AGENDA

BOARD OF MAYOR AND ALDERMEN

July 8, 2008
Mayor and all Aldermen

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

1. Chairman Lopez calls the meeting to order.

2. The Clerk calls the roll.

3. Presentation by Mayor's Youth Advisory Council (MYAC).

4. Chairman Lopez 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 petitions:
#11-1208 1 pole 13 Ray Street
#11-1209 1 pole 460 Litchfield Lane
#11-1210 1 pole 510 Clay Street
#11-1211 2 poles South Beech Street
#11-1205 1 pole Tessier Street
433A/3 ½ 1 pole Thistle Way

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

B. Sidewalk petitions:
137 Fleming Street
153 Fleming Street
126 Fleming Street

75 Harriman Street
52 Goodwin Street
1520 Belmont Street
305 Holly Avenue
396 Laurel Street
23 Rebel Lane
347 Pearl Street
305 McCarthy Street
255 Pennsylvania Avenue
616 Prescott Street
346 Orange Street

Informational to be Received and Filed

C. Communication from MTA Board of Commissioners regarding the termination of lease contract from Concord Coach with the Manchester Transportation Center lease on or around November 30, 2008.

D. Monthly Bulletin from the City of Manchester Health Department for June 2008.

E. Communication from Fred Robinson, Executive Director of New Horizons for New Hampshire, Inc. thanking the Board of Mayor and Alderman for restoring funds to the Welfare Department.

F. Communication from Alderman Lopez advising the Board that he has appointed Alderman Sullivan to serve as the Aldermanic Representative on the Mayor's Customer Service Committee.

Accept Funds and Remand for the Purpose Intended

G. In the amount of $5,400 grant from Fish and Game to pay overtime to officers of the Manchester Police Department to patrol Black Acres.

REFERRALS TO COMMITTEES

COMMITTEE ON LANDS AND BUILDINGS

H. Communication from the Town of Goffstown regarding the impact of the Trestle on the Piscataquog River during the floods of 2006 and 2007.

COMMITTEE ON BILLS ON SECOND READING

I. Ordinances:

"Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.57 Parking Rates increasing the rates for parking at various locations throughout the city."

"Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.54 Permit Parking in Lieu of Coin Deposit increasing certain parking permit fees and creating new parking districts."

"Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.48 Denomination of Coin to be Deposited and Time Allotted Therefor eliminating the minimum credit card transaction and restricting the transfer of Pay and Display Receipt between parking districts."

"Repealing the 2000 Edition of the *International Fire Code*, adopted in Section 92.05 of the City of Manchester Code of Ordinances, and adopting the 2006 Edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Manchester; and providing for the issuance of permits and the collecting of fees for hazardous uses or operations."

COMMITTEE ON FINANCE

J. Bond Resolutions:

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Ninety Seven Thousand Two Hundred Twenty Five Dollars ($197,225) for the 2009 CIP 411709, SCBA Update & Replacement Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Seventy Five Thousand Dollars ($275,000) for the 2009 CIP 411609, Police Portable Radio Replacement Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Thousand Dollars ($100,000) for the 2009 CIP 510509, Rockingham Recreational Trail Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thousand Dollars ($200,000) for the 2009 CIP 612309, Neighborhood Revitalization Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Three Hundred Thousand Dollars ($300,000) for the CIP 710109, Residential 50/50 Sidewalk/Curb Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Dollars ($150,000) for the 2009 CIP 711109, Annual Bridge Rehabilitation Program/Design-Biron St. Bridge Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million Two Hundred Eleven Thousand Five Hundred Dollars ($3,211,500) for the 2009 CIP 711209, Annual ROW Reconstruction Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Thousand Dollars ($100,000) for the 2009 CIP 711509, Sidewalk Discretionary Fund Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Thousand Dollars ($500,000) for the 2009 CIP 711609, Storm Drain Infrastructure Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Fifty Thousand Dollars ($250,000) for the 2009 CIP 711709, Storm Water Utility Study/Design Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Thousand Dollars ($150,000) for the 2009 CIP 711809, Street Light Safety & Rehabilitation Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Thousand Dollars ($150,000) for the 2009 CIP 712009, Elm Street Mast Arm Replacement Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Thousand Dollars ($100,000) for the 2009 CIP 712109, Traffic Signal Reconstruction Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Dollars ($100,000,000) for the 2009 CIP 810209, Strategic Planning for Facilities- Police- Fire- Highway Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Eight Hundred Thousand Dollars ($800,000) for the 2009 CIP 810309, Motorized & Electronic Equipment Replacement (MEER) Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Hundred Thousand Dollars ($100,000) for the 2009 CIP 810409, Hallsville School Roof Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Seven Hundred Fifty Thousand Dollars ($2,750,000) for the 2009 CIP 310209, Open Classroom Elimination- HGF Project."

