY AID. M. Roy

VOTED TO Table

Signature of John M. Roy
CITY CLERK

Re: Technical Review for Rezoning Petition, Mack Avenue

Dear Ms. Johnson:

In accordance with the policy on rezoning requests, the following information is provided in consideration of a rezoning request filed by Hayner/Swanson, Inc. on behalf of One Mack Avenue, LLC, the owner of two adjacent properties known as Lots 9 & 22 on Tax Map 840.

The parcels are located west of Mack Avenue and north of Frontage Road. While the southerly parcel (Map 840/Lot 22) is entirely within the Industrial Zone, the northerly parcel (Map 840/Lot 9) of approximately four acres is split-zoned, with the majority of the parcel in the Residential (R-1B) Zone and the remainder in the Industrial Zone. The rezoning request of the applicant is to have Lot 9 entirely within the Industrial Zone.

As indicated in the applicant's petition to the BMA, the parcel is used for truck and heavy equipment sales, rental and repair. Also as indicated in the applicant's petition, the parcel was previously included in the industrial zone and was, in fact, rezoned from residential to industrial in 1978 (see enclosed minutes). It appears that when the new zoning ordinance and new map were adopted in 2001, the area was inadvertently rezoned back to residential. It is very easy to understand how this happened, as this area of the City has had several streets re-routed, re-named and even discontinued. When the new zoning map went into effect in 2001, the transition between the old, hand drawn mapping system and the new GIS system created problems. As a result, this area was unintentionally rezoned residential and was discovered by the applicant during the preparation of plans for a 6,000 square foot building addition.

From a technical perspective, the petition to rezone a portion of Tax Map 840/Lot 9 may be forwarded to the Board of Mayor and Aldermen for consideration and the scheduling of a public hearing. Consistent with the policy for rezoning petitions, I am forwarding a copy of this letter and the petition to the Planning Board, Building Department and City Solicitor for any comment.

The Planning Director or I will be available to answer any questions the Board may have.

Respectfully Submitted,

Signature of Pamela H. Goucher

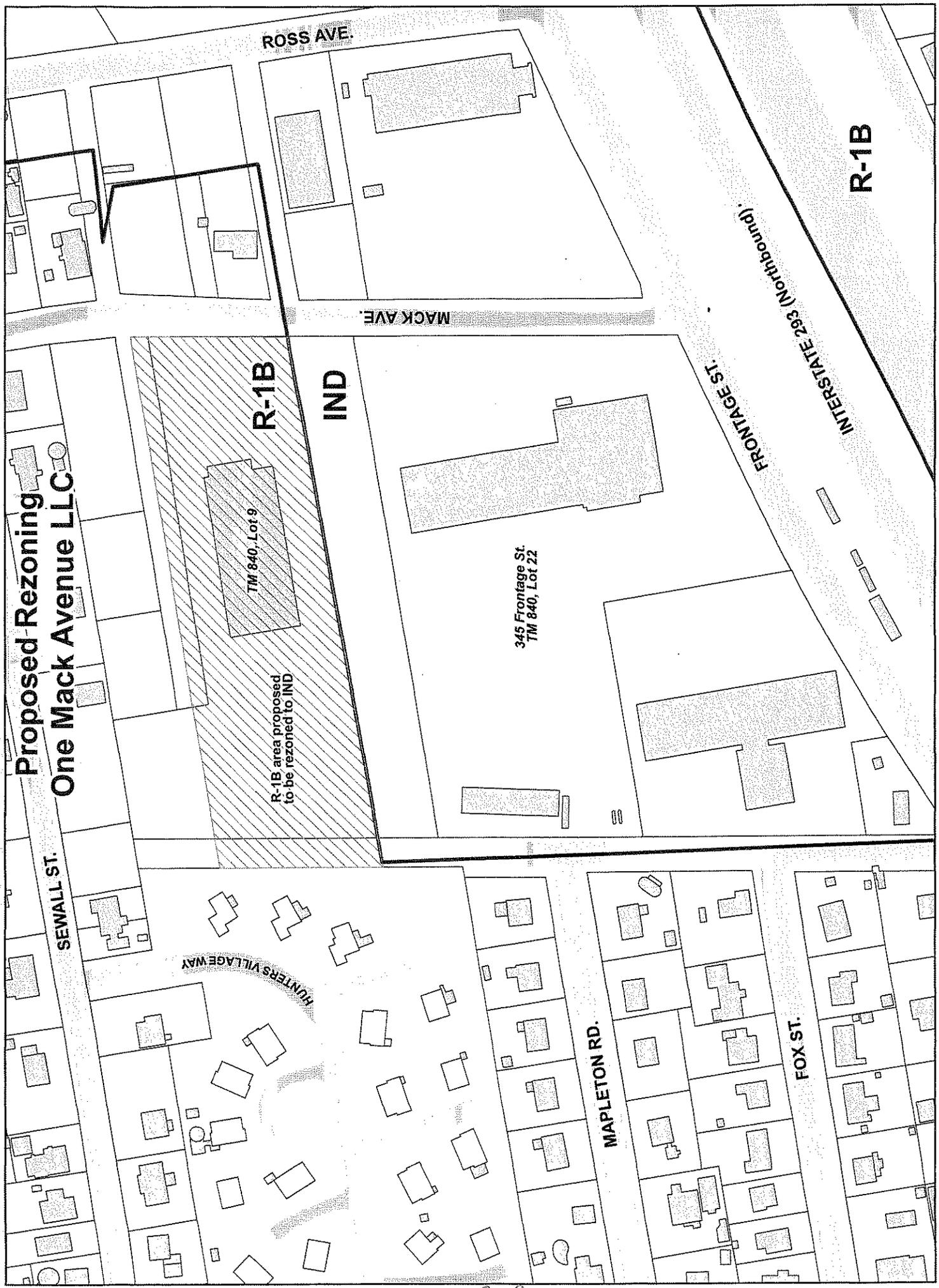
Pamela H. Goucher, AICP
Deputy Planning Director

enc.

