

BOARD OF MAYOR AND ALDERMEN

May 5, 2009

7:30 PM

In Mayor Guinta's absence, Chairman Lopez called the meeting to order.

The Clerk called the roll.

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

Messrs: P. Helbig, T. Soucy, T. Clougherty, M. Hurley, S. McGilvray,
L. LaFreniere, J. Minkarah, S. Lewry, J. Gile

Alderman Sullivan stated quickly I would like to introduce one of my constituents Patty Helbig. Patty is a volunteer at the Manchester YWCA and she is one of the organizers of the Take Back the Night event, which will be held later this week. I would like to give her a chance to say a few quick words about this event.

Ms. Patty Helbig, YWCA, stated thank you so much, it is an honor to be here. I just wanted to invite all of you to come to Take Back the Night. It will be this Thursday at 6:00 at the YWCA. At 5:30 there is a reception beforehand. The march begins at 6:00. Take Back the Night is basically taking back the night and saying that we don't appreciate and we are not going to tolerate violent crimes in the city. I hope you can take part in it and be a part of this important march and message. Thank you so much.

Chairman Lopez addressed Public Health Director, Timothy Soucy, to give an update on the H1N1 flu.

Mr. Timothy Soucy, Public Health Director, stated good evening everyone. I just wanted to take a couple minutes and give you a quick update on what has transpired over the past ten days or so. You have probably been following in the media the swine flu epidemic in the United States, now being called H1N1, which is more scientifically correct. When we first received word about ten days ago on a Friday afternoon from CDC that this was beginning in California and Texas we began to put our plans in place that we have developed over the past few years. The interesting thing with this virus is not the fact that only 400 people have been affected in the United States right now, it is the fact that it is a novel virus, meaning there is no immunity to it that is transferred from person to person. That is why you have seen the ratcheting up over the past ten days of the public health system and health care system in preparation for this virus. At this point we have been very lucky in the fact that it is a mild virus. Over time if Mother Nature chooses to make this virus more virulent we have the potential for a pandemic meaning a world wide episode of a very dangerous influenza virus. Very quickly to update you on some of our activities, internally all of our staff have been cross trained on how to do case investigations so that if a case is identified in Manchester we are able to contact or find out who they have been in contact with and provide appropriate medical consultation and make sure that folks are being treated appropriately. We have been in constant contact with our emergency management officials both in the city and the surrounding area to assure that our plans are in place should something larger happen. We have daily conference calls with DHHS and CDC to get the latest information. Once again this is an ever changing situation. You have probably heard day after day the information changes so we are trying to do our best to stay on top of it. A couple of our important initiatives, last Sunday after this broke, we worked with the Manchester Airport officials to make sure that information was being provided to outgoing and inbound passengers. We have revised all of our emergency response plans that if a plane is arriving at Manchester Airport with ill passengers, how we are going to address that. All of those plans have been refined and put back in place. We spent a lot of time in the middle to the end of last

week with the Superintendent to assure that schools were prepared for the returning students. At the time it was being recommended that students who traveled to high risk areas be screened. Yesterday the school nurses screened over 3,100 children who were back in school for the first day after visiting high risk areas. Fortunately we did not identify anyone who is symptomatic so we had a great plan in place there. What does the future hold? This is an influenza virus. A couple of things are going to happen. Currently, it is the beginning of the flu season in the southern hemisphere so this flu virus will migrate south. It will change genetically. It may change for the better where it peters out in a very short period of time. It could change for the worse and come back in the fall and the next flu season as a much more virulent virus. We don't know the answers to that. Only time is going to tell us what will happen in that. In the interim, our message is very clear to people. It is the same message we would give during the seasonal flu. If you are sick, stay home. It is less important as to what you have versus the fact that you are coughing or sneezing and potentially spreading what you may have. If you are sick, stay home from work. Stay home from school. Wash your hands. If you can't get to a sink, a hand gel with 60% alcohol will kill the influenza virus. Simple measures like coughing into your sleeve or into a tissue and then washing your hands. These simple steps that people can take not only protect themselves but will help protect the community as a whole. I wanted to give you an update and I will certainly be glad to entertain any questions.

Alderman Gatsas asked can you tell me how many pandemic flu shots the state has on hand?

Mr. Soucy replied there is currently no vaccine for it. There is a cache of Tamiflu that has been received by the state through the CDC's strategic national stock pile. I believe that is upwards of 25,000 doses of Tamiflu. Tamiflu is an antiviral agent that you would use primarily right now to treat people now who have influenza. In the beginning of an outbreak you can use it to treat prophylactically people who are contacts. There is some

new clinical guidance right now that every physician in the state is being asked to follow that says use the Tamiflu to only treat people who are ill. The more you use Tamiflu the more likely the virus will become resistant to it. Next year we would have a bigger problem. CDC is in the process of developing a vaccine against this strain. Vaccine development typically takes three to six months. The hope is that if the virus doesn't mutate we will have a vaccine in place for the fall.

Alderman Osborne asked how were these children checked? You said through the schools.

Mr. Soucy replied it was really based on symptoms. Our first primary factor in case definition is fever. What we don't want is every kid with a runny nose being sent home because that is inappropriate. It is about fever, with cough, sore throat or running nose and congestion but fever is the key factor for definition of this illness.

