

BOARD OF MAYOR AND ALDERMEN

June 2, 2009

7:30 PM

Mayor Guinta called the meeting to order.

The Clerk called the roll.

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

Absent: Aldermen DeVries, Murphy

Messrs: T. Clark, S. Decoursey, S. Duprey, J. Dirkwood, L. LaFreniere, C.
DePrima, T. Clark, W. Sanders

CONSENT AGENDA

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

Accept BMA Minutes

- A.** Minutes of meetings held on April 1, 2008 (two meetings); April 14, 2008 (one meeting); April 15, 2008 (two meetings); April 21, 2008 (one meeting); April 22, 2008 (one meeting).

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

- B.** Sidewalk Petitions:
230 Maplehurst Avenue
20 Willard Street
245 Gray Street
132 Lancaster Avenue
244 Gray Street
11 Eaton Street

REFERRAL TO COMMITTEE

COMMITTEE ON FINANCE

- C.** Resolutions:

“Continuation of the Central Business Service District.”

“Authorizing the Finance Officer to Make Certain Budgetary Closings for the Year 2009.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 712707 WWTF Facility Plan Phase 2 Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 712307 Cohas Phase 2-Contact 1 that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711906 CSO Poor/Schiller Street Area Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711405 WSPS-Roof HVAC Piping Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711205 Replace Sludge Dewatering Equipment Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711105 CSO-Phase 1 (Bremer Street) Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 710203 S Main North Project that is no longer required.”

REPORTS OF COMMITTEE

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

- D.** Advising that the travel summary reports from various City departments have been received and filed.
(Unanimous vote)
- E.** Advising that it has accepted the City’s Monthly Financial Statements (unaudited) for the ten months ended April 30, 2009 and is forwarding same to the Board for informational purposes.
(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 all invoices for interdepartmental billings only;
 - d) Open Invoice report all invoices due from the School Department only;
 - e) Listing of invoices submitted to City Solicitor for Legal Determination; and
 - f) Accounts Receivable summary.

and is forwarding same to the Board for informational purposes.
(Unanimous vote)

***HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O’NEIL,
DULY SECONDED BY ALDERMAN J. ROY, IT WAS VOTED THAT THE CONSENT
AGENDA BE APPROVED.***

5. Communication from Keith Murphy advising the Board of his resignation from the Parks, Recreation, and Cemetery Commission.

On motion of Alderman Sullivan, duly seconded by Alderman Shea, it was voted to accept this resignation with regret.

Mayor Guinta stated I will now recognize Alderman Lopez for the reading of an additional resignation into the record.

Alderman Lopez stated “Dear colleagues, it is with much regret that I must write to tender my resignation as an Alderman representing Ward 12 in Manchester. It has been a great honor to serve the people of the City of Manchester and work side by side with each of you to achieve common goals and to make Manchester a great city to live in. I will always cherish the memories, accomplishments and the work that we have done together. Serving as a representative of Ward 12 has been a humbling and rewarding experience. I am honored to have been a part of the political process. I wish each and every one of you the best going forward. With regards, Kelleigh D. Murphy.” Resignation is effective upon acceptance.

On motion of Alderman Lopez, duly seconded by Alderman Ouellette, it was voted to accept Alderman Murphy’s resignation with regret.

Alderman Lopez stated a second item in reference to this, Your Honor, is a special election, which needs to be approved by the Board of Mayor and Aldermen. I’ll allow the City Solicitor to guide us in that. From what I understand, a special election and the City Clerk has to confirm with them that the primary or general election is preferred to save tax dollars.

Mayor Guinta stated let me accept the resignation first and then we need an official vote on it. I will ask the Solicitor for an opinion regarding the dates of the special election.

Mr. Tom Clark, City Solicitor, stated the section of the City Charter and the state statute merely states that a special election should be held. The date on which it is held is up to the discretion of this Board. Obviously, if you hold that election on either the primary or the November election, it would be at minimal additional expense as opposed to holding it on another day when you would be holding a special election by itself.

Mayor Guinta stated that would be in the form of a motion.

Alderman Lopez stated in the November election, Your Honor. The special election would be held in November.

Mayor Guinta asked if there are more than two people running would it have to be set in September?

Alderman Lopez stated I would refer that to the City Clerk.

Mayor Guinta asked if there are more than two people running do you have to set it in September?

City Clerk Matt Normand, stated no you don't, Your Honor. If there is a special election the top vote-getter would take the seat for the rest of the time. I think Alderman Lopez has requested a motion for the special election to coincide with the regular general election.

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to accept the time of the election.

Alderman Sullivan asked would it be possible to have a primary, preliminary election coinciding with the state primary and a run-off coinciding with the general election or is this something we are bound to do?

City Clerk Normand replied you could do that as well. You could move it to the primary election if that is the Board's desire.

Alderman Sullivan stated conceivably you could have someone win the seat with...hypothetically speaking, if you have eight people running someone could get 15% and win this thing. Probably not, and math isn't my strong suit, but, just a point.

Alderman Lopez stated I think it's really complicated. I think it should go in November to be fair play with everybody. If you have a primary election, you could have an Alderman be elected in the primary and serve until January. The same thing could happen to an individual if the election was in November. There will be a separate ballot for the special election at the same time in July. Both candidates or ten candidates can apply for the regular election for Ward 12 Alderman. I think the fair play would be November.

Alderman M. Roy asked just so I'm clear, the voter going into the polls in November would receive a special election ballot with whoever wants to serve between the election in November and January 1st, but they would also receive a regular aldermanic ballot that would be subject to the September primary and subject to a November election and the winner of that would serve the following two years? There would be two ballots? One special, one regular?

Alderman Lopez replied that's the way I understand the City Clerk.

City Clerk Normand stated that's correct. There will be two ballots in November, one for the special election and a city wide.

Alderman M. Roy asked you could have two different people win, but they would not serve at the same time?

City Clerk Normand replied correct.