C: Planning Board
Building Department
Office of the City Solicitor

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

# Proposed Rezoning One Mack Avenue LLC



existing zoning  
boundary line

R-1B area proposed  
to be rezoned to IND

1. This map prepared by the City of Manchester Planning & Community Development Department (D. Beatushesne) on March 13, 2008.  
2. Aerial photo taken in April, 2003.

MANCHESTER PLANNING BOARD

MINUTES = APRIL 13, 1978

RE: REZONING APPLICATION BY MANCHESTER MACK SALES, INC.

On a motion by Mr. Beliveau, seconded by Mr. Thibault, the following was unanimously adopted:  
~~that the Planning Board recommend in favor of the petition submitted by Sundeen Associates and seeking the extension of the General Business (B-2) to include the property at 257 Mammoth Road.~~

Chairman Craig then introduced consideration of a rezoning petition submitted by Attorney Solms on behalf of Manchester Mack Sales, Inc. and seeking to extend the General Industrial (I-3) zone to land in the vicinity of Fairfax Street. At the Chairman's request, Mr. Grogan described the site in question as being about 2.4 acres in area, a wooded and undeveloped area adjoining the developed Mack Sales site, and situated southerly of Fairfax Street. He indicated that Fairfax Street was laid out in the 1917-1921 period, is undeveloped and may have lost any Public rights as a street. He indicated that single family homes exist in the area fronting on Sewall Street and that several of the residents own additional lots to the rear of their houses which are undeveloped and also front on Fairfax Street. He explained further that the applicant intends to expand the Mack Sales development with additional paved parking area and has indicated a willingness to leave a wooded buffer strip on the north side of the development to protect the nearby residents. He recommended in favor of the petition with a buffer strip of about 25' south of the southerly line of Fairfax Street to be imposed and required as part of the site plan review process.

\* On a motion by Mr. Thibault, seconded by Mr. Howe, the following was unanimously adopted:  
that the City Planning Board recommend favorably to the hearing to be held by the Committee on Bills on Second Reading on the extension of the General Industrial zone as petitioned by Mack Sales and that the staff be authorized and directed to impose and require a buffer strip to protect nearby residents as part of the Site Plan Review process, said buffer strip to be about 25' southerly of the south street line of Fairfax Street across the north side of the site.

~~Chairman Craig then introduced review and further consideration of the petition to create an industrial zoning district in the areas south of Goff's Falls.~~

~~At the Chairman's request, Mr. Grogan described the current status of this consideration. He advised the Board that he had represented the Board at the hearing held by the Committee on Bills on Second Reading on March 20, 1978. He explained that opposition to the rezoning was expressed at the hearing and that the general~~

are occupied. On motion of Ald. Gelinas, duly seconded by Ald. Verville, it was voted that the report of the Committee be accepted and its recommendations adopted.

A report of the Committee on Bills on Second Reading was presented wherein it respectfully recommended, after due and careful consideration, following review with and on the recommendation of the City Solicitor, that a proposed Ordinance "Amending Chapter 21 Article II - Sewer Rental Charges" ought to pass when amended to read as follows:

Sec. 21-35. Interest and penalty charges.

Delinquent accounts are subject to such interest and late payment charges as are provided in RSA Chapter 252.

Adopted

On motion of Ald. Burkush, duly seconded by Ald. Verville, it was voted that the report of the Committee be accepted and its recommendations adopted.

A report of the Committee on Bills on Second Reading was presented wherein it respectfully recommended, after due and careful consideration and on the recommendation of the City Solicitor, the New Hampshire Supreme Court having declared Sections 18-30, 18-31 and 18-32 in violation of the New Hampshire Constitution, that the residency requirement for city employees be repealed and that an Ordinance

"Amending Chapter 18 - Personnel by repealing Sections 18-30, 18-31 and 18-32 of the Code of Ordinances"

Adopted

ought to pass. On motion of Ald. Gelinas, duly seconded by Ald. Cassidy, it was voted that the report of the Committee be accepted and its recommendations adopted.

A report of the Committee on Bills on Second Reading was presented wherein it respectfully recommended, after due and careful consideration, that an Ordinance

"Amending Chapter 22 Article II. Building Numbers and Street Names"

making it mandatory to affix a street number to any building or structure for which a number has been designated by the Department of Highways and providing a penalty for any owner who shall fail to affix such number within 30 days written notice, ought to pass.

Adopted

On motion of Ald. Gimás, duly seconded by Ald. Burkush, it was voted that the report of the Committee be accepted and its recommendations adopted.

A report of the Committee on Bills on Second Reading was presented wherein it respectfully recommended, after due and careful consideration, that an Ordinance

"Amending the Zoning Ordinance of the City of Manchester by establishing a Single Family R-1A District in the area generally bounded by Bridge Street Extension, Candia Road, Route 101 and the back property lines on the northeast side of Groveland Avenue, presently a single family R-1B Zoning District"

Adopted

ought to pass. On motion of Ald. Gimás, duly seconded by Ald. Cassidy, it was voted that the report of the Committee be accepted and its recommendations adopted.

A report of the Committee on Bills on Second Reading was presented wherein it respectfully recommended, after due and careful consideration, that an Ordinance

"Amending the Zoning Ordinance of the City of Manchester whereby a portion of the R-1B Zoning District in the vicinity of Fairfac Street and Mack Avenue will be designated as an I-3 Zoning District"

ought to pass, the Planning Board having acted favorably and authorized and directed its staff to impose and require a buffer strip to protect nearby residents as part of the Site Plan Review process, said buffer strip to be about 25 ft. southerly of the south street

\*  
ADOPTION BY Bd. 01  
MAYOR & ALDERMEN



line of Fairfax Street across the north side of the site, the Committee concurring with this directive. On motion of Ald. Burkush, duly seconded by Ald. Thibault, it was voted that the report of the Committee be accepted and its recommendations adopted.