Alderman Osborne asked is there a special device used?

Mr. Soucy replied no, for the smaller schools they literally took temperatures. For the high schools where they had hundreds and hundreds of kids it was really sort of a pass through screening, if you will, to make sure they were asymptomatic.

CONSENT AGENDA

Chairman Lopez 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.

Accept BMA Minutes

- A. Minutes of meetings held on February 5, 2008 (one meeting), March 4, 2008 (two Meetings), March 18, 2008 (two meetings), and March 31, 2008 (one meeting).

Information to be Received and Filed

- C. Manchester Economic Development Office Quarterly Report for the period ending March 31, 2009.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS ENROLLMENT AND REVENUE ADMINISTRATION

- E. Advising that the travel summary reports from various City departments have been received and filed.
(Unanimous vote)
- F. 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 over 90 days but less than one year;
 - d) Open Invoice report all invoices for interdepartmental billings only;
 - e) Open Invoice report all invoices due from the School Department only;
 - f) Listing of invoices submitted to City Solicitor for Legal Determination; and
 - g) Accounts Receivable summary.and is forwarding same to the Board for informational purposes.
(Unanimous vote)
- G. Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the nine months ended March 31, 2009 and is forwarding same to the Board for informational purposes.
(Unanimous vote)

- H.** Advising that the updated budget forecast for FY2009 submitted by the Finance Officer has been accepted.
(Unanimous vote with the exception of Alderman DeVries who abstained.)
- I.** Recommending that the 3rd quarter fiscal year 2009 Write Off List for the Accounts Receivable module be approved.
(Unanimous vote)
- K.** Recommending that the update submitted by Kevin Buckley, Independent City Auditor, on the status of current audit projects and future audit projects be accepted.
(Unanimous vote)

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

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

B. Sidewalk Petitions:

341 Phillip Street
146 Russell Street
96 Essex Street
122 Orchard Avenue
81 Sagamore Street
87 Russell Street
177 Russell Street
241 Seames Drive

Alderman Shea stated thank you. What I am interested in, I am not sure if you have an answer for this but I received a call from a constituent who was burnt out of his residence and he was concerned because he had applied for the 50/50 program and I wondered is this fund available under the Mayor's budget or does it have to be added to his budget.

Mr. Timothy Clougherty, Deputy Public Works Director, stated it is our understanding at this time that the 50/50 program was not funded in the proposal.

Alderman Shea asked in order for it to be funded it has to be added by an amended version that he, an Alderman or someone else may decide to include?

Mr. Clougherty replied that is correct.

Alderman Shea asked as of right now, the information I should give back to him is that it is not being presently funded under the Mayor's budget?

Mr. Clougherty replied under the Mayor's budget, correct.

Chairman Lopez stated you might want to wait until after the budget is completed.

Mr. Clougherty replied we would still encourage people to continue putting forth the applications. We will keep them on file and evaluate them.

On motion of Alderman Shea, duly seconded by Alderman M. Roy, it was voted to approve the sidewalk petitions under the supervision of the Department of Highways, subject to funding availability.

REFERRAL TO COMMITTEE

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- D.** Communication from Thomas Clark, City Solicitor, submitting proposed ordinance amendments to Section 30.47 Criminal Cases and Section 31.06 Prosecution of Offenders by Chief.

Alderman Gatsas stated this is an item that was brought to my attention by the state police. What it is is an Ordinance that allows them, the only district court in New Hampshire that doesn't allow them, to prosecute the cases and the Ordinance change was drawn up by the City Solicitor.

Alderman O'Neil stated I would like to thank Captain John Wolasher of the State Police for bringing this to my attention. I know that Assistant Commissioner Sweeney spoke to Alderman Gatsas about it and I would thank the Solicitor's office and the State Police for bringing this forward. It is long overdue and I guess the judges have been looking for some clarification.

On motion of Alderman Gatsas, duly seconded by Alderman M. Roy, it was voted to suspend the rules.

On motion of Alderman O'Neil, duly seconded by Alderman Sullivan, it was voted to place the Ordinance on its third and final reading and be Ordained.

- J.** Recommending that the abatement and overlay account update submitted by the Board of Assessors be referred to the full Board for discussion.
(Unanimous vote)

Alderman M. Roy stated the letter you put out about overlay balances shows a \$1.8 million balance. The Mayor put a \$1.3 million number in his budget. Without getting into a lot of detail, what is the number you feel the department can move forward with?

Mr. Michael Hurley, Assessor, stated I think we had a range of \$1.3 million to \$1.6 million.

Alderman M. Roy asked if that number is still \$1.3 million, you feel the department is covered or safe?

Mr. Hurley replied correct, yes.

Chairman Lopez stated I just want to comment on this item. This item was supposed to be tabled in our Committee. I asked that it be tabled in Committee so that we could go over quite a few things on the abatement. There is some confusion as to how it got to the full Board here. I would like to send it back to Committee because there are a lot of questions that need to be answered.

Alderman M. Roy stated if you would like, after questions I can make that motion for you to send it to Committee and table it.

Alderman Smith stated why don't we do that right now?

