

**SPECIAL MEETING  
BOARD OF MAYOR AND ALDERMEN  
(PUBLIC PARTICIPATION)**

**January 20, 2009**

**7:00 PM**

Mayor Guinta called the meeting to order.

Mayor Guinta called for the Pledge of Allegiance, this function being led by Alderman Smith.

A moment of silent prayer was observed.

The Clerk called the roll.

Present: Aldermen M. Roy, Gatsas, Sullivan, J. Roy, Osborne, Pinard, Lopez, Shea, DeVries, Garrity, Smith, Ouellette, Murphy

Absent: Alderman O'Neil

**Mayor Guinta** advised that the purpose of the special meeting is to give residents of Manchester the opportunity to address the Board on items of concern affecting the community. Each person will be given only one opportunity to speak. All comments shall be limited to three minutes to allow all participants the opportunity to speak and any comments must be directed to the Chair. When you come forward, please state your name and address for the record.

**Jonathan Melle**, 30 Hanover Street apartment 209, stated:

I will be moving to Amherst next month. I will miss Manchester. Anyway, I have lived here four years. My speech tonight is about my Ward 3 Alderman, Peter Sullivan. When the Board of Mayor and Aldermen all voted to file my complaint against Alderman Peter Sullivan last month, the outcome was Alderman Peter Sullivan continuing his mean spirited and harassing behaviors to intimidate citizens such as myself from participating in government. Peter Sullivan most recently posted a damaging blog article against me whereby he labeled me as the accused felon who praises Joe Kelly Levasseur. I have copied a printout of this blog posting for each of you for your review that says the blog is called, The Truth about Joe Kelly Levasseur. The blogs stated Saturday, January 17, 2009, Joe Kelly Levasseur has an accused felon as his sidekick. Joe Kelly Levasseur's newest sidekick is a man named Jonathan Melle. Melle is a native of Pittsfield, Massachusetts who moved to Manchester, New Hampshire three years ago. Melle is facing trial at Hillsborough County Superior Court for allegedly attempted to run down a Manchester police officer. Melle allegedly refused to obey an officer's orders and drove through a barricade during an Easter Seals fundraising walk. The accused felon has high praise for Joe Kelly Levasseur. I am proud to call Joe Kelly Levasseur my friend. Joe Kelly Levasseur represents the best interest of Manchester. Please note that I am innocent of the seven false criminal charges made against me from my upcoming trial by jury. I am a victim of police brutality and lies. Peter Sullivan has sent me harassing emails, made false complaints against me to the Police, including...

**Alderman Sullivan** interjected point of order, Your Honor.

**Mr. Melle** stated there is no point of order, Peter.

**Alderman Sullivan** repeated point of order, Your Honor. This individual just made an accusation against me.

**Mr. Melle** interjected I have the right to speak, Peter.

**Alderman Sullivan** asked Your Honor, may I finish?

**Mr. Melle** replied no, I have the right to speak. I want my three minutes. I get my three minutes.

**Mayor Guinta** stated what I would ask...you certainly have the right to speak on any particular item you would like, but I would ask you to refrain from specifically mentioning any member of this Board in a disparaging manner.

**Mr. Melle** stated in the *Manchester Express* you're quoted as saying that I have a history of unstable actions and what not.

**Mayor Guinta** stated sir, I am simply asking you to...

**Mr. Melle** interjected but he has done this and no one has asked him to do this against a citizen.

**Mayor Guinta** stated sir, in this forum, in the Chamber at City Hall, what I am asking you is to follow certain rules of decorum. You are more than welcome to speak here on any subject you would like; however, I would ask you and any other speaker to adhere to the rules of decorum and please not disparage personally any one individual who serves this Board.

**Mr. Melle** stated okay. I would like to finish. He has posted many negative blog postings against me. He has made complaints to the Police saying I made a death threat. That wasn't me. He sent me emails. He abused his power against an Asian-American laundry lady, swore at his constituents...

**Mayor Guinta** interjected sir, these comments are out of order again and I would ask you to confine them to particular issues and not specifically geared toward attacking any one member of this Board.

**Mr. Melle** stated I would like to speak out against the proposal by my Ward 3 Alderman about setting up an anonymous hotline where a secret bureaucracy will punish people without due process of law. I don't think he has any regard for open due process of the law. He has already used my charges against me, even though I pleaded innocent. He has slandered me in the *Manchester Express*...