Adopted

A report of the Committee on Bills on Second Reading was presented wherein it respectfully recommended, after due and careful consideration, that proposed Ordinances

"Amending the Zoning Ordinances of the City of Manchester whereby the entire Residential Single Family (R-1A) Zoning District lying easterly of I-93 and including the areas in the vicinity of Cedar Hills Drive, Island Pond Road, Lake Shore Road, Brickett Road, Cohas Avenue, Canal Avenue, Bodwell Road and Hermit Road will be rezoned to a Residential Suburban (R-S) Zoning District"

"Amending the Zoning Ordinances of the City of Manchester whereby the present R-2 and B-2 Zoning Districts generally bounded by South Main Street, Clinton Street, Dover Street and Granite Street will be designated an R-4 Zoning District"

"Amending the Building Code of the City of Manchester, N.H."

the last noted proposed amendment pertaining to the fee schedules only, be ordered to a public hearing to be held on Monday, October 2, 1978 at 7:30 P.M. in the Aldermanic Chambers and, further, that the second required public hearing on the proposed amendment to the Building Code be held on Wednesday, October 18, 1978, at 7:30 P.M. in the Aldermanic Chambers. On motion of Ald. Thibault, duly seconded by Ald. Parady, it was voted that the report of the Committee be accepted and its recommendations adopted.

Adopted

On motion of Ald. Parady, duly seconded by Ald. Verville, it was voted to reconsider the first report of the Committee, that pertaining to abatement of Sewer Rental Charges as requested by Standard Uniform. Following brief discussion, on motion of Ald. Parady, duly seconded by Ald. Verville, it was voted that the report be referred back to the Committee on Bills on Second Reading for additional information.

Reconsideration Report on Std. Unif.

A report of the Committee on Finance was presented wherein it respectfully recommended, after due and careful consideration, that Resolutions

Ref. back B on 2 R

Reps. Comm. Finance (3)

"Amending a Resolution adopted March 7, 1978 entitled Resolution 'Amending a Resolution approving the Community Improvement Program for 1978, Raising and Appropriating Monies Therefor and Authorizing the Office of the Mayor to Implement said Program'"

"Authorizing the Finance Officer to effect certain transfers of \$1,100,733.15 from non-revenue accounts to finance certain 1975, 1977 and 1978 Community Improvement Program Activities"

ought to pass. On motion of Ald. Batalis, duly seconded by Ald. Cassidy, it was voted that the report of the Committee be accepted and its recommendations adopted.

Adopted

A report of the Committee on Finance was presented wherein it respectfully recommended, after due and careful consideration, that the request of the Police Department for permission to conduct a motorcycle riding course be granted and approved and to amend the 1978 CIP to accommodate this program, a resolution is submitted for consideration. On motion of Ald. Kelley, duly seconded by Ald. Cassidy, it was voted that the Resolution be read by title only.

Resolution: "Amending the 1978 Community Improvement Program and Authorizing and Appropriating the Amount of \$2,377 subject to conditions"

Resolution

On motion of Ald. Parady, duly seconded by Ald. Cassidy, it was voted that the report of the Committee be accepted and its recommendations adopted. Under the rules, the Resolution was referred to the Committee on Finance.

Adopted Resolution to Finance



November 5, 2007

Board of Mayor and Alderman  
City Clerks Office  
One City Hall Plaza  
Manchester, New Hampshire 03101

**RE: LOT 9, MAP 840  
1 MACK AVENUE  
MANCHESTER, NEW HAMPSHIRE**

Dear Board of Mayor and Alderman:

Pursuant to the above referenced property, this letter is being written on behalf of our Client, One Mack Avenue, LLC, to formally petition the Board of Mayor and Alderman to correct an error that occurred in the mapping of a zone line upon this parcel of land.

As background information, this property is part of the McDevitt Truck complex, which is located on both Frontage Road and Mack Avenue. The subject parcel is a 4.1-acre lot (see Exhibit A) that currently contains a 16,000 square foot truck and heavy equipment sales, rental and repair facility. A portion of the current City of Manchester Zoning Map is attached herewith (see Exhibit B). To the best of our knowledge, this computerized plan was created at the same time as the revisions to the Manchester Zoning Ordinance in 2001. As can be seen on that map, this property is bisected by a zone line, R-1B: Residential One Family – High Density to the north and IND: Industrial to the south. During our historical research of this lot, we noticed that the previous Zoning Map (Exhibit C) and the original site plan for this facility (Exhibit D) both represented the zone line in a different location, which is the northerly property line of this tract.

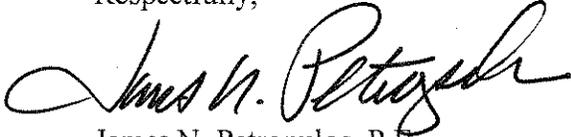
One Mack Avenue, LLC is proposing a small addition to their existing building, therefore the exact location of the zone line is important. Using the current zone line would require a Variance from the City of Manchester Zoning Board of Adjustment (ZBA) in order to construct this addition. It would also mean that every time our client proposed an improvement to their property, they would need similar relief from the ZBA. After reviewing this discrepancy with Max Sink, City of Manchester Building Inspector, and Terry Harlacher, AICP, Chief Planner. They suggested that in lieu of the ZBA/Variance route, that we consider this option, which is a petition to the Board of Mayor and Alderman to correct this error and return the zone line back to its previous location.

RECEIVED  
NOV 05 2007  
CITY CLERK'S OFFICE

13-6

Thank you for your cooperation in this matter. Please feel free to contact me if you have any questions regarding this issue. We look forward to hearing from you as to the next step in this process.

Respectfully,



James N. Petropulos, P.E.  
Principal Engineer/VP  
HAYNER/SWANSON, INC.