Alderman Osborne asked is this the one that is tabled in my Committee, Bills on Second Reading?

Chairman Lopez replied no this is the Committee on Accounts, Enrollment and Revenue Administration.

Alderman Smith asked why can't we do it right now instead of the Committee on Accounts?

Chairman Lopez stated because there are a lot of questions that I have in reference to the abatements and a lot of questions that I have on how it comes to the overlay account. There is a lot of data of information that should have been provided in 2005, 2006 and 2007. It is not there in the document. There are a lot of conversations that need to take place.

Alderman O'Neil asked how did it make it out of Committee with a unanimous vote and now there is a problem? I don't understand that.

Chairman Lopez stated I will explain that. It was confusion as far as the number of people that were there. There was an acting Chairman until the Chairman came. I think that is how it slipped by everyone. I will take responsibility because I was the acting chairman at that time. I think it got confused with another issue.

Alderman Gatsas asked is there a reason why we wouldn't send it to the full Board where we are in discussions right now with the budget? Cant those questions be asked at the full Board during the Finance Committee?

Chairman Lopez stated I think by sending it back to Committee we can have a fast meeting. There are a lot of questions that I don't want to tie up a regular meeting with.

Alderman Gatsas stated I don't mean tonight but I would think that since we are meeting on the budget, why can't those discussions happen at that point? That is where they should be so that we can all participate in it.

Alderman Lopez stated I understand that. I think we need clarification of some of the information that was provided and that we are sending the right information to the full Board. I am sure that the Chairman of that Committee could call a meeting.

Alderman Gatsas stated I am not questioning the Chairman's position. I am just saying that we are having discussions about a budget that this is pretty pertinent to. I would think that we would send it to the full Board during budget deliberations and have those questions and answers at a meeting that I am sure you are going to call at some point. I don't know if there is a schedule that has been made.

Chairman Lopez stated we are going to talk about that tonight.

Alderman Gatsas stated I would think that they would be part of that schedule.

On motion of Alderman Shea, duly seconded by Alderman DeVries, it was voted to accept the report and refer this item to the Board of Mayor and Aldermen's special budget meeting with the Assessor's Office.

Mayor Guinta arrived.

Mayor Guinta stated thank you for allowing the minor disruption. We had, as everyone knows, a special School Board meeting this evening to address the reduction in force. There was a long dialogue and debate about the issue. There were two reduction in force votes taken. The first would have required 194.5 teachers to be notified that they may not be renewed next year. That according to the Superintendent reflected the \$146.1 million budget that I proposed. That motion failed. The second motion that was made that did pass reflected 107 positions or 78 teaching positions that would be notified which reflects a \$152 million budget. That is where we are. I know that the teachers union was also represented at that meeting. Because we were all there at that moment, we couldn't get here for the public session. Without objection, I would like Scott McGilvray to make statements here that he was going to make in public session. Unless anybody objects, I would like to have Mr. McGilvray come forward.

Mr. Scott McGilvray, MEA President, stated thank you for giving me the opportunity to address you tonight. Upon talking with my executive board and teachers throughout the district, we certainly do appreciate the difficult budget process that you are going through and that we are certainly very willing and welcome the opportunity to sit down with you. What we would ask is that we truly believe that getting mandatory furloughs off of the table as any option would be necessary. Get rid of the mandatory furloughs and we are open and willing and welcome the opportunity to sit down with a representative group of the Aldermen and see what ways we can collectively assist through this process. Furloughs to us are a non-topic. Thank you very much for giving us the opportunity.

Alderman O'Neil asked for clarification for Mr. McGilvray, I believe representatives from Police and Fire earlier were asked to send a letter. Am I correct Alderman Lopez?

Would we ask the same of Mr. McGilvray, just to send a letter formally with what you just said? That was a request earlier.

Mr. McGilvray stated yes, I will take care of that in the morning. I will address that to Chairman Lopez.

4. Nominations were presented by Mayor Guinta.

Mayor Guinta stated pursuant to section 3.14 (b) of the City Charter, please find the following nominations:

Richard Olson to fill a vacancy as an alternate member of the Conservation Commission, term to expire August 1, 2009;

Michael Gaumont to fill a vacancy as an alternate member of the Heritage Commission, term to expire January 1, 2012;

William Whitmore to succeed himself as a member of the Fire Commission, term to expire May 1, 2012;

William Meehan, DMD, to succeed himself as a member of the Board of Health, term to expire July 1, 2012;

Kristin Schmidt, PA, to succeed herself as a member of the Board of Health, term to expire July 1, 2012.

On motion of Alderman M. Roy, duly seconded by Alderman Osborne, it was voted that nominations for Richard Olson and Michael Gaumont layover until the next meeting and that William Whitmore, William Meehan and Kristin Schmidt be confirmed.

5. Confirmations presented by Mayor Guinta:

Conservation Commission

Stephen Hebert as an alternate member, term to expire August 1, 2009.

On motion of Alderman Shea, duly seconded by Alderman Smith, it was voted that Stephen Hebert be confirmed.

Safety Review Board

Kevin Phelan as a member, term to expire March 15, 2012

On motion of Alderman J. Roy, duly seconded by Alderman O'Neil, it was voted that Kevin Phelan be confirmed.

