

BOARD OF MAYOR AND ALDERMEN

May 20, 2008

7:30 PM

Mayor Guinta called the meeting to order.

The Clerk called the roll. There were thirteen Aldermen present.

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

Absent: Alderman Ouellette

CONSENT AGENDA

Mayor Guinta advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

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

- A. Sidewalk Petitions:
 - 374 Pickering Street
 - 79 Lynwood Lane
 - 116 Laxson Avenue
 - 1291 Hall Street
 - 170 Lowell Street
 - 729 Union Street
 - 214 Brennan Street
 - 23 Darby Lane
 - 29 Wyoming Avenue
 - 23 Exeter Avenue

512 Brent Street
867-869 Hall Street
339 Thornton Street
156 Kenberma Street
329 Reed Street
24 Glendale Avenue
259 Whitford Street
247 Whitford Street
918 Goffstown Road
89-91 Taylor Street
471-473 East High Street

Note: On file for viewing with Office of the City Clerk, One City Hall Plaza.

B. Pole Petitions:

11-1196 Two poles at 455 Hayward Street
11-1197 Two poles on Pine Street
11-1199 One pole Fairmont Avenue
11-1200 Four poles on Elm Street
11-1201 One pole at 1030 Candia Road
11-1202 Two poles on Beech Street
11-1203 One pole on Commercial Street

Note: On file for viewing with Office of the City Clerk, One City Hall Plaza.

Informational to be Received and Filed

- C.** Communication from Carol Johnson, City Clerk, advising that at the request of the Selectmen of Ward One, the polling location for this Ward has been moved from the Brookside Congregational Church to the Derryfield School effective for the next election in such Ward
- D.** Communication from Rachel Royer and family of Jack Royer thanking the Board for the expressions of sympathy during their recent loss.
- E.** Manchester Transit Authority minutes and reports for March 2008.
Note: On file for viewing in Office of City Clerk, and forwarded to Mayor and Aldermen under separate cover.

REFERRAL TO COMMITTEE

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- F. Communication from members of the taxi industry requesting the City to approve a rate increase of \$.25 per 1/6th of a mile for taxi fares.

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- G. Recommending that a request from Big J's Dogs to extend the hours of operation of his Peddlers License at Hampshire Plaza, 1000 Elm Street be approved.
(Unanimous vote)
- H. Recommending that a request from Jonathan's Quick Eats to extend the hours of operation of his Peddlers License at City Hall Plaza, One City Hall Plaza be approved.
(Unanimous vote)

Note: Concurrent referral to Committee on Bills on Second Reading

- I. Advising that it has approved an ordinance amendment proposed by the City Clerk to eliminate the need to create marginal and alphabetically indexed minutes of the Board of Mayor and Aldermen and recommends same be referred to the Committee on Bills on Second Reading.
(Unanimous vote)

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- J. 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 informational purposes.
(Unanimous vote.)

- K.** Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the nine months ended March 31, 2008 and is forwarding same to the Board for informational purposes.
(Unanimous vote)
- L.** Recommending that the 2nd Quarter FY2008 Write Off List for the Accounts Receivables Module provided by the Finance Department be approved.
(Unanimous vote)

COMMITTEE ON COMMUNITY IMPROVEMENT

- M.** Recommending that a request by the Public Health Director to apply for grant funds for the Safe Rides to School Program requiring a commitment by the City to expend up to \$15,000 be approved; further noting that the \$15,000 is fully reimbursed should the City be awarded the grant.
(Unanimous vote)
- N.** Recommending that the proposal to proceed with developing a walkway from McDuffee Street through Wolfe Park be approved; further noting that EPD and Parks & Recreation have indicated that funding exists to complete the project.
(Unanimous vote)

COMMITTEE ON JOINT SCHOOL BUILDINGS

- P.** Advising that it has accepted the monthly report for April 2008 as submitted by the Building Maintenance Division and is forwarding same to the Board for informational purposes.
(Unanimous vote with the exception of Alderman J. Roy who was absent.)
- Q.** Advising that it has accepted the report from the School Committee on Building & Sites approving the installation of the Site Sync GPS Wireless Clock System at the Beech Street and Wilson Schools and notes that additional information has been requested on costs associated with the installation of an intercom system at Bakersville, Beech Street, and Wilson Schools.
(School Committee Member Beaudry, Craig, Gelinas, and Aldermen M. Roy voted yea, Alderman Sullivan was opposed; and Aldermen J. Roy was absent.)

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

- R.** Recommending that a request from the Parking Manager to permit Mystery Gang Productions (a New York film company) to park three commercial vehicles on street, 24 hours per day, 7 days per week, on Walnut Street until June 30, 2008 be approved.

(Aldermen Shea, O'Neil, J. Roy, and Ouellette voted yea via poll conducted Monday, May 12, 2008; Alderman Sullivan was absent from the vote)

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

COMMITTEE ON COMMUNITY IMPROVEMENT

- O.** Advising that the request from the Executive Director of Child Health Services to reconsider the Mayor's budget cut of FY2009 CIP allocations to the agency has been received and filed.