Alderman M. Roy asked one would serve the remaining of Ms. Murphy's term and the other would serve the following two years?

Alderman Lopez replied that's correct. In the meantime we have two Aldermen-at-Large who can take care of that ward.

7. Confirmations to be presented by Mayor Guinta:

Revolving Loan Fund Board

Richard H. Girard as a member, term to expire June 1, 2012.

On motion of Alderman Osborne, duly seconded by Alderman Pinard, it was voted to approve this confirmation.

Planning Board

Donald M. Pomeroy as an alternate member, term to expire May 1, 2010.

On motion of Alderman Smith, duly seconded by Alderman Ouellette, it was voted to approve this confirmation.

Airport Authority

Warren Jennings as a Londonderry resident member, term to expire March 1, 2012.

On motion of Alderman Pinard, duly seconded by Alderman Shea, it was voted to approve this confirmation.

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

Mayor Guinta called the meeting back to order.

11. Report of the Committee on Finance

The Committee on Finance respectfully recommends, after due and careful consideration, that Resolutions:

“Continuation of the Central Business Service District.”

“Authorizing the Finance Officer to Make Certain Budgetary Closings for the Year 2009.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 712707 WWTF Facility Plan Phase 2 Project that is no longer required.”

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ought to pass and be Enrolled.

On motion of Alderman Garrity, duly seconded by Alderman Osborne, it was voted that the amending Resolutions ought to pass and Enrolled.

On motion of Alderman Osborne, duly seconded by Alderman Shea, it was voted to recess the meeting to allow the Committee on Bills on Second Reading to meet.

Mayor Guinta called the meeting back to order.

14. Report of Committee on Bills on Second Reading

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Zoning Ordinance Amendments:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multifamily) zoning district to include property currently zoned R-1B (Residential One Family) located on a portion of Tax Map 691, Lot 143-A that will be north of the ROW centerline of a proposed Gold Street Bypass, adjacent to Bradley Street and adjacent to the Tax Map 691, Lot 143 (St. Augustine Cemetery).”

“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 former Lawrence Branch of the B&M Railroad and including two parcels of land known as TM 875, Lot 14 and TM 875, Lot 15.”

ought to pass and be Enrolled.

On motion of Alderman Garrity, duly seconded by Alderman Ouellette, it was voted to discuss this item.

Alderman Garrity stated I'd like to speak to the report of the Committee. As my colleagues realize, Gold Street has been a problem for decades, with speed and traffic in general. For the past five years, I've been working with potential developers to try to solve the Gold Street issue. I've had numerous neighborhood meetings over the past five years. Is the plan perfect? No. You can't please everybody. Working with my constituents over the past five years, the majority of them seem to think that this is the best plan going forward. Part of my property abuts Gold Street. I can look out my bay window in the kitchen and see the problems. I've been there for 17 years and I've seen the problems for 17 years. My neighbors have seen it longer than that. There are a lot of good portions to the plan. I believe, and the majority of my constituents believe, it will ultimately slow traffic down on Gold Street. It also improves other parts of the neighborhoods like President Road and Sewall Street. It's going to be able to slow traffic. That portion of Gold Street is going to have parking on it now. There is going to be all new drainage put in, along with new sidewalks, curbing, and a newly paved street. Walmart has stepped up to the plate and has been willing to invest millions into this project. Again, is everybody happy? No, but I believe in the long run this is the way to solve some of the problems on Gold Street. Gold Street is not going to get any better the way it is now. It's a nightmare down there now and it will remain a nightmare, but I believe that this is the best plan going forward and I would urge all my colleagues to support my request.

Alderman Lopez stated I had a couple questions before I vote on this. If the people who are proposing the Walmart area could come up and show me a rendering or something?

Alderman O'Neil stated Your Honor, can I, before Alderman Lopez starts, ask if this is the time period to ask questions? We're going to have three different agenda items that deal with this.

Mayor Guinta replied I think we'll get all of the questions done now and then, assuming it moves forward, we'll take the final two procedural votes.

Alderman Lopez stated if the people who answer questions could come up, I would appreciate it. While they are getting ready, I want to commend Alderman Garrity for staying with this for a number of years. I only wish other people were involved in the process. I don't consider this a total Ward issue. I consider it a big issue for the entire City of Manchester that goes up to South Beech Street, down to Gold Street, goes to Sam's and every place else. I do have a couple of questions. Could you explain that document that we talked about during the meeting that has your plans?

Mr. Steve Decoursey, Fuller Engineering, replied I'm sorry. Would you remind repeating the question again?

Alderman Lopez stated I want you to explain your rendering of what you have in that particular area, please.

Mr. Decoursey replied sure. We've been working on the civil engineering site plan on behalf of Walmart. In order to get everybody oriented, this is an aerial of the site and overview. This is Gold Street running in this direction, John Devine Drive coming down here, South Beech Street is in this direction and South Willow Street is over in this direction. A little bit of a recap from before...the two properties that make up this site are 725 and 835 Gold Street. They are the Associated Grocers site as well as the Joseph Equipment site. We'd be looking to combine those properties to form one lot. It would be about 19 acres. We propose demolishing the existing buildings and constructing an

approximate 190,000 square foot Walmart building, as shown here. This is a more detailed version of the site itself. Basically, we've laid the site out in a way that will comply with zoning regulations in terms of parking, impervious coverage, and landscaping. The site is going to contain all the typical amenities that you would have with this type of retail development in terms of lighting, landscaping, and utilities. We would anticipate that the utilities serving the site would come from the existing infrastructure that is in Gold Street today. We would propose a storm water management pond in this area. We're at a conceptual level of design, but based on what we know about the property and our review of the regulations and infrastructure, we feel that we can put together a design that meets the state and local regulations for all the civil engineering items. Ultimately, we will face this in the site plan review process. I think it was mentioned earlier, but we think there will be a third party engineer reviewing the plans on behalf of the City. We talked a little bit about the offsite improvements, but the access points shown here, one would be opposite of John Devine Drive and the other would be further to the east. They would both be proposed to be signalized intersections. Otherwise, circulation on the site is pretty straight forward. As you can see, we have a large parking field out in front of the site and access around the rear of the site and around the perimeter for the trucks. We would anticipate, at the point where we get ready for site plan design, to have more detailed plans, which will include utilities, grading, landscaping and lighting. We look forward to submitting those later on.