**Alderman Sullivan** interjected point of order, Your Honor.

**Mr. Melle** asked where is your order Peter? You have done all these things to me. Why won't you address them?

**Mayor Guinta** interjected sir, Mr. Melle, I would ask that you please leave the Chamber.

**Mr. Melle** stated my three minutes are not up.

**Mayor Guinta** stated I have asked you politely. I have also asked in the instructions that any testimony is directed toward the Chair, not the...

**Mr. Melle** interjected may I finish?

**Mayor Guinta** stated you have 30 seconds to finish. I would ask you...

**Mr. Melle** interjected but you have interrupted me the whole time.

**Mayor Guinta** stated you either have 30 seconds or you can leave, sir.

**Mr. Melle** stated I don't appreciate this. I think that the City government is at great risk for legal liabilities. People who serve in government shouldn't harass citizens while the City government sits by in silence. At least MCAM has reprimanded Peter for ripping up my newspaper. It is wrong that the Mayor and Aldermen won't do the same and take legal action against this. You have copy of this blog posting. If this is what the City government stands for, this is wrong. I am not the accused felon. I pleaded innocent, Peter. I just want to say that I have a right to my day in court. You have a smirk on your face. This isn't funny, the things that you are doing to people. You guys should stand up for what is right. We are a nation of laws, not of men. We stand up for justice. You guys are allowing this Alderman to put the taxpayers of the City at risk. I am happy I upset everyone tonight because this has to stop and I am glad I am moving to Amherst, two towns away because I won't have to deal with this Alderman harassing me anymore. Thank you.

*On motion of Alderman Garrity, duly seconded by Alderman J. Roy, it was voted to strike the comments from the record. Aldermen Lopez, DeVries, Murphy, M. Roy voted in opposition. Alderman Sullivan abstained. The motion carried.*

**Fran Egbers**, 555 Canal Street apartment 1205, stated:

I am here tonight on behalf of that residence which I think is one of the premier residences in Manchester. I have been there 10 ½ years. I have been very happy. I love the view of the river and my bridge. I'd like to say I would live at the

Brookline Bridge but I can't afford it so that is my bridge. I hope you give good consideration to the request of the owners of said property and I would encourage you to come take a visit before you make up your mind. That is it. Thank you very much.

**Michael Castagna**, 555 Canal Street, stated:

I am here to say a few words on the pending proposal for Wall Street Tower. My wife and I have lived there since 1996 and for the last six years I have also had my business offices at Wall Street Tower. We have been there since the renaissance of downtown and many spectacular things that have happened downtown. I have been part of some of it and I have watched it grow and I really anticipate the new things, specifically South Elm Street with everything that is proposed there as well as being part of some new proposals that will be coming before you north of Bridge Street that I am a part of and you will be hearing soon. Since we have lived there, the management company, as well as the onsite staff, have been very good for the building, the residents, as well as the City. The building itself really epitomizes what downtown living is and will continue to be. I ask for your support for whatever is best for Wall Street Tower, their partners, as well as the City. Thank you.

**Alderman Lopez** stated in clarification of that motion, I don't think we ever took a vote. What was the ruling?

**Mayor Guinta** stated we did take the vote. I stated that it did pass. There were one or two abstentions and I think there was at least one opposition.

**Alderman Lopez** stated I would like to make a comment and maybe take a roll call vote. I think it is important. We have had many people come here and they have used your name, my name and probably every other Alderman here. It is a public hearing for an individual to come and express his concerns in the community. I don't think we have to interrupt the individual. Give him his three minutes like we have always done, in courtesy. If we are going to do this, are we going to have to strike comments from the record if they use our names? I don't think that is appropriate.

**Mayor Guinta** stated there are many times when people will come and speak directly towards me, use my name, to tell me sometimes that I am doing a good job and sometimes to tell me that I am doing a terrible job. It is everybody's right to come before this Chamber and express their opinion. I think the decorum of this Chamber requires that your comments not be antagonizing or attacking any one particular member of this Board. Someone can come and tell me that I am doing a lousy job. They have every right to do it. I would never strike that from the record. That is someone's first amendment right but I think that when you are espousing allegations or mistruths about somebody to the point where it can be disparaging to an individual, I think we have, and I certainly have the right as the parliamentarian, to ask that person to confine their comments to the issues. In this particular case, I felt that the comments were inappropriately targeting one particular individual of the Board. I thought the comments were unfair and I thought that they were salacious. I don't think there is any place for that. If somebody opines about a particular member, that is fine but I think what happened here, certainly was over the line. I would stand up for any member of this Board when that kind of language and that kind of disparity is used.