(Unanimous vote.)

Alderman DeVries stated I have already had a conversation with Alderman Garrity and asked that this item be sent to CIP for consideration. I can't think of a more worthy endeavor than for us to invest in the poorest of our poor and their healthcare services. I hope that each Alderman has a conversation with Fred Rusczek and that agency. The statistics are truly becoming frightening for Manchester where in 1990 there were approximately 14% of children under five who were under the poverty level and today that figure has risen to about 33%. We have some issues in the City and that is the agency that addresses them. I hope that we can somehow figure out a way to consider their very small funding request.

***Alderman DeVries** moved to refer item O back to the CIP Committee. **Alderman Lopez** duly seconded the motion. There being none opposed, the motion carried.*

Nominations to be presented by Mayor Guinta, if available.

Heritage Commission

Jeff J. Nyhan as an alternate member, term to expire January 1, 2011.

Confirmation of nominations made by Mayor Guinta:

Planning Board - Alternate

Michael Poisson to succeed Jack Brady, term to expire May 1, 2010.

Conduct Board

Adam Schmidt to succeed Jay Cadorette term to expire October 1, 2010.

Fire Commission – labor representative

William Whitmore to succeed Omer Beaudoin, term to expire May 1, 2009.

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

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

Mayor Guinta called the meeting back to order.

Mayor Guinta stated if nobody objects we will take up new business until the Clerk is ready with the report from the Finance Committee.

Alderman Gatsas stated I have had conversations with Art Solomon in the last couple of days. He has purchased that lot in front of the ballpark, which is a \$19 million investment that this City has made. I suggested to him as I did before this Board when that issue was coming before us that the City should own that lot and

we should lease it back to him contemporaneously with the lease on the ball field so that we have control over it and it doesn't leave our control because certainly there have been a lot of situations here and whatever he wants to put on it is fine. It would be something that you know if he built a building it would generate tax revenue as a building but I think it is important that we as a City take control of that piece so we don't have five or ten years from now Mr. Solomon leaving and saying I want X amount of dollars for it. We would have a much more difficult position than doing it today. He has agreed. He is not looking for a profit. If we just give him what is into that property along with whatever legal fees he had he is not looking for anything else over and above that. If we gave him a lease that was running from \$1 so he could do whatever he needed to do I think he has been a great tenant there and an asset to the City and I think the City should certainly...we have money in those other accounts I believe where we had purchased some land. I think that we should either send this to the Riverfront Committee or Lands & Buildings or if we want to keep it at the full Board your Honor I have no problem where it goes but it should be acted on soon.

Mayor Guinta stated I don't object to sending it to a committee. I would defer to the Board as to which committee they want. I think Lands & Buildings or Riverfront would have jurisdiction.

Alderman M. Roy stated I was just going to suggest the Riverfront Committee.

On motion of Alderman M. Roy, duly seconded by Alderman J. Roy it was voted to refer the matter to the Special Committee on Riverfront Activities.

Alderman Gatsas stated I would just like to ask Alderman Lopez to set up a meeting in the next couple of days because I know Mr. Solomon is looking to have this acted on quickly.

Alderman Lopez stated I will work it out with the City Clerk and call a meeting as soon as I can.

Alderman M. Roy stated I want to ask that when it does get to the Riverfront Committee we get whatever information regarding cost, legal fees, etc.

Alderman Lopez stated I think the City Solicitor can notify me when he has that information and then I will call a meeting. I have two pieces of correspondence. One is in reference to strategic planning of facilities. In conversation with the City Solicitor he has indicated to me that we cannot appoint a committee of staff but we could appoint liaisons. That is why you see that correspondence. Unless someone wants to change it I would ask several key staff including the Chief of Police, Fire Chief, Tim Clougherty and a liaison from the Board to develop a strategic plan for the following items: expansion of the current Police Station including utilizing bays of the Central Fire Station and building a new West Side precinct, and necessary infrastructure improvements, expansion and renovations of current fire station facilities throughout the City. Furthermore, I would ask Alderman O'Neil to act as a liaison to staff for the Police Station portion of the plan and Alderman Jim Roy to act as liaison to staff for the Fire Station portion to help coordinate the facilitation of these objectives. I am requesting that staff report to the Board of Mayor and Aldermen no later than January 2009. I would like to have approval of that.

Mayor Guinta stated I didn't get a copy and I just want to make sure I understand. So you are looking for the Chief of Police, Fire Chief, Tim Clougherty and then two Aldermen – Aldermen O'Neil and Jim Roy?

Alderman Lopez replied as liaisons. They would have meetings with these individuals. If we form a full committee you have to publicize it and this is just a staff committee and the Aldermen will keep the other Aldermen informed at any meeting.