Alderman Lopez stated in the other meeting we had, you talked about lights being at Beech Street and Gold Street. Is Walmart paying for all those lights?

Mr. Decoursey replied yes.

Alderman Lopez asked is there any cost whatsoever to the City in reference to the road reconstruction around the Diocese's property?

Mr. Decoursey replied no.

Alderman Lopez asked you're not going to come to the City for any money?

Ms. Susan Duprey, Attorney from Devine Millimet, replied we were hoping there might be some CIP money, but I don't think there will be any.

Alderman Lopez asked you're not going to come to the City for any money?

Ms. Duprey replied we are not going to come to the City for any money.

Alderman Shea asked the people who live to the west, how are they going to get into Walmart? In other words, what is the route? Can you explain what they are going to take? There seem to be a lot of problems with that particular issue. Traffic, in my mind...I know where I live I can get there through John Devine Drive, but the other people who live on the other side, how do they get there?

Mr. Decoursey asked the west side of South Beech Street?

Alderman Shea replied yes.

Mr. Decoursey stated the way that it's proposed right now, they would be able to travel on Gold Street to head towards the project site. Gold Street to the west of South Beech Street would be a one way eastbound roadway so they could drive right to the site.

Alderman Shea asked would they use Gold Street or would they use that diversion?

Mr. Decoursey stated they would use the diversion. Gold Street would be dead-ended at Bradley Street so they would use the bypass road to come around.

Alderman Shea stated that would impact the people, according to one lady, on Beech Hill Avenue. How much of an impact will that be?

Mr. Decoursey replied here's where Bradley Street is today. Bradley Street under the realignment would come in and there would be a stop sign at the end. The amount of traffic that would come down that way would not be a substantial increase over what's there today. The purpose of the bypass is to accommodate that additional traffic and not have it focused through any of the other neighborhood streets.

Alderman Shea stated the gates themselves, there wasn't much reference to that. The gates are going to be where?

Mr. Decoursey replied there are four gates that are proposed. The first gate we've shown is where the bypass road would come back into Gold Street. The other gate is at the end of Sewall Street, right where it intersects Ross Avenue. There is another gate on President Road, just after Greenwood Street. The fourth gate is at Mack Avenue, just down to the point where you have the commercial development in that area.

Alderman Shea stated Frontage Street, which a gentleman referred to, would gain a lot of traffic because that's where the people can come from the south part of that area.

Mr. Decoursey stated we don't envision that there is going to be a large traffic flow in that direction there, but one of the things that we are doing, as was mentioned, are the traffic calming measures. We are doing that on Ross Avenue and in the vicinity of where Frontage Road would be. We could introduce some elements so that it's not conducive to cut through this area.

Alderman Shea stated I know they have speed bumps down on Thomas Street. Are you talking about those on that?

Mr. Decoursey replied it depends. There are a couple of different treatments we talked about with the Department of Public Works. Some of them may be, instead of doing raised speed bumps, something that's a little more gradual, but achieves the same effect. It could be textured pavement or stamped asphalt, but achieves the same results.

Alderman J. Roy asked do you have any detailed diagrams that show what you're going to do to Gold Street, to the east of South Beech Street? I know earlier you talked about traffic calming. You also said there would be parking, which I can't envision. I heard one of the residents talking about the lot lines and a problem with building front stairs and you had talked about what the easement is there. I'm concerned for those people. I don't want their front lawns to disappear. Do you have detailed information or is that not developed yet?

Mr. Decoursey replied we need to do some detailed surveying, but what I can say is what I had mentioned in the initial part of the presentation. We're flexible in terms of where those things happen. We would be very sensitive to the issues as one gentleman had mentioned about the steps coming down to the street. I would say that that's not an appropriate place to do any type of narrowing. What we would do for parking and where those things would take place, we would move it so that we're sensitive to the existing conditions that the neighbors have. We would find areas to locate it where it would be appropriate and where there is enough room.

Alderman J. Roy asked if this were the situation all along the north end of Gold Street, where the right of way comes very close to the buildings, would that mean you would scrap the idea of having parking?

Mr. Decoursey replied we would have to look at whether or not it would be appropriate. What we would like to do is be able to achieve parking for the neighbors that are there. We believe that there are locations where we can provide that, but we'll need to look at it from a more detailed survey. We're going to be sensitive though. We don't want to impact what they have today, like stairs or front yards. What we would probably end up doing is surveying in detail along the road and then we would envision having additional community meetings specifically relating to design so we can show them exactly what we would be proposing so we can work with them to see where parking would be appropriate and other locations where it may not be.

Alderman J. Roy asked you're saying you're going to have meetings in the neighborhood and try to appease their concerns?

Mr. Decoursey replied as we go through the design process I think that's very important so they can understand what they are going to have in front of their house. We can move the design and adjust it as necessary so we're achieving what the neighbors would like to have on that stretch of road.

Alderman O'Neil stated number one, I think the discussion tonight is all premature, but it looks like it is going to move forward. I understand that the deal falls apart if we don't act quickly. All of these things should have been worked out, in my opinion, before this was brought back to us. Alderman Roy is right. You can't even give us a rendering of what Gold Street is going to look like. I don't know who is at fault for that. Attorney Duprey said earlier that neither lawyers nor elected officials are traffic engineers. I only know you by Jeff. I don't know your last name, sir, but how big was the watershed that you studied? What was the radius of the traffic study that you did?

