AGENDA

BOARD OF MAYOR AND ALDERMEN

April 15, 2008
Mayor and all Aldermen

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

1. Mayor Guinta calls the meeting to order.

2. The Clerk calls the roll.

3. 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:
11-1192 three poles on concord and Hall Streets
11-1193 two poles on South Maple Street
(Note: Verizon to be replaced with North New England Telephone in final documents)

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

B. Sidewalk Petitions:
430 East High Street
577 Spruce Street
25 Villa Street

Informational to be Received and Filed

C. Communication from City Clerk advising that pursuant to the Board's previous actions, a public hearing on the Charter Amendment question relating to the School Department has been scheduled for Tuesday, May 13, 2008 at 6:30 PM.

D. Communication from Frederick Coolbroth, Devine Millimet, advising of the assignment of pole licenses held by Verizon New England Inc. to Northern New England Telephone Operations LLC effective March 31, 2008.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

E. Resolution:

"Amending the FY2005, 2007, 2008 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Two Thousand Dollars ($42,000) for the 2008 CIP 411808 Fire Ladder Truck Repair Project."

COMMITTEE ON LANDS AND BUILDINGS

F. Communication from Carol Johnson, City Clerk, submitting a copy of a conservation easement suggesting review and recommendation of same for report to the full Board at a later date.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

G. Advising that it has accepted the following Finance Department reports:

a) Department Legend;
b) Open Invoice report over 90 days by fund;

c) Open Invoice report all invoices for interdepartmental billings only;
d) Open Invoice report all invoices due from the School Department only;
e) Listing of invoices submitted to City Solicitor for legal determination; and
f) Accounts Receivable summary

and is forwarding same to the Board for information purposes.
(Unanimous vote.)
(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

H. Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the eight months ended February 29, 2008 and is forwarding same to the Board for informational purposes.
(Unanimous vote.)

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

COMMITTEE ON COMMUNITY IMPROVEMENT

I. Recommending that funds in various CIP programs totaling $42,000 be transferred to the 411808 Fire Ladder Truck Repair Project; and further that $13,000 from MER funds be expended for rust repairs to the Fire Ladder Trucks; and for such purpose an Amending Resolution and budget authorizations have been submitted.
(*Unanimous vote*)

COMMITTEE ON LANDS AND BUILDINGS

J. Recommending that a request of the West Side Little League to rename the Southwest Little League complex to Francis "Pat" Lally Memorial Complex, be granted and approved. The Committee notes that the names of the four fields at the complex will not be changed.
(Unanimous vote, with except of J. Roy who was not present)

K. Recommending that a request of West Side Little League to name the major division field at Cullerot Park the Joe Sullivan Field be granted and approved.
(Unanimous vote, with except of J. Roy who was not present)

L. Advising after due and careful consideration that it has denied a request of Howard McCarthy to utilize city power for his vending equipment. The committee notes that such decision reflects concern of City liability issues and subsidization of private enterprise.
(Unanimous vote, with except of J. Roy who was not present)

M. Recommending that a request of the Airport to purchase a 1.0 acre parcel of land located at One Delta Drive, Londonderry be granted and approved. The Committee further recommends that the Airport Director be authorized to negotiate purchase of same and that the Mayor be authorized to execute any necessary documents relating to such purpose, subject to the review and approval of the City Solicitor.
(Unanimous vote, with except of J. Roy who was not present)

N. Recommending that the Economic Development Director issue RFP's for the Northwest Business Park providing for the purchase and development of such property in accordance with Phase I of the Northwest Business Park Development Plan.
(Unanimous vote, with except of J. Roy who was not present)

SPECIAL COMMITTEE ON AIRPORT ACTIVITIES

O. Recommending the Board oppose HB686 relative to regulation of remotely readable devices and the illegal use of payment card scanning devices or reencoders. The Committee notes that the recommendation to oppose the HB686 is to make sure that it does not interfere with the security functions and efficiency functions of the Airport.

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

4. Nomination of Jane E. Gile to the position of Human Resources Director, submitted by Mayor Guinta.
Under the rules the nomination shall lay over to the next meeting.

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

6. Confirmation of Christopher Thompson to succeed Daniel Pinard (vacancy) as an alternate member of the Planning board, term to expire May 1, 2009.
Ladies and Gentlemen, what is your pleasure?

7. Confirmation of nomination of Michael DeBlasi to represent Ward 3 on the Board of School Committee submitted by Alderman Sullivan.
Ladies and Gentlemen, what is your pleasure?

8. Reports of Committee on Community Improvement, if available.
Ladies and Gentlemen, what is your pleasure?

9. Mayor Guinta advises that a motion is in order to recess the meeting to allow the Committee on Finance to meet.

10. Mayor Guinta calls the meeting back to order.

11. Report(s) of Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?

12. Legislative Update to be presented by Mayor Guinta and seeking the Board's opposition to SB468 relative to the reinsurance pool and the New Hampshire vaccine association.
Note: Letter from Jack Sharry to be sent under separate cover..
Ladies and Gentlemen, what is your pleasure?

13. Communication from City Clerk requesting that a petition to rezone a parcel of land located west of Mack Avenue and north of Frontage Road submitted on behalf of One Mack Avenue, LLC be referred to the Committee on Bills on Second Reading and to Public Hearing at a date to be set by the City Clerk.
Ladies and Gentlemen, what is your pleasure?

14. Communication from Carol Johnson, City Clerk, reporting back to the Board regarding the Ward 5 polling location, and requesting the Board authorize the City Clerk to purchase floor matting totaling $5,356 and to transfer funds to cover such expense.
Ladies and Gentlemen, what is your pleasure?

15. Communication from Thomas Bowen, Director, Manchester Water Works, submitting a NHDOT Use and Occupancy Agreement, allowing for the installation of a water main on Eastpoint Drive, Bedford, in relation to the Airport Access Road.
A motion is in order that the agreement be approved and that the Water Works Director be authorized to execute same on behalf of the City Water Works subject to the review and approval of the City Solicitor.

16. Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.
(Note: amount to be presented by the Clerk)
Ladies and Gentlemen, what is your pleasure?

17. Ordinance: (**A motion is in order to read by title only**)

> "Amending Section 70-.78 Penalty of the code of Ordinances of the city of Manchester to temporarily suspend the Increased Penalty provided for certain parking violations."

This Ordinance having had its third reading by title only, the question is on passing same to be Ordained.

18. Resolution: (**A motion is in order to read by title only**)

"Amending the FY2005, 2007, 2008 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Two Thousand Dollars ($42,000) for the 2008 CIP 411808 Fire Ladder Truck Repair Project."

A motion is in order that the Resolution pass and be Enrolled.

TABLED ITEMS

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

19. 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.

20. 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.

21. 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.

22. NEW BUSINESS
A. Communications
B. Aldermen

23. If there is no further business, a motion is in order to adjourn.