K. Resolution:

"Amending the FY2009 Community Improvement Program authorizing and appropriating funds in the amount of One Hundred Twenty Five Thousand Dollars ($125,000) for the FY2009 CIP 611709 Housing Initiatives Program."

Amending the FY 2008 Community Improvement Program, authorizing and appropriating funds in the amount of Seven Hundred Twenty Nine Dollars ($729) for the FY 2008 CIP 210208 Homeless Healthcare Program."

"Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Four Thousand Four Hundred Two Dollars ($34,402) for the 2007 CIP 511207 Derryfield CC Rehabilitation Project."

"Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Four Hundred Dollars ($5,400) for the FY 2009 CIP 411809 OHRV Wheeled Vehicle Contracts."

REPORTS OF COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT

L. Recommending a sewer abatement at 100 Stewart Street be denied. The Committee notes that the information requested from the applicant by EPD was not provided.
(*Unanimous vote*)

M. Recommending that a request for a transfer of funds in the amount of $20,000 from various projects for partial funding for the public/private partnership in accordance with the recommendation of the Homeless Plan be accepted. A resolution and budget authorization has been submitted for such purpose.
(*Aldermen Garrity, Gatsas, Shea and Smith voted yea; Alderman O'Neil voted in opposition.*)

N. Recommending that the funding proposal for Phase II Stella Arms totaling $500,000 as submitted by the Planning Department be approved.
(*Unanimous vote*)

O. Recommending that the City accept an offer from the Airport to purchase for Parks, Recreation and Cemetery, a 25-30 foot fir or spruce tree in Stanton Plaza (*Unanimous vote*)

COMMITTEE ON ADMINISTRATION INFORMATION SYSTEMS

P. Recommending that CIGNA HealthCare be permitted to hang a 60 foot banner across Elm Street (at Elm and Amherst Streets) marking the official Start Line of the 16th Annual CIGNA/Elliot Corporate 5K Road Race.
(*Unanimous vote*)

COMMITTEE ON PUBLIC HEALTH, SAFETY AND TRAFFIC

Q. Advising that it has approved Ordinance:

> "Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.57 Parking Rates increasing the rates for parking at various locations throughout the city."

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.
(*Unanimous vote with the exception of Alderman O'Neil who was opposed to Item F of the amendment*)

R. Advising that it has approved Ordinances:

> "Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.54 Permit Parking in Lieu of Coin Deposit increasing certain parking permit fees and creating new parking districts."
>
> "Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.48 Denomination of Coin to be Deposited and Time Allotted Therefor eliminating the minimum credit card transaction and restricting the transfer of Pay and Display Receipt between parking districts."
>
> "Repealing the 2000 Edition of the *International Fire Code*, adopted in Section 92.05 of the City of Manchester Code of Ordinances, and adopting the 2006 Edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Manchester; and providing for the issuance of permits and the collecting of fees for hazardous uses or operations."