Mr. Jeff Dirkwood, Vanesse and Associates, replied we have not done a full traffic study for the project. The focus of the study was basically the Gold Street corridor, stretching from the South Beech Street intersection, inclusive of Ross Avenue, Devine Drive, and South Willow Street and those intersections. Right now, the preliminary study we talked about is Gold Street at South Willow Street, John E. Devine Drive at South Willow Street, and then stretching all the way out to South Beech Street because that is our primary access into the project. We need to have a consultation meeting with your Planning Department to develop the scope of that larger study area because we've heard the concerns as you get further away from the site and we fully intend to study those.

Alderman O'Neil asked there was nothing done at Gold Street and Brown Avenue? There was nothing done at Brown Avenue and South Beech Street and there was nothing done at Exit 2 off Rt. 293?

Mr. Dirkwood replied not at this point. That's correct.

Alderman O'Neil asked can you confirm...we heard the residents talk about different volumes of vehicles...what the official count is?

Mr. Dirkwood replied it varies depending on the roadway, but what was talked about tonight was specifically the section of Gold Street because that was what I had been presenting to the neighbors. Some of the correct figures that you have heard today for that section of Gold Street, is the 5,000 vehicles per day, for two-way traffic for 24 hours. Our estimates for additional traffic that the store may add after it's fully completed are increased by about 20% on this section of Gold Street. That would equate to about 1,000 additional vehicle trips. That's two-way so it's 500 vehicles over the operational day of the store. That's how much we are adding on top of the 5,000 that's out there today.

Alderman O'Neil asked I think in your earlier presentation you talked about Opticom controlled gates? Who is providing the emitters? To the best of my knowledge the only vehicles in our fleet that have those are fire trucks. Who is paying for those? You mentioned police and ambulance. Who is paying for those?

Mr. Dirkwood replied for the gates we talked about additional access, because the Department of Public Works also has to go through those. There are different ways to provide that. It can be devices similar to garage door openers that can be provided. We would envision having discussions with the City in terms of how many and who needs to have those devices and what form they may take. You can also put keypads in. Those are the kinds of things we would work out with the City.

Alderman O'Neil stated it sounds like you are going to have to have an awful lot of devices. I would hate for a police cruiser to not have the device. We have 18 to 20 units out at a time. You specifically mentioned Opticom. I'm only aware of it on top of fire trucks. I know other cities use them on buses and police cruisers.

Mr. Dirkwood stated our intention would be to make sure any emergency responders in the area would have the ability to open those gates as well as Public Works so they would be able to plow and maintain the street.

Alderman O'Neil stated I think some of this is premature. It was never presented to me that there was a deadline by when this had to get done or the deal fell through. The talk was 100 new jobs. I'll tell you what really concerned me. I took a call the end of the last week from a Hannaford employee concerned about his job. I hope in the long run we're not creating 100 new jobs, but others are laying off 150 or 200 people.

Alderman Shea stated one gentleman mentioned about gates being installed and two weeks later, Houdini came by and removed them. Who is going to maintain the gates and who is going to be responsible for replacing items and so forth?

Mr. Dirkwood replied the gates, once they are built, have a warranty period so the installer warranties them for a year or whatever is built into the contract. After that point, they are on City property and they become a part of the City infrastructure.

Ms. Duprey replied I would like to add to that.

Alderman Shea stated she maintained that there wouldn't be any expense to the City.

Ms. Duprey stated I don't think that Walmart is going to let the maintenance of the gates get in the way of having this project approved. It is going to be in full discussion with the City and we're going to work things out.

Alderman Shea stated thank you for that comment. Is Walmart going to be open 24/7 or does it close at 10:00 PM? Is there any stipulation? Somebody made reference that it would be open 24/7.

Mr. Decoursey replied it's whatever the ordinance allows. I think the preferences would be 24 hours a day, 7 days a week.

Alderman Shea asked is the one where Home Quarters used to be open 24/7?

Mr. Decoursey replied I don't know the hours of that store.

Alderman Shea stated someone said it closes at 10:00 PM. That would probably be the same if that were there. That was a concern addressed by the residents nearby. I guess bus service would be available. That was another concern.

Alderman Gatsas asked for absolute clarity, the gates will be the responsibility of Walmart?

Ms. Duprey replied if that's what it takes for this deal to get done, Walmart will maintain the gates.

Alderman O'Neil asked Leon, on the rezoning of the Diocese's property to R-3, any idea how many units could be constructed? I don't believe it's going to be the Diocese, but do you know who the eventual owner or developer will be? How many units will be constructed on that parcel?

Mr. Leon LaFreniere, Director of Planning and Community Development, replied at this time, there has been no analysis that would provide that kind of information. The reason being, we don't have any topographical data on that site from the applicant to determine what the buildable land area actually is.

Alderman O'Neil stated I guess it goes back to my earlier comment about this whole thing being premature. We don't have all the data. We don't have the information to make the decision.

Alderman O'Neil requested a roll call vote on the motion. Aldermen O'Neil, Shea, and J. Roy voted nay. Aldermen Lopez, Garrity, Smith, Ouellette, M. Joy, Gatsas, Sullivan, Osborne, and Pinard voted yea. Alderman DeVries was absent. The motion passed.

15. Reports of the Committee on Public Safety, Health and Traffic

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that it has approved Ordinance amendment:

“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 thereby creating a new Canal Street Lot.”

City Clerk Normand stated the Committee has requested that the Board accept the report, suspend the rules and place the Ordinance on its third and final reading.

Alderman O’Neil stated I was out of town last night so I couldn’t attend the Committee meeting. We need to think about this a little bit. We have spent tens of millions on Granite Street. Alderman Smith led the efforts with Mr. Minkarah to purchase a parcel of property on the corner of Second Street and Granite Street to protect that from coming something that didn’t fit the gateway. Now we’re going to put a parking lot on the corner? It doesn’t make any sense to me at all. We spent tens of millions of dollars from Elm Street to Main Street and we’re going to put a parking lot on the corner. For 23 spaces, it makes no sense to me. I was led to believe this was going to CIP.