**Alderman Garrity** stated the reason for my motion...I am in my fourth term now and again, I agree that people can come in and say what they want about us but this particular individual is way over the top. It is the first time I have seen somebody lose their cool and there was no decorum in his comments. You are right that this Chamber does require a certain amount of decorum.

**Alderman J. Roy** stated the reason that I seconded Alderman Garrity's motion was that the individual was asked to stop and he did not. I cannot accept that. Anybody can come in here, just to let you know in the future, and speak ill of me. You don't have to make that motion. It is okay. They can say what they want about me. In this case he was asked to stop. He didn't and I didn't think it was appropriate.

**Alderman Osborne** stated Your Honor, if this became more of a civil matter than it is what he is bringing it up to us as, if we strike it from the record, there is no record. If there is a civil matter in this dispute or whatever it might be, then we have no record so I don't think that is fair either. I think whatever is said at City Hall should be in the record, no matter what it is. If it becomes a civil matter and one sues the other, you have to pay your own way I guess.

**Alderman Ouellette** stated Your Honor, I respect the fact that you are the Mayor and you run the meetings and I respect the fact that if you feel that somebody is out of hand, that you have the ability to remove them from the Chambers and I support that. I just don't think, as Alderman Osborne stated, that comments should be stricken from the record. Thank you, Your Honor.

**Alderman M. Roy** stated to concur with Alderman Ouellette, there is nothing I would like better than to come to this Chamber and only hear things that I would like to hear. Over my time here I have heard things that have turned my stomach,

that have made me want to leave the room, that have made my blood boil about the City, about the country, about our Presidents, and about our Mayors, current and past. As much as I would like to support Alderman Sullivan with the potential conflict that he has with this constituent, and I think we support him as an Alderman, I honestly believe that anyone who sits in that chair, has their three minutes to say what they would like. I have heard things that, again, have turned my stomach and have made my blood boil but unfortunately we are elected to sit here and listen to all the viewpoints, so unfortunately I will be voting to have it on the record.

**Alderman Murphy** stated I also concur with Alderman Ouellette. I may not agree with the presentation or the nature of the comments that were being made but everybody has a right to come here and speak. It is called freedom of speech and I don't think their comments should be stricken from the record at all.

**Mayor Guinta** stated I don't disagree. Everyone has an opportunity to come here and speak. What I would politely ask, and I think it's the first time I have ever had to do it since I have been Mayor, is any speaker follow the rules of decorum of this chamber. I think that is a very simple request. Pay the respect to this Chamber that it deserves. Again, many people have chastised me and I have no objection to that. Everybody has that right to come and question their elected officials and their government. I do think that you can do it with a sense of decorum and in my opinion, there was decorum lacking in that presentation. We can do one of two things. We can either do the roll call or we can withdraw the motion, whatever the maker of the motion prefers.

**Alderman Pinard** stated Your Honor, I would like to take Jonathan's side for one reason. I have known Jonathan for a couple of years. He worked at Sears for a number of years. He received a medical discharge for what reason, I have no idea.

I think that the actions that you saw tonight are probably why he got that medical discharge. All in all, I think that maybe we could overlook this because of the condition of Jonathan.

*Alderman Garrity withdrew his motion.*

**Mayor Guinta** stated I think the sentiment is clear. Again, everyone and anyone is welcome in this Chamber. It is the people's chamber. They have a right to speak but we just ask that people express reasonableness and decorum when they make their comments.