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.
(*Unanimous vote*)

S. Recommending that regulations for standing, stopping, parking and operation of vehicles be adopted as noted and those inconsistent therewith be repealed.
(Unanimous vote)

T. Recommending that regulations for standing, stopping, parking and operation of vehicles be adopted as noted and those inconsistent therewith be repealed.
(NO TURN ON RED – On Bridge Street at Candia Road)
(Aldermen Shea, Sullivan and J. Roy voted yea; Aldermen O'Neil and Ouellette were opposed.)

U. Recommending that the placement of "No Parking" signs on Londonderry Turnpike between Route 101 and the Massabesic Circle be approved.
(*Unanimous vote*)

V. Recommending that a request from Mr. Mahboubul Hassan, President of the Islamic Society of Greater Manchester, to close Lagrange Avenue be approved for a period of one year at the discretion of the Public Works Director.
The Committee further requests that the Public Works Director return with an update and further recommendation on Lagrange Avenue at the end of this one year road closure.
(Aldermen Shea, O'Neil, Sullivan and Ouellette voted yea; Alderman J. Roy was opposed)

W. Advising that a communication from Alderman Shea proposing the establishment of a Manchester Crime Prevention Committee has been received and filed.
(Unanimous vote)

X. Advising that a communication from the Public Works Department regarding the weight of various commercial motor vehicles has been received and filed.
(Unanimous vote)

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

5. Communication from Michael Skelton advising of his resignation from the Safety Review Board.
Ladies and Gentlemen, what is your pleasure?

6. Communication from JoAnn O'Shaughnessy advising of her resignation from the Conservation Commission.
Ladies and Gentlemen, what is your pleasure?

7. Communication from Stephan Hamilton, advising of his resignation from the Board of Assessors.
Ladies and Gentlemen, what is your pleasure?

8. Communication from Jonathan Cote advising of his resignation from Board of School Committee Ward 12.
Ladies and Gentlemen, what is your pleasure?

9. Nominations to be presented by Chairman Lopez, if available.
Ladies and Gentlemen, what is your pleasure?

10. Confirmation of nominations made by Mayor Guinta:

Building Board of Appeals
Russ Bell to succeed himself, term to expire January 1, 2011.

Board of Registrars
Daniel Wihby to succeed Signe McQuaid, term to expire May 1, 2011.

Conservation Commission
Michael Skelton to succeed Louis DeMato, term to expire August 1, 2009.
Ladies and Gentlemen, what is your pleasure?
Ladies and Gentlemen, what is your pleasure?

11. A motion is in order to recess the meeting to allow the Committee on Finance to meet.

12. Chairman Lopez calls the meeting back to order.

13. Report of Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?

14. Communication from Kevin Sheppard, Public Works Director, requesting the Board approve the application for pension under the former retirement system as submitted by Thomas Howe after 41 years, 2 months of service to the City of Manchester.
Ladies and Gentlemen, what is your pleasure?

15. Communication from Alderman Lopez requesting the Board of Mayor and Aldermen establish a fund for construction of the World War II Memorial as well as providing the City with the ability to accept future contributions. The communication further requests a waiver to the City's procurement policy.
Ladies and Gentlemen, what is your pleasure?

16. Resolutions: **(A motion is in order to read by titles only.)**

"Amending the FY2009 Community Improvement Program authorizing and appropriating funds in the amount of One Hundred Twenty Five Thousand Dollars ($125,000) for the FY2009 CIP 611709 Housing Initiatives Program."

Amending the FY 2008 Community Improvement Program, authorizing and appropriating funds in the amount of Seven Hundred Twenty Nine Dollars ($729) for the FY 2008 CIP 210208 Homeless Healthcare Program."

"Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Four Thousand Four Hundred Two Dollars ($34,402) for the 2007 CIP 511207 Derryfield CC Rehabilitation Project."

"Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Four Hundred Dollars ($5,400) for the FY 2009 CIP 411809 OHRV Wheeled Vehicle Contracts."

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

TABLED ITEMS

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

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

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

(*Tabled 06/05/2007*)

18. 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*)

19. 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.

20. NEW BUSINESS

A. Communications

B. Aldermen

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