Alderman Sullivan stated our understanding is that this lot is actually going to be dedicated to the bus terminal at the corner. It’s parking for the bus passengers. We’re going to be selling long term permits to those folks. Whatever surplus is left becomes general parking, but it is likely that all these spots will be used by bus commuters. We’re really dealing with a spot where there is limited amount of parking options. This seems to be our best parking option at our disposal right now.

Alderman Lopez stated I had some conversations about this and I agree with Alderman O'Neil. I talked to the director. This is coming from the Board with approval, but is going to CIP because there is no funding, whatsoever. After conversations with Brandy, this will go to CIP. If this is approved, the next motion I would make would be to send it to CIP. The other point is that I agree with Alderman Sullivan. When the conversation was about the bus terminal to be renovated it was talked about having parking. That was probably the guarantee that we would have parking in that particular area. The funding aspect still has to be found and it has to be sent to CIP.

Alderman Shea asked Your Honor, maybe Brandy could come up and explain?

Mayor Guinta replied I don't think that is necessary. I looked at the letter and it does require CIP approval. There are two things you can do. You can move forward with this and ordain it. It will still go to CIP, or you can refer to CIP, have it heard, identify the funding, and then have it come back to the full Board.

On motion of Alderman Shea, duly seconded by Alderman Garrity, it was voted to send this Ordinance Amendment to CIP for funding.

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that it has approved Ordinance amendment:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.57 Parking Rates thereby establishing event parking and hourly rates for the Canal Street Lot.”

Mayor Guinta stated this would also be attached and referred to CIP because it's the same item.

On motion of Alderman Shea, duly seconded by Alderman Garrity, it was voted to send this Ordinance Amendment to CIP for funding.

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that it has approved ordinance amendment:

“Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.06 Definitions by adding a definition of “access aisles”.”

City Clerk Normand stated the Committee had requested that this be accepted in suspension of the rules, placing the Ordinance on its third and final reading.

On motion of Alderman M. Roy, duly seconded by Alderman Shea, it was voted that the Ordinance Amendment ought to pass and be placed it on its third and final reading.

On motion of Alderman Sullivan, duly seconded by Alderman M. Roy it was voted that the Ordinance Amendment ought to be ordained.

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that it has approved ordinance amendment:

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by deleting Section 70.36 (A)(15) in its entirety and replacing it with two new subsections which restricts parking in access aisles.”

City Clerk Normand stated once again, this would be to accept the report, suspend the rules and place it on its third and final reading.

On motion of Alderman M. Roy, duly seconded by Alderman Sullivan, it was voted that the Ordinance Amendment ought to be approved.

On motion of Alderman J. Roy, duly seconded by Alderman Pinard, it was voted that the Ordinance Amendment ought to be ordained.

The Committee on Public Safety, Health & Traffic respectfully advises that various traffic regulations pursuant to Section 70.36, stopping, standing, or parking prohibited have been approved.

TWO HOUR PARKING – 7:00 AM – 9:00 PM:

On Hanover Street, north side, from a point 55 feet east of Pennsylvania Ave., to a point 50 feet east
Alderman Jim Roy

RESCIND 30 MINUTE PARKING:

On Joliette Street, west side, from a point 26 feet south of Kelley Street to a point 36 feet southerly (Ord.
3162)
Alderman Ouellette

30 MINUTE PARKING – 8:00 AM – 6:00 PM, THURSDAY UNTIL 9:00 PM:

On Joliette Street, west side, from a point 20 feet south of Kelley Street to a point 40 feet south
Alderman Ouellette

NO PARKING ANYTIME:

On Joliette Street, west side, from a point 60 feet south of Kelley Street to a point 44 feet south
Alderman Ouellette
On Wheelock Street, east side, from a point 150 feet south of Goffe Street to a point 15 feet south
Alderman Smith

NO PARKING APRIL 1 – AUGUST 1:

On Gay Street, east side, from Greenleaf Street to a point 200 feet north
Alderman DeVries

RESCIND METERS – 2 HOURS:

Lowell Street, north side, from a point 40 feet east of Elm Street to Chestnut Street
ORD 7703
Alderman Sullivan

METERS – 2 HOURS:

Lowell Street, north side, from a point 80 feet east of Elm Street to Kosciuszko Street
Alderman Sullivan

METERS – 2 HOURS:

Lowell Street, north side, from a point 36 feet east of Kosciuszko Street to a point 93 feet easterly
Alderman Sullivan

METERS – 2 HOURS:

Lowell Street, north side, from a point 147 feet east of Kosciuszko Street to Chestnut Street
Alderman Sullivan

RESCIND NO PARKING LOADING ZONE:

Lowell Street, north side, from a point 45 feet west of Chestnut Street to a point 93 feet west
ORD 8513
Alderman Sullivan

NO PARKING LOADING ZONE MONDAY- FRIDAY 8:00 AM – 5:00 PM:

Lowell Street, north side, from a point 129 feet east of Kosciuszko Street to a point 18 feet easterly
Alderman Sullivan

NO PARKING LOADING ZONE MONDAY- FRIDAY 8:00 AM – 5:00 PM:

Lowell Street, north side, from Kosciuszko Street to a point 36 feet easterly
ORD 6479
Alderman Sullivan

On motion of Alderman M. Roy, duly seconded by Alderman J. Roy, it was voted that the traffic regulations ought to be approved.

The Committee on Public Safety, Health & Traffic respectfully recommends, after due and careful consideration, that the request from the Manchester District Court for free parking for four custodial employees at metered spaces on Chestnut or Amherst Street from 4:30 P.M. to 8:30 P.M. and from May 2009 through December 2009 be approved.

On motion of Alderman J. Roy, duly seconded by Alderman Ouellette, it was voted that the parking request ought to be approved.