Zoning Board of Adjustment

Michael Dupre as an alternate member, term to expire March 1, 2012

On motion of Alderman Shea, duly seconded by Alderman Garrity, it was voted that Michael Dupre be confirmed.

Mayor Guinta stated I would note that Mr. Whitmore is here. Thank you very much for being here this evening and congratulations on your nomination.

Alderman Lopez stated the Screening Committee for the City Clerk position has completed its process. The Committee received three qualified candidates for consideration and interview two candidates on Monday, April 13, 2009. Members of the Selection Committee include myself as Chair, Alderman Ouellette, Alderman Garrity, Alderman Murphy and Alderman Jim Roy. Jane Gile, Human Resources Director, assisted us in our process. A thorough background check was conducted on the finalists, which included financial, criminal, licensure, certification, education as well as employment confirmation. The Screening Committee nominates Matthew Normand as the next City Clerk. Mr. Normand has been employed by the City since 1994. He has progressed through the City Clerk's office from License Enforcement Inspector, to

Deputy City Clerk of Licensing and Facilities, to Deputy City Clerk/Acting City Clerk. The Screening Committee recommends the appointment of Mr. Normand to the position of City Clerk upon approval of the Board of Mayor and Aldermen. Mr. Normand's salary will be set based upon Ordinance 33.046 (E), Rate of Pay on Promotion. A copy of Mr. Normand's resume is attached to this letter. Your full support of Mr. Normand is greatly appreciated. Screening Committee members are happy to respond to any questions.

On motion of Alderman Lopez, duly seconded by Alderman J. Roy, it was voted to appoint Mr. Matthew Normand as the next City Clerk. Alderman Osborne abstained.

Mr. Matthew Normand, City Clerk, stated I would just like to thank the Board for their trust and confidence in me. It is certainly an honor to be chosen as the next City Clerk in Manchester. I look forward to working with the Board members for the many years to come. Thank you.

6. Legislative Update presented by Mayor Guinta.

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

Mayor Guinta called the meeting back to order.

9. Report(s) of the Committee on Finance.

There were no reports of the Committee on Finance.

10. Reports of the Committee on Community Improvement:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Kevin Sheppard, Public Works Director, for acceptance of funds in the amount of \$17,425 from the State Department of Environmental Services for Household Hazardous Waste Collection Projects be approved.

(Unanimous vote)

On motion of Alderman M. Roy, duly seconded by Alderman Murphy, it was voted to accept this report and adopt its recommendation.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning and Community Development, for acceptance of grant funds in the amount of \$25,000 for the 2009 Recreational Trails Program be approved.

The Committee further recommends that the additional request for acceptance of grant funds in the amount of \$58,316 in FEMA reimbursement for repairs of flood damage to the Piscataquog River Bridge be approved.

(Unanimous vote)

On motion of Alderman M. Roy, duly seconded by Alderman Garrity, it was voted to accept this report and adopt its recommendations.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning and Community Development, for acceptance of funds in the amount of \$729 from the Department of Health and Human Services for CIP #210109 Homeless Healthcare be approved.

(Unanimous vote)

On motion of Alderman M. Roy, duly seconded by Alderman Smith, it was voted to accept this report and adopt its recommendation.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning and Community Development, for acceptance of grant funds in the amount of \$123,792 from the U.S. Department of Health and Human Services for CIP #214509 Homeless Health Care – American Recovery & Reinvestment Act be approved.

(Unanimous vote)

On motion of Alderman M. Roy, duly seconded by Alderman Garrity, it was voted to accept this report and adopt its recommendation.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning and Community Development, for acceptance of grant funds in the amount of \$2,478 from the NH Department of Safety for the implementation of the NH Clique Campaign Program be approved.

(Unanimous vote)

On motion of Alderman M. Roy, duly seconded by Alderman Osborne, it was voted to accept this report and adopt its recommendation.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning and Community Development, for acceptance of grant funds in the amount of \$15,000 from the NH Department of Transportation to conduct an economic development impact study for the proposed expansion of the Manchester Convention Center be approved.

(Unanimous vote)

Alderman Sullivan asked Mr. LaFreniere, about a year ago we had a feasibility study performed on a conventions facility for Manchester. How does this relate to the previous feasibility study? Does it expand on what that brought us or does it address other issues?

Mr. Leon LaFreniere, Director of Planning & Community Development, replied I think you hit upon it exactly. It is intended to expand upon the general feasibility study. I would have to defer to Mr. Minkarah to talk specifically about this proposal and how it

may differ but it is intended to pick up from the previous report and more specifically address some of the topics in that first feasibility study.

Alderman Sullivan stated my first glance at this it looks like this is dealing more with infrastructure concerns where the first one seemed to be more of a market feasibility study. Am I correct in going there?

Mr. Jay Minkarah, Economic Development Director, stated if I may, almost. The first study was intended to determine whether or not expanded convention facilities were feasible within the City and if so what size and what would be the appropriate location. That study concluded that we could support roughly doubling the current facilities that we have. We felt that the next essential step before any proposal would come forward was to determine what the economic impact of an expanded convention facility would be on the City whether it be a positive or negative impact and to what degree. That would inform us as to whether it really makes sense to move forward and take the next step to propose an actual expansion.