Enclosures:

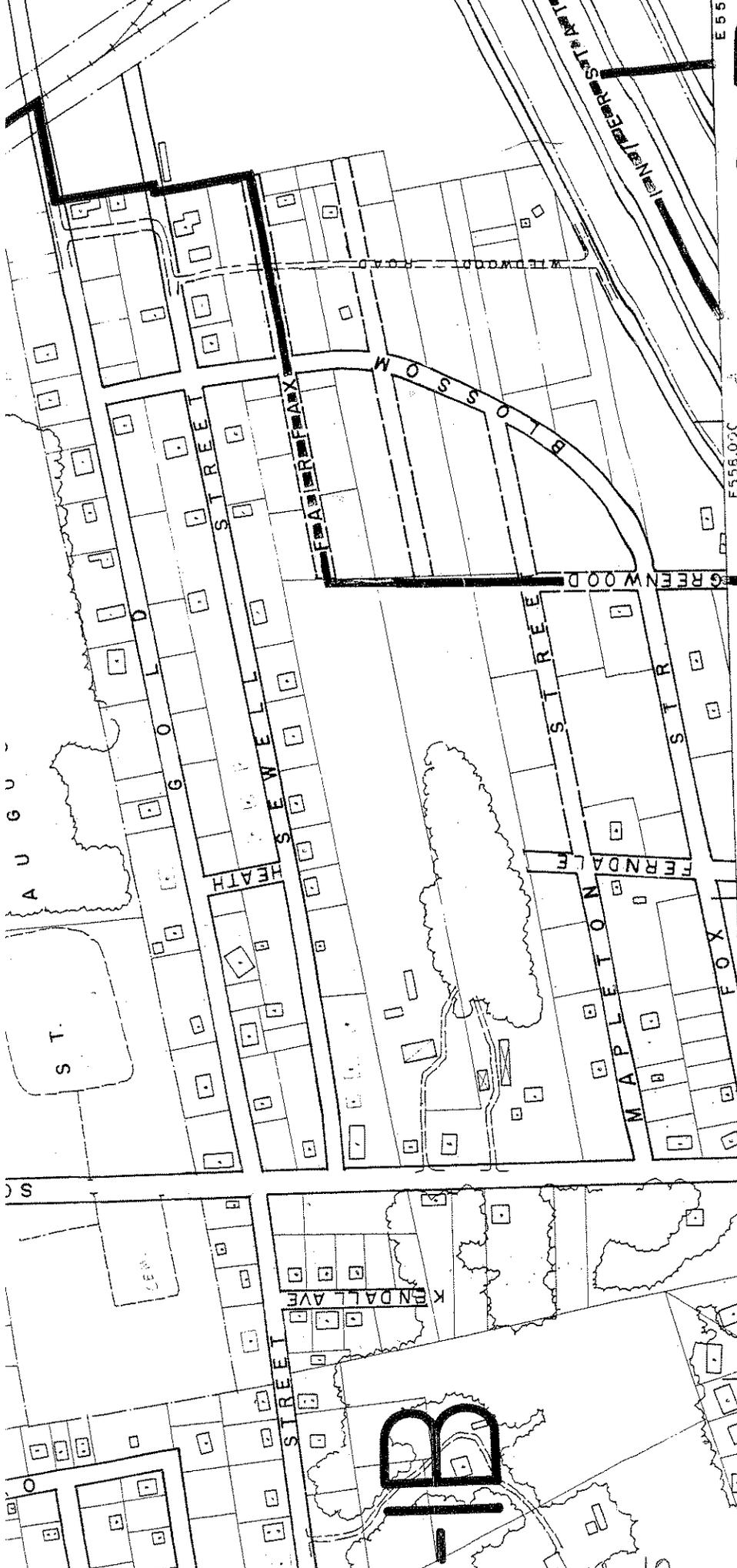
Cc: Max Sink – Manchester Building Inspector  
Greg Uliasz – Feniger & Uliasz  
Kevin McDevitt – One Mack Avenue, LLC





**Exhibit B**





CITY OF MANCHESTER  
 MAYOR  
*Richard Palmer*  
 APTEST - CITY CLERK

**AMENDED TO** JULY 11, 1967 (2)  
 APRIL 15, 1969  
 JUNE 26, 1972  
 APRIL 17, 1973  
 DECEMBER 18, 1973  
 MAY 21, 1974  
 APRIL 18, 1978

OCTOBER 3, 1978  
 APRIL 21, 1981  
 MAY 6, 1986  
 SEPTEMBER 8, 1987  
 DECEMBER 19, 1989  
 FEB. 4, 1992  
 JAN. 5, 1993  
 APRIL 20, 1993

NOV 21, 1995

**B**  
**EXHIBIT C**

E557,000  
 E556,000  
 E556,000  
 E556,000

To:  
 Matt  
 City Clerks Office  
 Manchester, NH

Date: March 14, 2008	#4992
Re:	
McDevitt Site	
One Mack Avenue	
Manchester, NH	

**WE ARE SENDING YOU**

Attached  Under separate cover via \_\_\_\_\_ the following items:

- Shop drawings     Prints     Plans     Samples     Specifications  
 Copy of letter     Change order     Permit Application \_\_\_\_\_

Scope:

COPIES	DATE	NO.	DESCRIPTION
1			Updated Abutters List

**THESE ARE TRANSMITTED as checked below:**

- For approval     Approved as submitted     Resubmit \_\_\_\_\_ copies for approval  
 For your use     Approved as noted     Submit \_\_\_\_\_ copies for distribution  
 As requested     Returned for corrections     Return \_\_\_\_\_ corrected prints  
 For review and comment     \_\_\_\_\_  
 FOR BIDS DUE \_\_\_\_\_, 19 \_\_\_\_\_     PRINTS RETURNED AFTER LOAN TO US

**REMARKS:**

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James N. Petropulos, P.E.  
 Principal Engineer/VP

(If enclosures are not as noted, please notify us immediately.)