The Committee on Public Safety, Health & Traffic respectfully recommends, after due and careful consideration, that the request from Scott Fuller, Manchester Police Department, for the use of Arms Parking Lot on Saturday, June 27, 2009 between the hours of 8:30 A.M. and 10:30 P.M. as a staging area for a motorcycle ride benefiting the Police Departments mounted unit has been approved.

On motion of Alderman Osborne, duly seconded by Alderman J. Roy, it was voted that the Police Department's request ought to be approved.

The Committee on Public Safety, Health & Traffic respectfully recommends, after due and careful consideration, that the request from Tim Soucy, Public Health Director, for permission to post 11-12 signs for directional indicators, stamp sidewalks with paint along the route and in Bronstein Park along the one mile route for the American Heart Association's Start! Walking Program be approved.

On motion of Alderman Osborne, duly seconded by Alderman Shea, it was voted that the request for the American Heart Association's Start! Walking Program be approved.

Alderman M. Roy stated I have a question for the Clerk. On the past amendment for the report for the use of Arms Park on June 27th, attached to my section is a letter which also included cruising downtown. Was that passed or will that be seen at another meeting?

City Clerk Normand replied that will be the next meeting.

16. **Report of the Committee on Administration/Information Systems**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that the request from the Boy Scouts of America for a waiver from the City's Fair permit fee be approved.

On motion of Alderman Garrity, duly seconded by Alderman Lopez, it was voted to approve the permit fee waiver.

17. **Ordinances:**

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multifamily) zoning district to include property currently zoned R-1B (Residential One Family) located on a portion of Tax Map 691, Lot 143-A that will be north of the ROW centerline of a proposed Gold Street Bypass, adjacent to Bradley Street and adjacent to the Tax Map 691, Lot 143 (St. Augustine Cemetery).”

“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 former Lawrence Branch of the B&M Railroad and including two parcels of land known as TM 875, Lot 14 and TM 875, Lot 15.”

On motion of Alderman M. Roy, duly seconded by Alderman Garrity, it was voted that the Ordinances ought to pass and be Enrolled.

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

Mayor Guinta called the meeting back to order.

20. Report of Committee on Accounts, Enrollment and Revenue Administration

The Committee on Accounts, Enrollment and Revenue Administration respectfully recommends after due and careful consideration that Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multifamily) zoning district to include property currently zoned R-1B (Residential One Family) located on a portion of Tax Map 691, Lot 143-A that will be north of the ROW centerline of a proposed Gold Street Bypass, adjacent to Bradley Street and adjacent to the Tax Map 691, Lot 143 (St. Augustine Cemetery).”

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ought to pass and be Enrolled.

On motion of Alderman Garrity, duly seconded by Alderman Ouellette, it was voted that the Ordinances ought to pass and be Enrolled.

21. **Ordinances**

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

“Amending the Zoning Ordinance of the City of Manchester by extending the General Business District (B-2) into an area currently zoned Residential Two Family District (R-2), including portions of two lots, Tax Map TPK1, Lot 61 (3 Master Street) and Tax Map TPK1, Lot 69 (800 Second Street). The intent being that the entirety of these two lots would be in the B-2 District.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multifamily) zoning district to include property currently zoned R-1B (Residential One Family) located on a portion of Tax Map 691, Lot 143-A that will be north of the ROW centerline of a proposed Gold Street Bypass, adjacent to Bradley Street and adjacent to the Tax Map 691, Lot 143 (St. Augustine Cemetery).”

“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 former Lawrence Branch of the B&M Railroad and including two parcels of land known as TM 875, Lot 14 and TM 875, Lot 15.”

On motion of Alderman Smith, duly seconded by Alderman Pinard, it was voted that the Ordinances ought to pass and be Enrolled.

22. Resolutions:

On motion of Alderman M. Roy, duly seconded by Alderman Sullivan, it was voted to waive readings of the Resolutions.

“Continuation of the Central Business Service District.”

“Authorizing the Finance Officer to Make Certain Budgetary Closings for the Year 2009.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 712707 WWTF Facility Plan Phase 2 Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 712307 Cohas Phase 2-Contact 1 that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711906 CSO Poor/Schiller Street Area Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711405 WSPS-Roof HVAC Piping Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711205 Replace Sludge Dewatering Equipment Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 711105 CSO-Phase 1 (Bremer Street) Project that is no longer required.”

“Rescinding authorization on unissued Bonds, Notes or Lease Purchases for an Environmental Protection Division – CIP Project 710203 S Main North Project that is no longer required.”

*On motion of **Alderman Shea**, duly seconded by **Alderman Pinard**, it was voted that the Resolutions ought to pass and be Enrolled.*

- 23.** Communication from Matthew Normand, City Clerk, requesting the Board set the polling hours from 6:00 a.m. - 7:00 p.m. for the Municipal Primary Election scheduled for Tuesday, September 15, 2009.

*On motion of **Alderman Pinard**, duly seconded by **Alderman Lopez**, it was voted to approve the request for polling hours.*

- 24.** Communication from Matthew Normand, City Clerk, submitting a warrant pursuant to RSA 466:14 to be issued to the Chief of Police for civil forfeitures for unlicensed dogs; requesting authorization for the City Clerk to remove names from the listing as deemed appropriate.

*On motion of **Alderman Osborne**, duly seconded by **Alderman Ouellette**, it was voted to approve the warrant.*

- 25.** Communication from Jay Minkarah, Economic Development Director, requesting approval of the proposed acquisition of the Raphael Social Club property at Granite & Second Streets.

*On motion of **Alderman Smith**, duly seconded by **Alderman Shea**, it was voted to approve this item.*

TABLED ITEM

26. Appropriating Resolutions:

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

On motion of Alderman Lopez, duly seconded by Alderman O’Neil, it was voted to remove this item from the table.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted that the Resolution ought to pass and be Enrolled.

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

(Note: Tabled 5/05/09. Retabled 5/26/09, Representatives from Intown Manchester and the CBSD Advisory Board were asked to attend.)

On motion of Alderman Lopez, duly seconded by Alderman O’Neil, it was voted to pass and Enroll this resolution.