On motion of Alderman M. Roy, duly seconded by Alderman O'Neil, it was voted to accept the report. Alderman Murphy voted in opposition.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request for approval of an amending resolution and bond authorization related to two Water Works projects that are eligible to an amount equal to 50% of the annual principal and interest payments through the American Recovery and Reinvestment Act, be approved.
(Unanimous vote)

On motion of Alderman Pinard, duly seconded by Alderman Shea, it was voted to accept this report and adopt its recommendation. Alderman Murphy voted in opposition.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Mayor be authorized to enter into an agreement with NH Workforce Opportunity Council, Inc. to receive grant funds under the American Recovery and Reinvestment Act for a period effective May 1, 2009 to September 30, 2009 related to the Neighborhood Pride Youth Employment Program operated in collaboration with the Manchester Community Resource Center.

The Committee further notes that a list of preferred workplace locations will be provided to the grant administrators of this program.

(Unanimous vote)

Alderman O'Neil stated in Committee...and I don't want to speak for my colleagues on the Committee, I at least brought up that it was my opinion that the part of the program that has the young people out working should be spent in our neighborhood parks not in the right-of-ways. If anybody saw what went on on Canal Street last year we are lucky that no one got killed. I am serious saying that. I think that the work done by these young people would be most effective in our parks and I think my colleagues agree to that so we need to make sure that happens and it is not the right-of-ways. Thank you.

Mayor Guinta stated I would agree to that too.

Alderman Garrity stated Your Honor, CIP is going to be meeting next Tuesday night at 5:30 P.M. to go through the CIP budget. I had a memo sent to the Board that if you would like some changes in the CIP budget just get them to me in writing by Friday so that we can stick to the agenda next Tuesday night. Thank you.

Alderman DeVries stated thank you. I will take us back to the WIA grant and I am not sure if Leon is familiar enough to answer a couple questions on this but I know that the grant opportunity is to employ individuals between ages 14 and 24. Are you working on this particular grant applying it with the Division of Youth Services? How is this being... If we have interested youth, where do they apply?

Mr. LaFreniere replied it is through Manchester Community Resources Center.

Alderman DeVries asked do you have any more detail on when that is going to be deployed?

Mr. LaFreniere replied we can provide that to the Committee. This is something that came to us today. I just got the information so I am not as up to speed as I wish I was for purposes of informing the Board. We will be able to provide that information to you.

Alderman DeVries stated I happened to sit on the Workforce Opportunity Council for the state and I have been anticipating this coming and I am glad to see that with New Hampshire Recovery we are getting \$154,000 to help employ our youth and again that is between ages 14 and 24. I hope it will ease up some of the summer job hunting burdens for some of our youth. I would recommend that we get something maybe on government access at least maybe MCAM as well to start letting individuals know where the outreach is and how long the opportunity is for them to apply.

Mr. LaFreniere replied I certainly can pass that along. We have been in discussions with Renie Denton and she has been working on this program, both setting up the process and procedures as well as the logistics of implementation.

Alderman Shea asked will this be limited to residents within a certain area of the City and a certain income that the family has?

Mr. LaFreniere replied it is targeted to low to moderate income.

Alderman Shea stated that should be criteria that is listed as well. In this economy everybody and his brother will be applying.

On motion of Alderman J. Roy, duly seconded by Alderman Osborne, it was voted to accept this report and adopt its recommendations. Alderman Murphy voted in opposition.

11. Report(s) of the Committee on Lands and Buildings.

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the request for permission from PSNH to relocate and improve an existing canoe/kayak portage which would fall within the 75 ft. Right-of-Way of the Amoskeag Bridge be approved subject to the review and approval of the City Solicitor.

(Unanimous vote)

On motion of Alderman J. Roy, duly seconded by Alderman M. Roy, it was voted to accept this report and adopt its recommendation. Alderman Murphy voted in opposition.

12. Report(s) of the Committee on Bills on Second Reading.

There were no reports of the Committee on Bills on Second Reading.

- 13.** Communication from William Sanders, Finance Officer, regarding a proposed sponsorship for a mural project for the Victory Garage.

On motion of Alderman O'Neil, duly seconded by Alderman Sullivan, it was voted to approve this item.

- 14.** Communication from the CBSD Advisory Committee submitting recommendations regarding the Central Business District in downtown Manchester.

On motion of Alderman M. Roy, duly seconded by Alderman Sullivan, it was voted to discuss this item.

Alderman Lopez stated thank you very much Your Honor. I have had some conversations with Intown Manchester. In reference to number on in the letter that the Aldermen received, I would like to get this extended out six months. The reason for it is that the summer months are coming up and the involvement in the World War II monument that is going into the park and to make clear the direction that we want Intown to go and some of their responsibilities. In the future they will know exactly what we expect of Intown. I have talked to Leon LaFreniere and Sam Maranto and they feel it is a good idea to extend it for six months and give them an opportunity to work with Intown and the Advisory Board to come up with a good RFP before we send it out.

Alderman M. Roy stated I believe I am going to support the extension of the RFP, the second part of this regarding the budget figures...

Alderman Lopez interjected I am going to get into that next.