Mayor Guinta asked so Solicitor Clark this is like an advisory committee so it doesn't have to be posted? Is that what the goal is here?

Mr. Thomas Clark, City Solicitor, answered the goal is to allow staff to meet and do their job without having to post every meeting.

Alderman Lopez moved to form an advisory committee to look into developing a strategic plan for expansion of the current Police Station, building a West Side precinct, and infrastructure improvements, expansion and renovation to all fire stations throughout the City. Alderman O'Neil duly seconded the motion.

Alderman O'Neil stated the fire portion is pretty broad and allows for any consideration. Police is a little more restricted. If something else came up that was broader than what was mentioned here or we went in a different direction, is that okay. Those are just examples of what could be considered, correct?

Alderman Lopez replied that is absolutely correct. You might come back with Option A, B and C.

Alderman DeVries stated I have a question for Alderman Lopez. I certainly wouldn't want the language used for the police to be construed as this Alderman's endorsement of that policy. I am fine if the question is going to be asked whether there are open bays at the Central Fire Station for the Police Department to expand into. I don't think we are going to get a great positive answer on that because I

know there are a lot of haz-mat materials and such that are stored there, but I wouldn't want it to be construed as being one of these bulleted points that this is a directive from the Alderman to move in that direction. Again, based on what Alderman O'Neil just said and you concurred, this is just your example of a suggestion and not one that the Board is asking for them to give prime consideration to?

Alderman Lopez responded that is correct.

Alderman O'Neil stated if we end up building that new south end fire station maybe we could move some of that stuff down there.

Alderman Smith stated we are taking care of Police and Fire. I will tell you one facility that needs...the Highway Department. It should have been done years ago. The building was built I believe in 1946. That is the same building they are in today. I advise anybody to go up and look because if any facility should be taken care of it should be the Highway Department.

Alderman Lopez replied that is why we have a staff person from Facilities on the committee. If it is the wish of the Board, I can appoint another Alderman as a liaison to the Highway Department. The reason for this...I mean I am just following the direction of the Board here. Whatever you want. You asked me to do something and here it is. The City Solicitor said I can't appoint committees.

Alderman O'Neil stated Alderman Smith is absolutely right but we have already done the strategic plan for the Highway Department. We are ready to go. It is just a matter of allowing the Director to move forward with design and then once it is designed to commit to building it. We have gone through the whole...we spent

hundreds of thousands of dollars planning it already. It is ready to go. It is just waiting for us to move.

Alderman Smith asked how many years?

Alderman O'Neil answered well, it has been a couple anyway that it has been ready to go.

Alderman Gatsas stated there is no question that Highway is a serious problem. There is no question that the Fire Department has a serious problem. There is no question that Police has a serious problem. If you were looking at this as a business, you would say how do we develop a building that is a city complex that has one motor pool so that we have one place for oil, one place for gas, and one place for tires so that there is one central location for all three of those major departments that are going to work under one roof. I think all three of them are very cognizant of each other. Why wouldn't we look at a proposal, even if it is a \$70 million complex...we renovated schools for \$100 million. I mean there is no question that if you look at this package and you were looking at it as a business decision, you would try and find a central location in downtown Manchester whether you would talk to a trucking company on Pine Street that gives you the ten or twelve acres that you need to build a City complex and sell the other pieces...that is the object we should be looking at when you talk about long range planning. I don't question that this is...certainly I applaud Alderman Lopez for bringing it forward, but you know what? We have to take the big bite sooner or later because sooner or later we are going to be looking at Highway and that building is going to fall down. We look and see driving up on one of the most prime pieces of real estate in the City on Valley Street and there are the trucks, not the nicest looking trucks but there are the trucks. I would say that this Board and people can sit there and say, well, what are you talking about? It may be a three

year project but in the next six months we need to get it to say this is what we are going to do.

Alderman Lopez responded I agree with you.

Alderman O'Neil stated we have already done that and this Board directed Highway...the last phase of the three phases that you did, Kevin, on the preliminary study. The final phase was they asked us to pick a site and this Board directed them to put the new Public Works facility on the existing site. This Board directed them. I agree. Frank Thomas ten years ago talked about trying to buy that trucking garage down on Pine and Hayward. They have done everything. They have looked at sites in East Manchester. They have gone through this whole process and we spent money doing it and then this Board directed them to put the new facility on their existing site. I think originally it was to include the MTA and there were too many challenges with that. Now we are asking them to start the process all over again?

Mayor Guinta stated let's just get the committee approved first of all.

Alderman O'Neil replied we don't need a committee. The work is already done.

Mayor Guinta stated I am talking about the motion on the floor. This is a rather complicated issue. There is merit for all three facilities to be improved. There is no question about it. To try to incorporate a larger facility so we can achieve efficiencies I think makes sense. We have to start looking at consolidating some of the physical structures.

Alderman O'Neil responded I think in the plan there is a central maintenance garage for the entire City. I think that is already in the work that Kevin has done.