**ABUTTER LIST***Job No. 4992**March 14, 2008*

<b>Map</b>	<b>Lot No.</b>	<b>Name &amp; Address</b>
<b>OWNER(S):</b>		
840	9	One Mack Avenue, LLC 232 Frontage Road Manchester, NH 03103
<b>ABUTTERS:</b>		
642	21	Joseph V. & Therese L. Boisvert 197 Sewall Street Manchester, NH 03103
643	28	Matthew & Kathleen M. Skwozinski 231 Sewall Street Manchester, NH 03103-5900
839	10D	Denise A. Caperci 180 Mapleton Road Manchester, NH 03103
839	33-67	Hunters Village Unit Owners Association Attn: Board of Directors 110 Hunters Village Way Manchester, NH 03103
840	1 & 22	One Mack Avenue, LLC 232 Frontage Road Manchester, NH 03103
840	2 & 3	Matthew & Kathleen M. Skwozinski 231 Sewall Street Manchester, NH 03103-5900
840	4	Candela Investments, LLC 414 Union Street Manchester, NH 03103
840	5	George A. Chakmakas 20 Mack Avenue Manchester, NH 03103-5902
840	8	Normand A. Vaillancourt Revocable Trust Normand A. Vaillancourt, Trustee 335 Riverdale Avenue Manchester, NH 03103-7367
840	13 & 14	Mark & Angela Tomaszewski 52 Mack Avenue Manchester, NH 03103

840

17

Rejean J. Drouin  
24 Drouin Circle  
Auburn, NH 03032

840

25

D.E.M. Realty, LLC  
411 Walnut Hill Ext.  
Manchester, NH 03104

Paul F. Hayner, Jr., P.E.  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062-3301

Gary L. Collins, L.L.S.  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062-3301



**James N. Petropulos, P.E.**  
*Vice-President / Principal Engineer*

(603) 883-2057 Ext. 129  
(603) 883-5057 (fax)

[jpetropulos@hayner-swanson.com](mailto:jpetropulos@hayner-swanson.com)

3 Congress Street  
Nashua, NH 03062-3301  
[www.hayner-swanson.com](http://www.hayner-swanson.com)

**REZONING PETITION COVER SHEET**

Subject: Map 840, Lot 9 - 1 Market Ave

Submitted By: James Petropoulos on behalf of One Market Ave LLC

Received by City Clerk: 11/05/07 Fee Paid: \$ 300.00

Forwarded to Planning Dept.: 11/05/07 Received back: 3/16/08  
(Note: Planning Dept. to conduct technical review and report back within 15 days.)

Comments Received: \_\_\_\_\_ Bldg. \_\_\_\_\_ Solicitor \_\_\_\_\_ Planning Board  
(Note: Planning Dept. to provide copy to above departments who have 30 days to provide comments to City Clerk.)

BMA Date:   /  /   PH Date:   /  /   Abutters Notices Sent:   /  /    
(Note: PH to be scheduled 30-45 days from date of order by BMA.)

Notice Published in Newspaper for PH:   /  /  

B2R Date:   /  /   (to be scheduled within 45 days of public hearing.)

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Final Action Taken by BMA, if any, and date: \_\_\_\_\_

Rezoning Amendment Published in Newspaper:   /  /

**LeBlond-Kang, Paula**

---

**From:** Goucher, Pamela  
**Sent:** Tuesday, December 18, 2007 11:46 AM  
**To:** LeBlond-Kang, Paula  
**Cc:** MacKenzie, Robert  
**Subject:** RE: Rezoing Petition (Map 840, Lot 9)

Thanks, Paula. Terry and I just got an e-mail from Jim too.

---

**From:** LeBlond-Kang, Paula  
**Sent:** Tuesday, December 18, 2007 11:20 AM  
**To:** MacKenzie, Robert; Goucher, Pamela  
**Subject:** Rezoing Petition (Map 840, Lot 9)

Just received a call from Mr. Petropulos inquiring as to the status of his petition. Told him it might not appear before the Board until the January 15th BMA agenda.

**LeBlond-Kang, Paula**

---

**To:** Mackenzie, Robert; Goucher, Pamela

**Subject:** Rezoning Petition (Map 840, Lot 9)

Was wondering if Planning has had the chance to review the above petition which was received and forwarded to your office on November 5th?

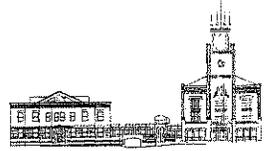
11/26/2007

13-17



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: R. MacKenzie, Director  
Planning & Community Development

From: Paula L-Kang *ALK*  
Deputy Clerk

Date: May 17, 2007

Re: Rezoning Petition  
Map 840, Lot 9, 1 Mack Avenue

Enclosed please find a copy of a proposed rezoning amendment relative to the above-referenced.

Per policy adopted December 2, 2003 the Planning Department is to conduct a technical review and report back within 15 days to this department. Also, your department is to provide copies of the petition to the Building Department, City Solicitor and Planning Board who have 30 days to provide comments to the City Clerk's Office.

Enclosures

pc: P. Goucher

To:  
 Paula Kang  
 City Clerks Office  
 Manchester, NH

Date: November 6, 2007	#4992
Re:	
One Mack Avenue	
Manchester, New Hampshire	

**WE ARE SENDING YOU**

Attached     Under separate cover via \_\_\_\_\_ the following items:

- Shop drawings     Prints     Plans     Samples     Specifications  
 Copy of letter     Change order     Permit Application \_\_\_\_\_

Scope:

COPIES	DATE	NO.	DESCRIPTION
1			Abutters List
1			\$300.00 Submittal Fee

**THESE ARE TRANSMITTED as checked below:**

- For approval     Approved as submitted     Resubmit \_\_\_\_\_ copies for approval  
 For your use     Approved as noted     Submit \_\_\_\_\_ copies for distribution  
 As requested     Returned for corrections     Return \_\_\_\_\_ corrected prints  
 For review and comment     \_\_\_\_\_  
 FOR BIDS DUE \_\_\_\_\_, 19 \_\_\_\_\_     PRINTS RETURNED AFTER LOAN TO US

**REMARKS:**

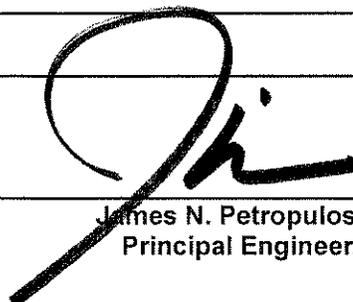
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James N. Petropoulos, P.E.  
 Principal Engineer/VP

(If enclosures are not as noted, please notify us immediately.)