Alderman M. Roy asked you are referring that to the budget process?

Alderman Lopez stated that is going to be another subject that I will be talking about.

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to extend Intown Manchester's contract an additional six months to give the opportunity for an RFP.

Alderman Lopez stated thank you, Your Honor. The second item, as you can read in the correspondence, for some reason there was an error in the resolution that we put on the table. I think the proper motion would be to amend the resolution before it goes on the table. Matt is that correct?

City Clerk Normand replied the Board can amend the budget resolution at any point before enrollment. If the Board wants to discuss this down the road during the budget hearings they can certainly do that. There is no need to do it now unless the Board wants to do that.

Alderman Lopez stated I would like to do it now in reference to the correspondence.

Alderman M. Roy asked Mr. Chairman, how was the \$258,000 arrived at?

Alderman Lopez stated I would defer to the Director of Intown Manchester and the City Assessor. This was derived by all the businesses in the Central Business Service District number one but I will let them explain it.

Mayor Guinta stated the question would be, is that the current formula or is it changing?

Ms. Stephanie Lewry, Director of Intown Manchester, stated I don't have the exact figures for what the assessment for the entire Intown district would be but in my estimation from last year's figures, \$258,000 would represent a flat tax. No tax increase. I will say right now that my Board has actually requested a tax increase. It has not been approved by the CBSD Advisory Board but there is an opportunity to have that discussion at another time. We appreciate that.

Mayor Guinta stated if the \$258,000 passes, there is time to amend that during the budget process. This would be step one of moving it forward. I would look at this as moving it forward at the current level. If there is going to be an amendment to that there would be opportunities to speak to that at a later date.

Ms. Lewry stated thank you.

Alderman Lopez asked the current level being \$258,000?

Mayor Guinta replied correct.

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to amend the following resolution to the amount of \$258,000 for all properties in the Central Service Business District: "A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2010."

15. Communication from Jay Minkarah, Economic Development Director, requesting the acceptance of funds in the amount of \$4,000 from PSNH and further requesting authorization MEDO to expend these funds to support travel and other associated costs for their outreach initiative.

On motion of Alderman Pinard, duly seconded by Alderman M. Roy, it was voted to approve this item.

16. Communication from Tim Clougherty, Deputy Public Works Director, requesting approval for initiating a grant application for an Energy Efficiency Community Block Grant through the American Resource and Recovery Act (ARRA).

On motion of Alderman Sullivan, duly seconded by Alderman J. Roy, it was voted to approve this item.

17. Appropriating Resolutions:

"A Resolution appropriating to the Parking Fund the sum of \$4,886,940 from Parking for the Fiscal Year 2010."

"A Resolution appropriating the sum of \$15,169,079 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2010."

“A Resolution appropriating the sum of \$3,303,000 from Recreation User Charges to the Recreation Division for Fiscal Year 2010.”

“A Resolution appropriating to the Manchester Transit Authority the sum of \$900,000 for the Fiscal Year 2010.”

“A Resolution appropriating to the Manchester School District the sum of \$146,100,000 for the Fiscal Year 2010.”

“Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2010 and held in the Civic Center Fund, for the payment of the City’s Obligations in Said Fiscal Year under the Financing Agreement.”

“A Resolution appropriating to the Manchester Airport Authority the sum of \$52,768,681 from Special Airport Revenue Funds for Fiscal Year 2010.”

“A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,585,500 from School Food and Nutrition Services Revenues for Fiscal Year 2010.”

“Amending a Resolution ‘Raising Monies and Making Appropriations for the Fiscal Year 2010’ to \$126,682,940.”

“A Resolution appropriating to the Central Business Service District the sum of \$258,000 from Central Business Service District Funds for Fiscal Year 2010.”

“Resolution ‘Approving the Community Improvement Program for 2010, Raising and Appropriating Monies Therefore, and Authorizing Implementation of said program’.”

On motion of Alderman M. Roy, duly seconded by Alderman DeVries, it was voted to waive reading of Resolutions.

On motion of Alderman Lopez, duly seconded by Alderman DeVries, it was voted to table the FY2010 Budget Resolutions.

18. Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Hundred Fifty Thousand Dollars (\$150,000) for the 2009 CIP 713709, Intersection Improvement Project.”

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

On motion of Alderman Osborne, duly seconded by Alderman M. Roy, it was voted that the Resolution pass and be enrolled.

TABLED ITEMS

- 19.** Recommendation from the Special Committee on Riverfront Activities receiving unanimous vote that the City purchase a certain .2633 acre parcel of land located at 2 Line Drive under the terms and conditions identified in the attached purchase and sales agreement.
(Note: The Board voted to accept and adopt the recommendation of the committee and it was then vetoed by Mayor Guinta. Additional communications have been provided by Pamela H. Goucher, Interim Planning Director and Leon L. LaFreniere, Building Commissioner, and forwarded to Board on September 8, 2008; Tabled 09/16/2008.)

This item remained on the table.

- 20.** Discussion regarding the City's Health Insurance Provider.
(Note: Representatives from WBS Workplace Benefits Solutions will be in attendance; Tabled 4/21/09. The Board has scheduled a Special Meeting to discuss this item on 4/29/09.)