Mayor Guinta stated let's get this committee together. We can get some additional recommendations from staff. The work that we are going to be doing over the summer we can maybe work on this item as well so we can try to bring some finality to some of the issues. I know that members of this Board have been waiting patiently for some sort of movement. Obviously money is an obstacle as well but let's see if we can work over the summer to try to make some of these objectives more of a reality.

Mayor Guinta called for a vote on the motion to form an advisory committee to look into developing a strategic plan for expansion of the current Police Station, building a West Side precinct, and infrastructure improvements, expansion and renovation to all fire stations throughout the City. There being none opposed, the motion carried.

Alderman Lopez stated at the direction of the Board last night the policy on hiring for 2009...

Mayor Guinta interjected do you have something to hand out?

Alderman Lopez responded I did.

Mayor Guinta replied I didn't get one.

Alderman Lopez stated I worked with the HR Director, and on item 5 Alderman Jim Roy wants to do an amendment.

Alderman J. Roy stated item 5 which starts with “The Fire Chief is authorized to hire eight firefighters on June 15, 2008 using the available FY08 funds” the second sentence would be slightly changed. It should read “The Fire Chief is also authorized to promote at his discretion within his FY2008 operating budget one district chief by July 1, 2008.” I would like to see a third sentence added to that as well that says, “The Fire Chief is also authorized to promote one district chief, three captains and three lieutenants effective July 1, 2008.” Those additions will facilitate the savings of...well it is \$51,000 a month I believe starting in July and the first district chief promotion would facilitate the savings of \$9,000 of overtime by July 1.

Mayor Guinta asked is that an amendment without objection?

Alderman Lopez answered I don't have any objection.

Alderman Lopez moved to approve the hiring plan for FY2009 with the amendments stated by Alderman Jim Roy. Alderman Osborne duly seconded the motion.

Alderman M. Roy asked so are you adding one DC to the second line of that?

Alderman J. Roy replied in the second sentence after the word “budget” insert “one district chief.” I am adding a third sentence, which says “The Fire Chief is also authorized to promote one district chief, three captains and three lieutenants effective July 1, 2008.”

Alderman O'Neil asked is that the right year?

Alderman J. Roy answered yes, because July 1, 2008 is actually the start of FY2009.

Mayor Guinta called for a vote on the motion. The motion carried with Alderman Garrity duly recorded as abstaining.

Alderman Lopez stated in reference to a letter from the Bedford School District and I won't read it all because everybody got a copy of it but I do think that in talking with the City Solicitor, I am not going to respond to the Chairman of the Bedford School District. I don't think it is my place to respond to him. I believe that the Mayor has spoken to the Bedford School District in reference to the \$140 million and what we are going to do. As far as I am concerned the City Solicitor and the Mayor can handle it.

Alderman M. Roy stated it may be a minor detail but everyone received a package from the Friends of Stark Park. A couple of years ago we approved their Master Plan but just for formality sake we need to approve the installation of a bandstand that they are looking for private funds to purchase. They are doing an excellent job with their fundraising. They do have the full support of Parks & Recreation. *I would move to allow the Friends of Stark Park to install the bandstand.*

Mayor Guinta asked do they have it already?

Alderman M. Roy answered they are in the fundraising mode and as soon as they reach their goal they will be ordering it.

Mayor Guinta asked do we know where it is going to go?

Alderman M. Roy responded it is in the package but on River Road in the north...

Mayor Guinta interjected is there a reason it shouldn't go to Committee? I don't have any objection to it and I think it is a great project but is there a need to do it today?

Alderman M. Roy replied this is somewhat just to help their fundraising and construction for this year. It is part of what we approved as their Master Plan two and a half years ago.

Mayor Guinta asked the location is?

Alderman M. Roy answered yes. This is just a matter of allowing us to have Parks & Recreation accept the donation. I am not sure if anyone from Parks is here. There is no cost to the City whatsoever.

Alderman Pinard duly seconded the motion. Mayor Guinta called for a vote. There being none opposed, the motion carried.

Alderman Gatsas stated I got some calls from constituents up at Derryfield Park going up to the observatory. I guess there is a bar there and the lower level was taken out and put up at the top level. I guess these people were told that it would take awhile to put a bar back down at the bottom of the hill. My question is can we take the bar that was moved once and put it down at the bottom until such time as...I guess they are going to open up the observatory from 8 AM until 6 PM. We all know that there have always been problems up there. The people in that neighborhood have some serious concerns. If we can at least direct Water Works

to move it from where they put it back down to the bottom because what they did was close off the road that took you up to the reservoir.

Mayor Guinta responded I thought that already happened.

Alderman Gatsas replied it happened that they are going to try to do it, but they have to manufacture a post so if we can have Water Works take the post down from the place that they put it and put it at the bottom until such time as there is a new post generated for their spot going up to the reservoir, the people up there would greatly appreciate it.