13-19

**ABUTTER LIST**

*Job No. 4992*

*November 6, 2007*

---

<b>Map</b>	<b>Lot No.</b>	<b>Name &amp; Address</b>
<b>OWNER(S):</b>		
840	9	One Mack Avenue, LLC 232 Frontage Road Manchester, NH 03103
<b>ABUTTERS:</b>		
642	21	Joseph V. & Therese L. Boisvert 197 Sewall Street Manchester, NH 03103
643	28	Matthew & Kathleen M. Skwozinski 231 Sewall Street Manchester, NH 03103-5900
839	10D	Denise A. Caperci 180 Mapleton Road Manchester, NH 03103
839	33-67	Hunters Village Condominium Association Attn: Board of Directors 110 Hunters Village Way Mancheszter, NH 03103
840	1 & 22	One Mack Avenue, LLC 232 Frontage Road Manchester, NH 03103
840	2 & 3	Matthew & Kathleen M. Skwozinski 231 Sewall Street Manchester, NH 03103-5900
840	4	Candela Investments, LLC 414 Union Street Manchester, NH 03103
840	5	George A. Chakmakas 20 Mack Avenue Manchester, NH 03103-5902
840	8	Normand A. Vaillancourt Revocable Trust 335 Riverdale Avenue Manchester, NH 03103-7367
840	13 & 14	Mark & Angela Tomaszewski 52 Mack Avenue Manchester, NH 03103

Rejean J. Drouin  
24 Drouin Circle  
Auburn, NH 03032

Paul F. Hayner, Jr., P.E.  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062-3301

Gary L. Collins, L.L.S.  
Hayner/Swanson, Inc.  
3 Congress Street  
Nashua, NH 03062-3301

ONE MACK AVENUE LLC  
232 FRONTAGE ROAD  
MANCHESTER, NH 03103

54-49/114  
9429350397

154

DATE 11/6/07

REQUIRE WATER OR REPURPOSE SAFETY/PAPER

PAY TO THE  
ORDER OF

City of Manchester  
Three hundred ——— 00/100

\$ 300.00

DOLLARS



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included.  
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Corporate Banking  
Manchester, New Hampshire 03101

MEMO \_\_\_\_\_

*[Signature]*

MP

⑆0⑆1⑆400495⑆ 94293 50397⑆ 0⑆54

13-22

To:  
 Board of Mayor and Alderman  
 City Clerks Office  
 One City Hall Plaza  
 Manchester, NH 03101

Date: November 2, 2007 #4992  
 Re:  
 One Mack Avenue  
 Manchester, New Hampshire

**WE ARE SENDING YOU**

- Attached     Under separate cover via \_\_\_\_\_ the following items:
- Shop drawings     Prints     Plans     Samples     Specifications
- Copy of letter     Change order     Permit Application \_\_\_\_\_

Scope:

COPIES	DATE	NO.	DESCRIPTION
1			Petition to Board of Mayor and Alderman and Supporting Information

**THESE ARE TRANSMITTED as checked below:**

- For approval     Approved as submitted     Resubmit \_\_\_\_\_ copies for approval
- For your use     Approved as noted     Submit \_\_\_\_\_ copies for distribution
- As requested     Returned for corrections     Return \_\_\_\_\_ corrected prints
- For review and comment     \_\_\_\_\_
- FOR BIDS DUE \_\_\_\_\_, 19 \_\_\_\_\_     PRINTS RETURNED AFTER LOAN TO US

**REMARKS:**

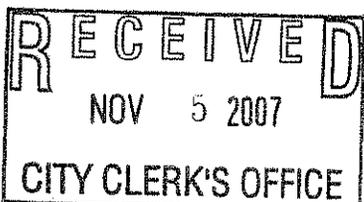
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*JN*  
 \_\_\_\_\_  
 James N. Petropulos, P.E.  
 Principal Engineer/VP

(If enclosures are not as noted, please notify us immediately.)

12-23

**LeBlond-Kang, Paula**

---

**To:** MacKenzie, Robert

**Subject:** Petition to correct zoning

Could you either call or stop by...there's a letter we received today that's a little strange and i want to make sure we follow the proper procedures. Thanks.

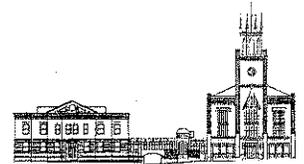
11/5/2007

13-24



# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: Thomas R. Clark, City Solicitor  
Leon LaFreniere, Building Commissioner  
Robert MacKenzie, Planning Director

From: C. Johnson   
Deputy City Clerk

Date: December 4, 2003

Re: Policy for Rezoning Petitions

Please be advised that in action taken by the Board of Mayor and Aldermen at a meeting held on December 2, 2003, it was voted to accept a report of the Committee on Bills on Second Reading relative to the above-referenced.

Enclosed for your records is a copy of the accepted report reflecting actions taken.

Enclosure

pc: All Departments

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that the Proposed Policy for Rezoning Petitions, attached herein, be approved.