27. NEW BUSINESS

Alderman Smith stated I believe that we had something passed out very late in regards to Trinity and the Al Lemire Field. I would like to call upon Chuck DePrima to make a presentation. I believe everybody has a copy of the two options.

Mayor Guinta stated I apologize, Alderman. I was asking the Clerk something. What is the presentation for? Is it for approval of something?

Alderman Smith replied it is for approval from Lands and Building, which was voted unanimously. We have two options that Trinity gave us. I guess it is recommended that we take option number two.

Mayor Guinta asked we need to do it tonight because there's...

Alderman Lopez asked are you making a motion?

Alderman Smith stated I'd like to have Chuck come up and make a presentation because there was somewhat of a controversy between myself and the City Solicitor. I would like to have Chuck come up and explain option number one verse option number two.

Mr. Chuck DePrima, stated based on the previous discussion at both the full Board meeting and the Lands and Building Committee when this was first presented, there are now two options before us. After numerous discussions with Trinity, the City was understandably apprehensive about entering into a 30 year agreement with Trinity High School and the Diocese of Manchester with regards to the field and their cash outlay to improve the outfield, which has been in desperate need of repair for quite some time now. The latest agreement you see before you, in option two, which I think is the better of the two options, Trinity High School is now agreeing to pay \$80,000 immediately towards the field improvements and towards construction and they enter into a ten year only agreement with the City, up for renewal and discussion at that time. At that time, it would probably be in the best interest of the City, and they have agreed to it, to pay \$5,000 a year, possibly tied to a ten year lease, to maintain the field at \$5,000 a year.

Mayor Guinta asked is there a recommendation from Lands and Building?

Alderman Smith replied there was a recommendation, subject to approval of Trinity. Trinity gave two options and apparently option number one was not allowed by the Solicitor so option number two is the best course for the City at this time.

Mayor Guinta asked is that your consensus as well?

Mr. DePrima replied it is.

Alderman Shea stated I'm for this, of course. Chuck, in the event that, for whatever reason, Trinity does not exist, what would happen? In other words, are there any contingencies that would cause any problems?

Mr. DePrima replied the agreement would be, as I understand it and the Solicitor could probably clarify this, that the agreement would remain in effect only as long as the entity that occupies Trinity is a diocesan entity.

Alderman Shea asked for whatever reason Trinity was no longer in existence, then all these contractual agreements being drawn now would cease to exist?

Mr. DePrima replied that's my understanding.

Alderman Shea asked even if another entity took over that represented the diocese? I'm just using this as an example, but a middle school, would that impact the agreement?

Mr. DePrima asked a City school or a private school?

Alderman Shea replied a diocesan middle school rather than a high school. Would they have access like Trinity or would that make the contract null and void because Trinity is a high school and it wouldn't be of the same type? What I'm trying to get across is this an agreement with the diocese or with Trinity High School?

Mr. DePrima replied it's an agreement with, as stated in the letter, the Roman Catholic Bishop of Manchester. Any diocesan entity that occupies that building would have the same contract as Trinity.

Alderman Shea stated that's fine. As long as that is spelled out.

Alderman O'Neil stated I'm confused on this. The Finance Officer in a letter on May 29th recommends option number one. The only difference that I can see is the annual maintenance. I'd like to know what is not legal about that.

Mr. Tom Clark, City Solicitor, replied to make clear, I am not stating that option one is illegal. What comes into play is the procurement code. The procurement code provides that if a City lets a contract in excess of \$25,000 it is subject to procurement code. Therefore, under option one, where presumably the City contributes \$40,000 to the roughly \$80,000 cost of rehabbing that field, since it is more than \$25,000, it would be subject to procurement code and an Ordinance from this Board exempting it. It would have to go out to bid. Under option two, where Trinity is contributing the entire \$80,000 to rehab the field and is going to take care of contracting for that project, subject to City approval, since there are no City funds involved, it would not be subject to procurement code and would not have to go out to bid.

Alderman O'Neil asked Your Honor, if option one is the best option, why wouldn't we suspend the code?

Mayor Guinta asked we can suspend, correct?

Mr. Clark replied as this Board has done in the past, you could pass an Ordinance providing that this project is exempt from the procurement code.

Alderman O'Neil asked Mr. Sanders is that still your position?

Mr. William Sanders, Finance Officer, replied yes.

Mayor Guinta asked is it a suspension or it an actual drafting of an Ordinance?

Mr. Clark replied in the past you have done it by Ordinance. That Ordinance could be drafted relatively quickly.

Mayor Guinta asked in the next five minutes?

Mr. Clark replied it might be a little longer than five minutes.

Mayor Guinta stated than we would suspend.

Mr. Clark stated you could pass an Ordinance exempting this Ordinance from the procurement code. You could suspend the rules to do that.

Alderman Gatsas stated for clarity's sake, I believe you went out and got three quotes on the sod. It's not like this hasn't been vetted through the procurement code.

Mr. Clark replied that's correct.

Mayor Guinta asked is it the preference of the Committee to actually take option one, knowing this information?

Alderman Shea replied I would assume so.

Mayor Guinta replied let's withdraw the original motions and let the Solicitor state a motion so we can move forward.

Mr. Clark stated I guess I could state an Ordinance in brief form. I'll do the provisions of the Code of Ordinances, notwithstanding. This particular procurement for the rehabbing of the field in Al Lemire Fields at Derryfield Park is exempt from the provisions of the procurement code.

*On motion of **Alderman O'Neil**, duly seconded by **Alderman Garrity**, it was voted to approve the rehab the Al Lemire Field in conjunction with Trinity High School, subject to a suspension of the procurement code.*

*On motion of **Alderman O'Neil**, duly seconded by **Alderman Smith**, it was voted to suspend the rules.*

*On motion of **Alderman Smith**, duly seconded by **Alderman Ouellette**, it was voted to accept option one from Trinity High School.*

Alderman Gatsas stated we're going to have to find the \$40,000 out of our special fund to secure our side of it.