Mayor Guinta asked do you want me to just do that tomorrow?

Alderman Gatsas responded thank you.

Mayor Guinta stated I will get back to you tomorrow when it is completed.

Alderman Gatsas stated I guess we need to give a directive to the Finance Officer for verification of the unencumbered amounts update and also to stop spending in those accounts with the budgets that we did last night. Maybe I can just look at the Finance Officer and ask him if that was the correct motion that he was looking for.

Mr. William Sanders, Finance Officer, responded yes, that is the correct motion. I would like direction to cease spending from the workers compensation and CGL accounts for the balance of FY2008 and use any of the unencumbered amounts. Any payments that need to be made would be charged at the end of the year to the reserve account.

Alderman Gatsas moved to direct the Finance Officer to cease spending from the worker's compensation and CGL accounts for the balance of FY2008 and use any of the unencumbered amounts. **Alderman Shea** duly seconded the motion.

Mayor Guinta called for a vote. *The motion carried with Alderman M. Roy being duly recorded in opposition.*

Mayor Guinta asked is there an Accounts Committee meeting this evening?

Alderman Sullivan responded we haven't held it yet. It was to be on recess of the full Board. We should probably wait for the Clerk.

Alderman Gatsas stated I would like to ask this Board what their feeling is and I guess it is parliamentary question, Your Honor, but whether we adjourn this meeting or just recess so that you have the ability to call us back in immediately if we are going to sit down and meet with the School District again, rather than having to post that if we are going to come in this week again with the School District. I don't know if this Board just wants to be out on recess so we can meet and discuss whatever we need to do at that time or whether we want to adjourn and go through a 24 hour posting. I would think that maybe because of the sensitivity that we are in right now we recess to the call of the Chair and then you can call us back at any time.

Mayor Guinta replied I am not sure when I would call you back this week.

Alderman Gatsas stated well there is a meeting tomorrow night and I am saying if they look at that proposal that was here, and we hear from retirement and the concerns that we have I would think that maybe at least at that opportunity if they look at it...and I noticed that Mr. McGilvray was here but he has left, whether

there are additional questions and they say yes, I think we can do this and we can move forward, maybe you need this Board back the following evening for a very short time to have those discussions.

Alderman M. Roy stated I would just mention that there are School Board members, including my Ward 1 School Board Member, who are working on savings and I think the message they sent us last week was loud and clear with their prioritization. I suggest we recess and whatever comes out of tomorrow night's meeting nothing needs to be decided next week. It will also give school board members time to ponder savings that they have been working on.

Mayor Guinta responded you said recess. Did you mean adjourn?

Alderman M. Roy replied I would prefer the adjournment then to leave the full Board open meeting.

Alderman Lopez stated time is ticking. If you adjourn you have to post it and all of that stuff.

Mayor Guinta stated I can post something later on this week for next week. We have all of next week. The budget is at the Board level so it is up to the Board. I would be willing to work with the Board to post something for next week. I think we have a fairly open evening schedule next week if my memory serves.

Alderman Gatsas stated not to disagree with you, Your Honor, but if something miraculously happens tomorrow night, you may want this Board in a lot sooner than next week. I am just saying it is an opportunity. I don't think we should close that door. You should have that access to us just by phone so that we can get

in here and make decisions that may be very pertinent to what the School District is looking for.

Mayor Guinta responded I don't object to recessing.

Alderman J. Roy asked wouldn't recessing cover both bases? You could get us in tomorrow or you could get us in next week.

Mayor Guinta responded recess allows us, if I am correct Mr. Solicitor, to reconvene at any time without a new posting.

Solicitor Clark stated it does allow you to reconvene at any time with no posting. However, if you are not recessing to a specific date then you are going to have to make every effort possible to advise the public of when you are going to reconvene.

Mayor Guinta asked if my office issues a release and it is conveyed to members of the media does that suffice?

Solicitor Clark replied the law doesn't really address it. It's just that the right to know law is built to make sure that the public has the right to attend meetings and the media has a right to attend meetings. If you are going to recess and call the Board back in without notifying them, then you may have some problems. I would suggest that you do your utmost to make sure that the word gets out when you are going to reconvene.

Mayor Guinta stated well if anything it would be Thursday but I wouldn't know that until Thursday morning.

Alderman O'Neil stated although I respect that we are trying to do everything on our side to get this done, I know I am heading out Friday so I suppose I could be available on Thursday. I think Alderman Mark Roy is traveling tomorrow or Thursday. Unless there is something earth shattering...are we expecting something back from them tomorrow night?

Mayor Guinta stated I think the way Alderman Gatsas put it was if something miraculous happens.

Alderman Gatsas stated I am certainly not suggesting where Alderman Mark Roy may be out of town that we get a vote, but I think this Board should at least have an opportunity to take a look and convene. If we are going to have a vote I would certainly look to the Mayor to see that we are all present to do that.