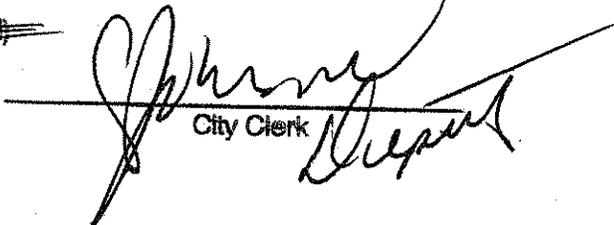
Respectfully submitted,

At a meeting of the Board of Mayor and Aldermen  
held Dec 2, 2003 on a motion of Ald. O'Neil  
duly seconded by Ald. Forest the report  
of the Committee was accepted and its recommendations



Clerk of Committee

(adopted) ~~(denied)~~

  
City Clerk

## PROPOSED POLICY – PETITIONS FOR REZONING

Revised 11/13/03

Petitions for rezoning shall be submitted to the Board of Mayor and Aldermen in care of the City Clerk. Unless otherwise ordered by the Board of Mayor and Aldermen the following procedures are to be followed for all petitions:

1. The City Clerk shall forward a copy of the petition with all information received to the Planning Department.
2. The Planning Department shall conduct a technical review of the information presented and report back to the City Clerk within 15 days regarding the following:
  - i) legality of petition  
(spot zoning, package contents, etc.)
  - ii) consistency with the City's Master Plan;
  - iii) ordinance amendment to cover area of petition
3. The Planning Department shall provide a copy to the Building Department, Solicitor's Office and the Planning Board who shall have 30 days to provide comments to the City Clerk's Office. During the Planning Department review, they may wish to meet with the petitioner and have changes made to the petition; the petition may be revised without any additional fees to the petitioner and returned to the City Clerk with the Planning Department report.
4. Upon receipt of the Planning Department report, the City Clerk shall forward the appropriate petition to the Board of Mayor and Aldermen for consideration. The petition shall be considered for referral to a Public Hearing (date to be set by Clerk), and the Committee on Bills on Second Reading. -(The Board of Mayor and Aldermen may choose to deny or take other action on the petition rather than referring the matter to the Public Hearing, ~~Planning Board~~, and Committee.) The Clerk will advise the Planning Department of the action(s) taken.
5. Referral to Public Hearing. A public hearing on the petition will be scheduled 30 to 45 days from the date of order by the Board of Mayor and Aldermen. The City Clerk's office shall provide the courtesy notice to abutters. Abutters notified shall be those provided by the petitioner and shall be considered by the City to have met the qualifications of notice to abutters for statutory planning and zoning notices. Should the petitioner fail to provide the appropriate listing and a complaint is filed, a new hearing may be scheduled by the Board of Mayor and Aldermen.
6. Referral to Bills on Second Reading. Following the public hearing the Committee will review the petition and information presented and make recommendation to the Board of Mayor and Aldermen. It is anticipated that the Committee review process shall take place within 45 days of the public hearing.

# REZONING PETITION COVER SHEET

Subject: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Received by City Clerk: \_\_\_ / \_\_\_ / \_\_\_ Fee Paid: \_\_\_\_\_

Forwarded to Planning Dept.: \_\_\_ / \_\_\_ / \_\_\_ Received back: \_\_\_ / \_\_\_ / \_\_\_

*(Note: Planning Dept. to conduct technical review and report back within 15 days.)*

Comments Received: \_\_\_\_\_ Bldg. \_\_\_\_\_ Solicitor \_\_\_\_\_ Planning Board

*(Note: Planning Dept. to provide copy to above departments who have 30 days to provide comments to City Clerk.)*

BMA Date: \_\_\_ / \_\_\_ / \_\_\_ PH Date: \_\_\_ / \_\_\_ / \_\_\_ Abutters Notices Sent: \_\_\_ / \_\_\_ / \_\_\_

*(Note: PH to be scheduled 30-45 days from date of order by BMA.)*

Notice Published in Newspaper for PH: \_\_\_ / \_\_\_ / \_\_\_

B2R Date: \_\_\_ / \_\_\_ / \_\_\_ *(to be scheduled within 45 days of public hearing.)*

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Final Action Taken by BMA, if any, and date: \_\_\_\_\_

Rezoning Amendment Published in Newspaper: \_\_\_ / \_\_\_ / \_\_\_

13-28

# REZONING PETITION COVER SHEET

Subject: \_\_\_\_\_

Submitted By: \_\_\_\_\_

Received by City Clerk: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Fee Paid: \_\_\_\_\_

Forwarded to Planning Dept.: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Received back: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

*(Note: Planning Dept. to conduct technical review and report back within 15 days.)*

Comments Received: \_\_\_\_\_ Bldg. \_\_\_\_\_ Solicitor \_\_\_\_\_ Planning Board

*(Note: Planning Dept. to provide copy to above departments who have 30 days to provide comments to City Clerk.)*

BMA Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ PH Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Abutters Notices Sent: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

*(Note: PH to be scheduled 30-45 days from date of order by BMA.)*

Notice Published in Newspaper for PH: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

B2R Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ *(to be scheduled within 45 days of public hearing.)*

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Final Action Taken by BMA, if any, and date: \_\_\_\_\_

Rezoning Amendment Published in Newspaper: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

June 4, 2002

«FirstName» «LastName»  
«Address1»  
«City» «State» «PostalCode»

**Re: COURTESY NOTICE AS ABUTTER**

To Whom It May Concern:

Please be advised that the City of Manchester Board of Mayor and Aldermen shall hold a Public Hearing on Tuesday, June 18, 2002 at 7:00 PM in the Aldermanic Chambers of City Hall, One City Hall Plaza (3<sup>rd</sup> Floor), Manchester, NH, for the purpose of hearing those wishing to speak for or against the following Zoning Ordinance amendments:

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zoned R-SM (Residential Suburban Multifamily District) to B-2 (General Business District) on the west side of Brown Avenue at the intersection of Hazelton Avenue, extending to the Merrimack River. The area is more specifically identified as Tax Map 712, Lots 2 and 3, and contains 11.94 acres.”

“Amending the Zoning Ordinance of the City of Manchester by changing the zoning district of property currently zoned R-1B (Residential One Family District - High Density) to R-SM (Residential Suburban Multifamily District) on the east side of Brown Avenue at the intersection of Hazelton Avenue, extending to the Londonderry Town line. The area is more specifically identified as Tax Map 712, Lots 1 and 1A, and Tax Map 711, Lot 2 and contains approximately 12.08 acres.”