**Joe Kelly Levasseur**, 866 Elm Street, stated:

I didn't see what happened here and I would apologize for Mr. Melle. I have known him for quite a while and he is a very passionate person. I just saw the piece of paper that he put forward. I don't know if any of you Aldermen got to see what he put forward but when you are attacked publicly by an Alderman you should be able to respond one way or another. Mr. Melle has tried to call Mr. Sullivan. Alderman Sullivan tried to have contact with him on one occasion without any rude behavior on his part and I know many of you may or may not know this but Mr. Sullivan had to be reprimanded by the MCAM Board for taking his newspaper out of his hand, tearing it up into five pieces and throwing it in the garbage. You sit in that seat. I have sat there before and it is not a comfortable place when somebody walks in and mentions your name. It is a very uncomfortable feeling. You guys are public officials and you are citizens that have to live in this City so I understand where you come from. I have sat in those seats. It is very difficult. You never know what somebody is going to say and you can't unwind the...well you can unwind the video. We just saw that from Grace Sullivan but they don't usually unwind the video when it is somebody that says something. As a former Alderman, I understand where you sit. It is amazing what

you see there on that blog. It is a blog that was put up against me by an Alderman from my Ward who has been publicly attacking me in my restaurant and this is the guy that is voting to raise my taxes and I have to pay the taxes to be able to live in the City and afford my restaurant and pay for my building. He is attacking my business. Now, whether or not it is comfortable enough to say the Alderman by name...we all live in a small city and I have a public access show and I have been pretty critical. You can call the show and you can kick the crap out of me and do whatever you want but Jonathan Melle...you are entitled to call the show anytime, Mr. Sullivan.

**Alderman Sullivan** replied I tried to call once Joe and you hung up on me.

**Mr. Levasseur** stated because I was afraid you were going to make such a jerk out of yourself, Mr. Sullivan, I saved you that day.

**Alderman Sullivan** interjected point of order.

**Mr. Levasseur** asked what is the point of order? You are having a conversation with me, you nut.

**Alderman Sullivan** interjected excuse me. Excuse me. Did you hear what he just said, Your Honor? I would like to...

**Mr. Levasseur** stated Alderman, you have gone on a blog and accused me of being associated with somebody who has been accused of being a felon. If somebody is a friend of mine and they are accused of being a felon and they have criminal charges against them, what I am supposed to do about it? This is a guy who has been attacking us viciously. You can hear him slamming stuff in the back room. This short fuse, short tempered guy is out of control. Mr. Melle is upset

about it Mayor. I didn't see the tape. I am upset about it also but I understand why Mr. Melle did what he did. The guy is facing charges and he has got this being put on a blog and he is the one who is doing it for the world to see. He is an Alderman. There is a certain decorum that should be established by an Alderman. I apologize for going over and I appreciate your time. I just wish, Your Honor, that he would calm down a little bit and stop attacking his constituents. We all know about the Chinese laundry lady. This stuff keeps going on and on and I am now the focus of a blog. When somebody comes to criticize him for it, he has got to take it because he is the guy who is doing it. He is the one who is being proactive and attacking his constituents. I don't know if you wanted to strike it from the record. I hope we don't strike it from the video so I can see, it but we can talk about that another time. I thank all of you for your indulgence. I appreciate it.

**Peter Sullivan**, 54 Blodget Street, stated:

Your Honor, I would like to speak as a citizen not as an Alderman. I know this is an unusual step to take but I feel I have to do it. The individual that just spoke to you, Mr. Levasseur, since I was elected back over a year ago, since I took office a year ago this month, I have received approximately 70 to 80 emails from Mr. Levasseur. They are the most foul, repugnant messages you have ever seen. He said I have, quote, "a nasty wife". I will share the email to the press afterwards. He called my wife nasty on more than one occasion. He has assaulted her verbally on a number of occasions. He has made spurious comments about my best friend. He has made comments concerning my professional life, concerning my professional competence. These comments go far beyond the bonds of acceptable discourse. This is a man who has no place in public life. He is a man who has taken advantage of an individual with a demonstrable mental illness and has used him for his own personal political agenda.

**Mayor Guinta** interjected I would ask...

**Mr. Sullivan** interjected I would just like to finish. I have been subjected to this sort of nonsense for a year now - my family, my friends, my personal life, my private life. He has taped messages to my front door in the middle of the night. It has gotten out of hand. I am not going to sit here and have my reputation demolished by an individual who as a sitting member of the Board of Aldermen had to be reprimanded time and time again for outrageous behavior. I am not going to put up with this anymore. If Mr. Levasseur wants to continue this we will have to continue this in another forum, be that in court or at the Professional Conduct Committee of the New Hampshire Bar Association but this has gone on for too long. It has reached a point where it is not acceptable and I am not going to stand for it anymore.

*On motion of **Alderman Smith**, duly seconded by **Alderman Osborne** it was voted to take all comments under advisement and further to receive and file any written documentation.*

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

A True Record. Attest.

City Clerk