This item remained on the table.

NEW BUSINESS

Alderman Gatsas stated I would ask this Board for its indulgence for us to send a letter to Cigna asking them to extend the over 65 years old portion of the bid that they made the City for savings to the seniors to the \$236 and also ask them to look at that same portion with the School District because there are 4,000 employees there. I would ask them to come back in and look at offering that to the seniors so that we can extend that savings to every one of the seniors as appropriately as we could do. I am obviously asking that the

Board send a letter so that maybe they can reconsider their motion of withdrawing it. They are retirees not seniors. I'm sorry. We can do it through Cigna or our consultants but I would think that this Board would make a motion to ask them to come back with the plan that they had on the table that would help the seniors and save them \$3,600 a year.

Mayor Guinta stated I think the motion would be to direct the consultants to issue that letter on our behalf to solicit a proposal for retirees both on the city side and the school side.

Alderman O'Neil asked do we have the right to say that on the school side?

Alderman Gatsas replied I am only asking them because if they go in and take a look at it, that same savings is going to exist there. I am not saying that we can do it. I am just offering that if the school wants to extend that to their retirees over 65 years old, they can take a look at it.

Mayor Guinta stated Alderman, I will talk to the Superintendent to see how they can join in that savings effort. I can get back to the Board via written documentation and make sure that is allowable.

Alderman DeVries stated it seems that we had some testimony that talked about the group two pensioners. If they felt that this plan did not serve their needs well and needed more complete coverage than this would represent...Once they leave they would not be able to come back into the system. Is that correct?

Ms. Jane Gile, Human Resources Director, stated if a group two member leaves the City sponsored plan, if that is what you are asking me, and goes on to another Medicare supplemental plan outside of the City's plan, they could not come back on to our plan. If

they go on to the plan that the City offers, then they can stay on the plan and if we change plans they would still be eligible because it is the City sponsored plan.

Alderman DeVries asked at risk for them would be the monies that they may have coming from their state retirement to help offset premiums?

Ms. Gile replied the state subsidy is only for the employer sponsored plan.

Alderman DeVries asked how can we put to rest once and for all the question because we have conflicting testimony as to how complete this coverage is? To what source can we go to know whether or not we are putting our most vulnerable population, not only financially, but if we are shifting our city plan to one that will leave them with considerable out of pocket expenses. We haven't done them justice either. How can we put this to rest? Do you have a suggestion? It is my understanding that our different carriers that were bidding don't agree with the testimony that was given by the consultant. I would like to see a third party like maybe yourself so a little bit of independent research.

Ms. Gile replied this is a full insured plan. It is not a self funded plan. It is a plan that is a separate type of plan. If you wanted to see the summary of benefits we would be able to provide those for you. I am not sure exactly what you are asking other than we can give you the summary of benefits if that is something you would like. If that is what you are asking for we can do a comparison of the two plans. We can provide that for you.

Alderman DeVries stated we have seen some of that. I guess I would want very harden fast agreements in writing from Cigna that this is comparative to the prior plan that they themselves had in place for our retirees.

Ms. Gile stated I think we could do that.

Alderman DeVries stated I would like it to address the out of pocket expense, the 115%. If they are indicating that this is out of network and that is going to come out of the pockets of our seniors that is not a bargain for our seniors.

Alderman Gatsas stated I think we hired some experts to lend this Board the experience that they have. Let's not think that this plan is just designed for the City of Manchester. This plan is out there for seniors in all populations and it is not just the City that it is developed for. The over 65 year old retirees that are in this plan with other private companies, we heard from the consultants tell us and I certainly respect their opinion. I would hope we would take their advice. We would move forward and save the seniors \$3,600 a year. That is enough to pay a property tax. This isn't about saving \$300. This is about \$3,600 a year. We should ask Cigna if they would come back and help our seniors. We should ask if they would help the same people that are on the school side. There are 400 people there.

Mayor Guinta stated I don't disagree, Alderman and it would be wonderful if Cigna would come back and offer that plan to the retirees. I think the challenge before us is that the letter that they presented last week stated that they would not if they did not have a contract for the remainder of the city employees. I certainly join you in hoping that they change their opinion on that decision but that is an obstacle unfortunately that we are going to have to overcome.

Alderman Lopez stated thank you, Your Honor. I concur that in the testimony here it was offered in the beginning and then withdrawn so I think it is good that we take a vote and ask them to go ahead and implement the plan that they planned on implementing when they were going to give three years to our seniors. I think it would be a good gesture for them to step forward and take care of the people. Also to let our consultants do the work that they are paid to do and let us not try to take over their job. Thank you.

Alderman DeVries stated thank you, Your Honor. Respectfully, I don't quite agree with that process. Our consultants aren't the only individuals that are dealing in insurance 24/7. Other insurers are telling us that potentially with this plan, a \$10,000 fee could result in an out of pocket expenditure for a retiree of \$1,400. Now rocket scientists know that it doesn't take too many of those to equal the savings that potentially they would have in paying their monthly premiums. Our retirees tend to have the largest expenditures. I would want that verification before I would just blanket instruct them to go ahead and implement this plan. None of us want to increase premiums to our retired seniors because we know they can at least afford those premiums but we don't want them to be duped thinking that they are getting a reduction in their expenses, only to find out that when they go to use the system that they are responsible for very large claims. There is a reason that this plan has been discussed in Congress in that the federal government has decided, I have been told, to sunset this particular plan out of network. There is a reason for that because seniors were being caught with considerable out of pocket expenses before I instruct that to happen here in the city, I want the answers. Include us in the process and then I am fine with that. Just get us the information at the same time that Cigna indicates their desire.