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Carol A. Johnson  
Deputy City Clerk

## ARTICLE 16. AMENDMENTS

### 16.01 Initiation of a Proposal to Amend the Ordinance

#### A. Power to Amend

The Board of Mayor and Aldermen may, from time to time, amend, supplement, or repeal the provisions of this Ordinance. Amendments may be initiated by the Board of Mayor and Aldermen, the Planning Board, City Administration, or one or more owners of property of the City of Manchester may initiate amendments

### 16.02 Requirements for Initiation of an Amendment

#### A. Proposed Amendments to the Zoning Map

A proposal to amend this Ordinance in a manner which affects a zoning district boundary, or which would create a new base or overlay district, or which would result in all or part of a zoning district being reclassified, shall be accompanied by maps, data, and narrative information describing the location, nature, and purpose of the proposed amendment, as follows:

1. A description of the area for which the amendment is proposed;
2. A statement of the purpose and intent of the proposed amendment;
3. A property tax map showing existing zoning districts and the changes and modifications as proposed in the amendment;
4. An evaluation of the impact of the proposed amendment within the affected district(s) and on existing adjacent neighborhoods;
5. A statement of the impact of the proposed amendment on the City's economy, environment, municipal services, and municipal facilities;
6. The names, addresses, tax map number and lot number of all abutting property owners and all properties on the opposite side of the City street; and
7. A non-refundable fee shall be submitted to cover the costs of notification of the public hearing.

#### B. Proposed Amendments to the Text of this Ordinance

A proposal to amend the text of this Ordinance, which has no effect on district boundaries or classifications, shall be accompanied by narrative information describing the nature and purpose of the proposed amendment, as follows:

Article 16. Amendments

1. A description of the provisions and regulations proposed to be inserted and/or deleted in the text of this Ordinance;
2. A statement of the purpose and intent of the proposed amendment;
3. A statement of the impact of the proposed amendment on the City's economy, environment, municipal services, municipal facilities, and neighborhoods; and
4. Where the proposed amendment introduces a new use into a district in which such use is not currently authorized, the submission shall include a property tax map showing the existing zoning districts that will be affected by the amendment.

C. Amendments Initiated by Property Owners

1. In addition to other requirements of this Section, where an amendment is proposed by a property owner(s), the names, addresses, and telephone numbers of those making the request, including their agents and representatives shall be provided, and
2. A non-refundable fee shall be submitted to cover the costs of notification of the public hearing.

**16.03 Procedure for Consideration of a Proposed Amendment**

A. Decision to Consider an Amendment

Whenever a proposal for an amendment is initiated by any source other than the Board of Mayor and Aldermen, a decision must first be made by the Board of Mayor and Aldermen whether to give formal consideration to such an amendment. The Board of Mayor and Aldermen, in their sole discretion, may summarily deny consideration of any such proposed amendment.

B. Preparation of a Draft Ordinance

The Planning Department, in consultation with the City Attorney, shall prepare a draft of an appropriate ordinance for any proposed amendment that the Board of Mayor and Aldermen agree to formally consider.

C. Setting of a Hearing Date

Upon receipt of a draft ordinance from the Planning Department, the Board of Mayor and Aldermen shall set a date for a public hearing, consistent with the notification requirements of RSA 675:7.

D. Referral of the Amendment for Reports

At the same time, the Board of Mayor and Aldermen may refer the proposed amendment to the Planning Board for a report before or at the public hearing. The Board of Mayor and Aldermen may also refer the proposed amendment to any other City Department, City Board or Commission for a report before or at the public hearing. The Board of Mayor and Aldermen may recess the public hearing, to a specified date, in order to provide sufficient time for review and comment from any City Department, Board or Commission.

E. Action on the Proposed Amendment

After holding a public hearing and receiving all reports, the Board of Mayor and Aldermen shall adopt or reject the amendment by a majority vote, except that a favorable vote of two-thirds (2/3) of the members present shall be required in the event that a protest petition has been filed against the proposed amendment in accordance with RSA 675:5.

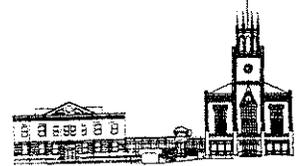
F. Publication of the Amended Ordinance

Upon receipt of a copy of an amendment to the text of the Ordinance, as adopted by the Board of Mayor and Alderman and certified by the City Clerk, the Planning Department shall cause the text of this Ordinance to be duly revised to reflect the amendment in all subsequent publications of this Ordinance.

G. Revision of the Zoning Map

Upon receipt of a copy of an amendment to the Zoning Map, as adopted by the Board of Mayor and Alderman and certified by the City Clerk, the Planning Department shall cause the Zoning Map to be duly revised to reflect the amendment including a notation of the date that the amendment became effective. A copy of the superseded Zoning Map shall be retained for the purpose of verification of any non-conformities created by the amendment.

**CITY OF MANCHESTER**  
Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

Memo To: Board of Mayor and Aldermen  
From:  Leo R. Bernier  
City Clerk  
Date: January 18, 2002  
Re: Fee for rezoning petitions

Section 16.02 A. *Proposed Amendments to the Zoning Map* of the new zoning ordinance requires among other things that a non-refundable fee be submitted to cover the costs of notification of the public hearing.

Unless otherwise ordered by the Board, this office shall require a \$300.00 fee be submitted with petitions for rezoning. In general, this amount should cover the legal advertising fees and mailing costs for notifications of public hearing.

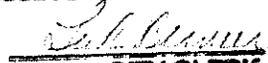
**IN BOARD OF MAYOR & ALDERMEN**

**DATE: February 6, 2002**

**ON MOTION OF ALD. Wihby**

**SECONDED BY ALD. Sysyn**

**VOTED TO receive and file.**

  
**CITY CLERK**