Alderman Lopez asked may I offer a suggestion? Why don't we tentatively schedule a meeting for Monday night?

Mayor Guinta answered that is Memorial Day.

Alderman Lopez stated well Tuesday night then.

Alderman Gatsas stated I have another thing on this agenda that I would like to have a meeting on and that is to have MHRA in here so that we can have discussions, because I have had some interesting conversations in the last two days with some other housing authorities and the taxation of those authorities and what they pay in lieu of taxes and contracts that we have versus contracts that they have, and I think that discussion needs to start because maybe we can offer some subsidy to the School District based on where MHRA is. I certainly would like

that and maybe we can notify them to come in on Monday and bring their financial statements with them. I mean Tuesday.

Mayor Guinta responded I can approach them about meeting on Tuesday.

Alderman Lopez asked does anybody have any objections to next Tuesday?

Alderman O'Neil answered this conversation has come up informally amongst Aldermen and I have spoken to Dick Dunfey and asked him to prepare something on that very issue because there is federal law involved with this. It is fairly complicated and with all due respect to my colleague, I am not sure that all of the money is there that he believes is there legally. We can bring them in.

Alderman Gatsas stated I look at \$115 million of assessed value which would create somewhere around \$1.9 million in full taxation. I certainly wouldn't be looking at that number but it would be in excess of the \$155,000 that they are now paying.

Mayor Guinta stated so for the agenda it will be a broad agenda on the budget but we will have MHRA here and also talk about the school budget. Is that it?

Alderman Gatsas asked should we be asking the School District to come in on Tuesday? They will all be back from vacation and fresh and ready to go.

Alderman O'Neil stated if questions come up somebody has to be here to answer them.

Mayor Guinta replied if we are talking about the school budget I would suspect they would want to be here.

Alderman Gatsas responded so we are asking the School administration to come in here with everything they need to address a question and not have to say they have to get back to us.

Report of Committee on Lands and Buildings recommending that a request

from the Shapiro Family Trust to place a 15-foot bronze sculpture of a bull on the Eastern end of the Hands Across the Merrimack bridge be approved and further that the Department of Parks, Recreation, and Cemetery be responsible for maintaining the sculpture.

To accommodate meeting the conditions of placement, an ordinance amendment has been submitted with the request that same be adopted under suspension of the rules.

***Alderman M. Roy** moved to accept the report, and to suspend the rules and place the Ordinance on its final reading at this time without referral to the Committee on Bills on Second Reading or the Committee on Enrollment. **Alderman Lopez** duly seconded the motion.*

Alderman O'Neil asked who has responsibility for the bridge? That can be answered in Committee.

Alderman Smith stated I got this from the Mayor's office last Thursday and the client was Granite Packing and the owner has a certain amount of money. There is no cost to the City so I said I will throw it out and try to expedite it the best I can. I understand it is not going on the bridge at all. It is supposed to be the eastern part of the Hands Across the Merrimack. I don't know that much about it. This is all that I received and that is all I can tell you.

Alderman Mark Roy stated I have a question regarding the fact that at the eastern end of the bridge there is the condo project and the effect on the condo project that a 15 foot sculpture would have.

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

Ordinance:

“Amending Section 96.00: Parks, Recreation and Cemetery Established of the Code of Ordinances of the City of Manchester by adding subsection (E) which places the responsibility of maintenance of the bronze bull sculpture at the Hands Across the Merrimack Bridge under the department.”

*This Ordinance having had its final presentation, on motion of **Alderman Pinard**, duly seconded by **Alderman Smith**, it was voted that the Ordinance be Ordained.*

There was no report of the Committee on Finance.

Deputy Clerk Normand stated before I read the report from the Committee on Community Improvement, there is one item that is shaded and that is the Hallsville School Roof for \$100,000. There is a note underneath that this is a recommendation from Sam Maranto that the amount to be amended will be subject to the unexpected balances of projects #811607, 810308 and 310402). There was a feeling that putting a placeholder in the CIP budget would be better so that is \$100,000.

A report of the Committee on Community Improvement was presented recommending after due and careful consideration that the proposed FY2009 CIP Appropriating Resolution be amended as follows:

Amend Page 2, paragraph 3 of the resolution by replacing \$19,530,051 in federal, state and private grant funds with \$20,517,145.

Amend Page 2, paragraph 6 of the resolution by replacing \$1,368,900 in municipal funds with \$868,900.

Amend Page 3, paragraph 1 of the resolution by replacing \$8,466,500 in short term notes and general obligation bonds with \$10,333,725.

Amend Page 3, paragraph 2 of the resolution by replacing \$8,207,000 in enterprises and other fees with \$12,398,379.

Amend Tables as follows:

Table 1 - Federal State, and Other Funds

Add:

- 411709 – SCBA Update & Replacement - \$788,900
(Total \$986,125; \$788,900 from Federal grant; \$197,225 to be addressed through City bonds)
- 213409 – Primary Care for the Homeless - \$198,194
(State Grant)

Increase total of Table 1 from \$19,530,051 to \$20,517,145.