Alderman O'Neil asked all that is being asked tonight is to send a letter, correct? We are not being asked to vote on anything else? I happen to agree with Alderman DeVries on the research I have done regarding the FFS but I don't think we need to debate it tonight. I think all that is being asked is to send a letter to see if they would consider it. I thought Alderman Gatsas made the motion. I am not sure what the separate motion is then.

Mayor Guinta stated there is a motion on the floor made by Alderman Gatsas to send a letter.

Alderman Gatsas stated listen, I hope this Board doesn't send a letter and somebody sends something back saying they will do that and then this Board decides again not to give it to them. We would be embarrassing ourselves.

Alderman O'Neil stated in that case I would vote against it because I don't agree with the program they laid out. I think it does leave our retirees open for costs over and above based on the research I have done. It is clear in the law that it is going away January of 2011. It is very clear in the law that it is going away.

Alderman Gatsas stated however you look at it, Your Honor, January 2011 is a \$5,400 savings to those seniors; \$3,600 for the first year, \$1,800 for the next six months that is \$5,400.

Alderman O'Neil stated there could also be the 15% charge over and above to our seniors and our retirees.

Alderman J. Roy stated thank you, Your Honor. I have a question for Human Resources. If Cigna were to come back and say we will offer this to your retirees, would the retirees then have an option to go with the Cigna plan, knowing that they may have to pay 15% out of pocket? Would they have the option to do that or would they still have an option to go with the Anthem plan? In other words, would there be an option, if Cigna comes back and says we will provide this to your retirees, will they then have an option?

Ms. Gile replied at present, I think it would be difficult to administer two over 65 health plans because they might be a little bit different but if it is the will of the Board, I suppose we could do that.

Alderman J. Roy stated I don't see why we couldn't. Then we can have our cake and eat it too. Those individuals can make their own decisions.

Alderman M. Roy stated in all fairness, I spoke last week about people who reached out to me and told me about issues and problems and that meeting got a little bit more direct than I would have liked to have seen it because we were talking about two reputable companies. A lot of retirees have reached out and have talked very positively about Cigna. I would like to see if it is an option but what I don't want, as Alderman O'Neil suggested, feel that we are committing to something tonight. It is not a grand gesture on their part to respond to a letter but there are questions. Is the 15% out there? As Jim Roy asked, can we have the option? Is it allowable under our contract with different organizations to talk about similar and like insurance policies? As much as I would like to know if it is on the table, and I have gotten a lot of positives out of fairness for my comments last week about Cigna, I also want to know what the facts are. I had a certain set of facts last week and there have been people contradicting them and talking about different things so much like I said that night, when we made a \$2 million decision in two hours, let's get the facts before we make another decision. If we sent the letter and it is on the table, let's have a special meeting. Let's get it out there. Let people come in and prove it. Then we will take a vote.

Alderman Lopez stated I don't want to go through another four hours like we did. We are only asking the consultant to send a letter looking out for retirees. Let them come back. I hope everybody brings in all of their experts so that we have all the correct answers.

Alderman O'Neil stated point of clarification. Alderman Jim Roy brought up a very good point. Could we offer options to the retirees? From Jane the answer is yes. I am willing to consider anything but my colleague from Ward 2 is asking me to either vote this up or down tonight. I want to be clear on what we are doing moving forward.

Alderman Gatsas stated I think when somebody gives us a quote on 340 lives at a rate, that rate is going to change if only 50 people take it so let's not fool ourselves. We have got experts. Those people are in the business every day. If we are going to go through this, let's take a vote... Look, we should be humble in asking them to do this to help these retirees. I would think that we would send the letter. I am asking for a roll call.

Alderman O'Neil stated I learned something tonight. I took a call from a retired police officer. He told me at one point recently, I don't know the difference, I haven't had a chance to sit down with him, he was on a PPO then moved over to an HMO, it saved him money but he paid higher prescriptions. I want to sit down with him face to face. As a matter of fact he is supposed to be sending me an email to describe what he has done with this. I don't understand all of this. Alderman Gatsas, I guess, is asking us if we are going to vote for this tonight. I am going to vote no because that is what he is asking. I am interesting in trying to do whatever we can for the retirees but he is asking us to vote this tonight.

***Alderman Gatsas** moved to direct the consultants to issue that letter on our behalf to solicit a proposal for retirees both on the City side and the School side. **Alderman Garrity** duly seconded the motion.*

A roll call vote was taken. Aldermen Gatsas, Sullivan, Lopez, Shea, Garrity, Smith, Murphy voted yea. Aldermen M. Roy, J. Roy, Osborne, Pinard, O'Neil, DeVries and Ouellette voted nay. Mayor Guinta voted yea. The motion passed.

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

A True Record. Attest.

City Clerk