Alderman Smith stated I think we already did that.

Mayor Guinta asked that was voted at the last meeting, wasn't it?

Alderman Sullivan stated I have a question for the Solicitor. I'm still not clear on the success of the interest provision here. I'm hearing that as long as this remains diocesan, but that doesn't seem to square with what's in written form in front of us. What if Trinity

transforms from a diocesan institution to a private, non-corporate institution operated by a religious order? What happens then?

Mayor Guinta replied this is within the diocesan, so if it's a non-diocesan entity it is null and void.

Alderman Sullivan asked it could still be operating as Trinity High School, even if the diocesan spins it off?

Mayor Guinta replied correct.

Mr. Clark stated I think the plan is that option one allows Trinity High School or a successor to retain first priority at Derryfield. This is going to have to be reduced to an agreement between the City and the diocese. That could all be subject to the final written agreement.

Alderman Lopez stated everyone received a correspondence from Friends of Cashin Senior Center asking you to waive the fees for this years' fund raiser for the Senior Center.

On motion of Alderman Lopez, duly seconded by Alderman Pinard, it was voted to approve this request to waive fees.

Alderman Shea stated I read in the paper that Hands Across the Merrimack has incurred some damages, which were forecasted by members of this Board. Who is going to pay to replace all of those items and where is the money going to come from?

Mayor Guinta replied Helen Clossen, our dear friend and advocate of this bridge, has been in constant contact with our office. We're trying to work it out. When we do have a solution or an answer we'll get it to the Board in writing.

Alderman Shea stated hopefully, that will be private funding, Your Honor, rather than public.

Mayor Guinta stated we hope so.

Alderman Gatsas stated we heard this evening for two and a half hours from people that have had their lives shaken up because bus service was not going to be on Saturday and bus service was going to be terminated. I think that the commissioners of the MTA, along with the management team, should have a special Board meeting to address this because it seems as though...I want to refresh my colleagues' memories who have been around for the last ten years, that every three or four years we start having a problem and the employees, and the riders of the MTA start getting alarmed by different situations that are happening. We need to get this squared away. We need to find out how we're going to reverse this situation at the MTA so the people who are riding the buses and have their daily lives affected can put their heads on a pillow and have some rest. I don't think that it's fair that we put them through this. I know we didn't, but after listening for two and a half hours, they almost had me convinced that we did. I think that certainly, Your Honor, that commission needs to come in here and answer some tough questions. I'm hearing from the bus drivers that the morale is awful and conversations at the bus station are awful. We are hearing that the people riding the buses are in a very distressed situation. That has to change immediately. If it needs to change because we change management then that's what we need to do. This needs to end.

Alderman Shea stated one woman stated a disturbing fact that one-third of the money goes to salaries.

Mayor Guinta stated there is a lot of misinformation on this issue. First of all, their appropriation was not cut. Let's start with that. Their appropriation was not cut. I wish that we as a Board of Mayor and Alderman could have a dialogue with the public at that particular moment, but, unfortunately, because it is a public hearing we're not allowed to do that. They got \$900,000 last year and \$900,000 this year. They were level funded. I'm going to send a letter to every single person who came here and I will invite them all to that public meeting so they can hear from the executive director and his employer about how those people came to obtain this information. I heard from several people that it is MTA giving them this information. I would like to think that we are a City that deals with our troubles in a professional and businesslike manner. It was very clear to me that people who ride the bus on a daily basis were in fear of not having bus service. That's not acceptable. I would agree and concur with that 100%. I would agree that the sentiment is that this Board did something. We told MTA one year in advance that this would be their budget. I will have a conversation with Mr. Roessel.

Alderman Gatsas asked are you going to call a special meeting?

Mayor Guinta replied yes, absolutely. That should not happen to the people who need bus service on a daily basis, particularly to get to work or to medical care that is required. I will certainly call that.

Alderman Sullivan stated with all due respect, Your Honor, I think it is a little disingenuous to say that they are being level funded. We cut their budget last year to that \$900,000 level, but we also told them to tap their reserve funds. They broke the piggy bank open already. That money is gone. They can't tap those reserves again. Let's not kid ourselves. There are going to be some financial issues facing our transit system. Do I agree that there are some serious management issues over there? Yes, I do, but let's not kid ourselves that they are really being level funded.

Mayor Guinta stated Alderman, some people came into this room thinking that the entire Transit System was going to be eliminated. With due respect to my colleagues and the members who run MTA, I don't think that is a fair assessment for people who require and demand transit assistance on a daily basis should have to go through. Are there challenges that we are having? Of course. I don't want to hide that. We would expect people to manage through the challenges, particularly when I gave them a year's notice that this was what the budget was going to be proposed as. I did that at a public meeting when the budget was adopted last year.

Alderman Shea asked has Saturday service been curtailed?

Mayor Guinta replied as of now, no. It's something that is being discussed by MTA, but nothing has changed. Not one thing has changed.

Alderman M. Roy stated thank you for the indulgence on a different subject, Your Honor. Something I know your office has been working on with the makers of the budget is temporary employees. I had a conversation earlier with Alderman Lopez and your office. What is the current status of temporary employees at the Clerk's Office and Parks and Recreation? I don't believe that they are technically new hires, but I believe they are returning part time employees.

Alderman Lopez stated I've had some conversations with Alderman O'Neil and a couple others. Temporary employees, or those who are under contract, receive no benefits and have no bearing on the vacancy positions if authorized in the department. An example would be the City Assessors. If there is money in his budget for a new assessor he has to come to this Board and get approval.

Alderman O'Neil stated I agree. The intent of the person who led that discussion a week ago was not to hold up the seasonal or temporary hires. That was not my intent, I can tell you that.

Alderman M. Roy stated I want that on the record. I know that there has been some confusion as to whether those positions are available.

On motion of Alderman Smith, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

City Clerk