Table 2 - Community Development Block Grants, Emergency Shelter Grant Home Funds

No change in total of Table 2 of \$2,867,900.

Table 3 - City Cash

Remove:

- 710709 – Annual ROW Maintenance Program - \$500,000 Cash
(program to be addressed through bonds)

Decrease:

- 411409 – Defibrillator Replacement – from \$66,000 to \$56,000

Add:

213509 – Arboviral Surveillance - \$10,000 Cash

Decrease total of Table 3 from \$1,368,900 to \$868,900.

Table 4 - General Obligation Bonds

Remove:

411809 – Building Expansion Feasibility Analysis - \$300,00

511509 – South Manchester Rail Trailway Phase II - \$450,000

711309 – Recycling Program - \$450,000

711909 – Station #9 Fire House Study/Rehabilitation - \$1,400,000

Add:

810309 – Motorized & Electronic Equipment Replacement (MEER) - \$800,000

810409 – Hallsville School Roof - \$100,000

(Amount to be amended subject to unexpended balances of projects #811607, 810308, and 310402)

810209 – Strategic Planning for Facilities (Police/Fire/Hwy) - \$1,000,000

Increase:

711209 – Street Reconstruction – add \$2.5 million for new total of \$3,211,500

(change description to include reconstruct and resurface city street to enhance traffic flow)

411709 – SCBA Update & Replacement – add \$67,225 for new total of \$197,225.

(Total \$986,125; \$788,900 to be addressed through Federal grant)

Increase total of Table 4 from \$8,466,500 to \$10,333,725.

Table 5 - Projects financed through Enterprises, Fees and Other Dedicated Sources

Add:

713509 – Water Works Capital Projects - \$4,191,379

Increase total of Table 5 from \$8,207,000 to \$12,398,379.

TOTAL CIP: \$46,986,049

Alderman Lopez stated I have a question. Do they have to read the items into the record or are the numbers sufficient?

Solicitor Clark responded you can pass this based upon the handout that the Aldermen have.

Alderman O'Neil voted to accept, receive and adopt the report of the Committee on Community Improvement as amended. **Alderman Pinard** duly seconded the motion. **Mayor Guinta** called for a vote. The motion carried with Alderman Sullivan being duly recorded as abstaining on Projects #610809 and #610909.

Appropriating Resolution:

“Approving the Community Improvement Program for 2009, Raising and Appropriating Monies Therefore, and Authorizing Implementation of Said Program.”

Alderman M. Roy voted to amend the resolution and tables as stated in the report of the Committee on Community Improvement. **Alderman O'Neil** duly seconded the motion. **Mayor Guinta** called for a vote. The motion carried with Alderman Sullivan being duly recorded as abstaining on Projects #610809 and #610909.

Alderman Pinard voted that the Appropriating Resolution ought to pass and be Enrolled as amended. **Alderman Domaingue** duly seconded the motion. **Mayor Guinta** called for a vote. The motion carried with Alderman Sullivan being duly recorded as abstaining on Projects #610809 and #610909.

Alderman Lopez asked do you have any other Resolutions like Water Works?

Deputy Clerk Normand answered all of that was passed in the CIP budget.

Alderman Lopez asked don't you have to do the resolution?

Deputy Clerk Matt Normand responded no, we waived the reading of the resolution tonight.

Alderman Lopez asked and was the parking done last night?

Deputy Clerk Normand replied yes.

Alderman Lopez responded are we all set with that.

Deputy Clerk Normand replied yes.

Mayor Guinta stated I think we have a report from the Committee on Public Safety, Health & Traffic, which I don't think is on your agenda.

Deputy Clerk Normand stated the Committee on Public Safety met tonight and asked that this be brought in tonight.

A report from the Committee on Public Safety, Health & Traffic was presented recommending 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 PARKING 2 HOURS 8AM-6PM

Mulsey Street, north side, from a point 45 feet west of Bedford Street to State Street

Payson Street, south side, from Bedford Street to State Street 8 AM – 6 PM

RESCIND NO PARKING LOADING

Mulsey Street, north side, from Bedford Street to a point 45 feet westerly

ONE WAY STREET

Payson Street, from North State Street to Bedford Street, eastbound
North State Street, from Mulsey Street to Payson Street, southbound
Mulsey Street, from Bedford Street to Mulsey Street, westbound

PARKING 2 HOURS

Mulsey Street, north side, from Bedford Street to State Street
North State Street, west side, from Mulsey Street to Payson Street
Payson Street, south side, from Bedford Street to State Street

RESCIND METERS – 2 HOURS

From a point 295 feet east of Pine Street to Union Street side – north

METERS – 10 HOURS

From a point 295 feet east of Pine Street to Union Street side – north

The Committee further recommends that the Ordinance Amendment:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by creating a new Residential Parking Permit Zone #7 in Section 70.55(D)(7).”

ought to pass under suspension of the rules.

On motion of Alderman M. Roy, duly seconded by Alderman Shea it was voted to accept the report and suspend the rules placing the Ordinance on its final reading.

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by creating a new Residential Parking Permit Zone #7 in Section 70.55(D)(7).”

This Ordinance, having had its final presentation, on motion of Alderman Sullivan, duly seconded by Alderman J. Roy it was voted that the Ordinance be Ordained.

Communication from Kevin Sheppard, Public Works Director, requesting the Board approve the application for pension under the former retirement system as submitted by Richard Johnson after 41 years, 9 months of service to the City of Manchester.

On motion of Alderman Smith, duly seconded by Alderman O'Neil, it was voted to approve the request with regret.

Ordinance:

“Amending Sections 33.024 and 33.025 (Custodial Services Supervisor – Police; Equipment Maintenance Superintendent I – Police; Equipment Maintenance Superintendent II – Fire; and Equipment Mechanic II – Fire) of the Code of Ordinances of the City of Manchester.”

On motion of Alderman M. Roy, duly seconded by Alderman O'Neil, it was voted to waive reading the Ordinance by title only.

This Ordinance having had its final presentation, on motion of Alderman Pinard, duly seconded by Alderman M. Roy it was voted that the Ordinance be Enrolled.

On motion of Alderman J. Roy, duly seconded by Alderman Shea it was voted to recess the meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

Mayor Guinta called the meeting back to order.

A report of the Committee on Accounts, Enrollment and Revenue Administration was presented respectfully advising after due and careful consideration that it has reviewed the six ordinances presented and has determined that each ordinance has been properly enrolled.

On motion of Alderman M. Roy, duly seconded by Alderman Pinard, it was voted to accept, receive and adopt the report of the Committee on Accounts, Enrollment and Revenue.

Ordinances:

“Amending Sections 33.024 and 33.025 (Custodial Services Supervisor – Police; Equipment Maintenance Superintendent I – Police; Equipment Maintenance Superintendent II – Fire; and Equipment Mechanic II – Fire) of the Code of Ordinances of the City of Manchester.”

Amending Section 33.064 Employees Injured in the Line of Duty to apply to all employees and to require the repayment of sick leave benefits upon determination of employee eligibility for workers compensation benefits.”

“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.”

“Amending Sections 33.024, 33.025, & 33.026 (Purchasing Assistant) of the Code of Ordinances of the City of Manchester.”

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by expanding the Residential Parking Permit Zone #6 in Section 70.55(D) (6) to include Mechanic Street, north side, between Elm Street and Canal Street.”

“Amending Section 70.45 of the Code of Ordinances to clarify responsibilities of the Parking Division.”

On motion of Alderman M. Roy, duly seconded by Alderman DeVries it was voted to waive reading the Ordinances by title only.

These Ordinances having had their final presentation, on motion of Alderman Pinard, duly seconded by Alderman Sullivan it was voted that the Ordinances be Ordained.

TABLED ITEMS

18. Appropriating Resolution:

“A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2009.”

*Note: Recommendation from Central Business Service District (CBSD) required prior to adoption. Planning Director to report.
(Tabled 5/19/08)*

This item remained on the table.

19. Appropriating Resolution:

“Continuation of the Central Business Service District.”

*Note: CBSD has requested expansion of district – Planning Director to report.
(Tabled 5/19/08)*

This item remained on the table.

20. Appropriating Resolution:

“A Resolution appropriating to the Manchester School District the sum of \$140,000,000 for the Fiscal Year 2009.”

*Note: Based on previous discussions, the Board may wish to table this resolution or refer it to a future meeting of the Board rather than acting upon enrollment.
(Tabled 5/19/08)*

This item remained on the table.

21. Appropriating Resolution:

“A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,826,500 from School Food and Nutrition Services Revenues for Fiscal Year 2009.”

*Note: Based on previous discussions, the Board may wish to table this resolution or refer it to a future meeting of the Board rather than acting upon enrollment.
(Tabled 5/19/08)*

This item remained on the table.

- 22. Communication from Carol Johnson, City Clerk, providing the Board a report on the current status of activities at the Office of the City Clerk.**
*NOTE: Available for viewing at Office of City Clerk; previously forwarded to Mayor and all Aldermen.
(Tabled 2/19/2008)*

This item remained on the table.

- 23. 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)*

This item remained on the table.

24. 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

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

(Tabled 06/05/2007)

This item remained on the table.

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

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

ought to pass.

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

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

(Tabled 09/05/2006)

This item remained on the table.

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

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

ought to pass.

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

(Tabled 09/05/2006)

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

This item remained on the table.

On motion of Alderman Domaingue, duly seconded by Alderman DeVries, it was voted to recess the meeting.

A True Record. Attest.

City Clerk