

BOARD OF MAYOR AND ALDERMEN

October 20, 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, DeVries, Garrity, Smith, Ouellette

Messrs: P. McGinnis, M. Boldin, S. Bird, M. Landry, K. McCue, P. Capano, D.
Preece, B. Duval, D. Mara, L. LaFreniere, T. Arnold, S. Lorentzen, B.
Winn

3. Presentation by Mayor Guinta recognizing Patrick McGinnis, Spc., New Hampshire National Guard Counter Drug Task Force.

Mayor Guinta stated I would like to call up Patrick McGinnis, Marty Boldin, General Steven Bird, Major Andrew Anderson, Chief Warrant Officer Michael Green, Sergeant Major Steven Hoden, Officer Candidate Andrew Quigley and First Sergeant Dan Ward. Ladies and Gentlemen, we have a special honor this evening. Specialist Pat McGinnis is a member of the New Hampshire National Guard Counter Drug Task Force and is assigned to the Office of Youth Services as the environmental prevention specialist. He has provided OYS with critical support in its mission to provide information to children and families related to substance abuse prevention. He is also an Eagle Scout. Patrick has worked on several different projects, including his management of the 2009 Faces and Voices of Recovery Program in Manchester for inspired recovery. He also produces and manages the OYS newsletter and the Four Young People television show on MCTV. He

has worked to improve the OYS website and supervises the OYS Americore VISTA position. Beyond the time commitment of his assignment, Patrick has donated several hours to the Office of Youth Services. Marty Boldin, the Director, has said that his commitment to the City is an inspiration to the staff at OYS and to the many that he has helped in our City. He is moving on from his mission here serving the City and we wanted to honor and acknowledge what he has done for our community. We wanted to bring him and his colleagues here this evening. With that, I'd like to introduce Patrick McGinnis for a couple of words.

Mr. Patrick McGinnis, New Hampshire National Guard Counter Drug Task Force, stated thank you Mayor Guinta. This is a big surprise for me. I had no idea what was going on tonight. It has been a pleasure working at OYS. I'm moving on to support the other mission of the New Hampshire National Guard. Our unit will be deployed to Afghanistan in December so I will be over there for the next year and then coming back to the Counter Drug Task Force and hopefully working with OYS again. Thank you.

Mr. Marty Boldin, Office of Youth Service Director, stated I'd like to say thank you so much for coming to work with us. I'd like to thank the Counter Drug Task Force for supplying us with Patrick's services. He would be very proud and honored to work with you and we wish you a successful mission, but come home safe and soon.

General Steven Bird, Commander of the Army National Guard, stated I can't tell you how proud we are of the work that this soldier has done in this community and to know that we have other soldiers in other communities that are doing the same kind of work. It is a real source of pride as the Commander of the Army Guard to have soldiers like this under my command and working in our communities for the betterment of all our citizens. Patrick, thank you very much. One of the things that Commanders do is pass out their coin. Mine is red with one star on it. On the back it has the patches from each one of the units that comes under our command. It is a tradition that dates back into the Middle

Ages when the king used to give coins to his favorite warriors in case they got captured so they could buy their way home. Patrick, congratulations and thanks for a job well done in the City and a job well done in the National Guard. Good luck in Afghanistan.

Mayor Guinta stated I would like to conclude this by providing Specialist Pat McGinnis with a Mayor's Commendation. It reads, "For your contributions to the Office of Youth Services and the City of Manchester: As a member of the New Hampshire National Guard Counter Drug Task Force your knowledge and commitment have been invaluable to OYS and its mission to provide timely and effective substance abuse prevention information. As you prepare for your deployment to Afghanistan, we thank you for your service to City and country and we pray for your safe return". Thank you very much for your service and come home safely.

4. Master Plan Presentation by the Planning Board.

Mr. Mike Landry, Planning Board Chairman, stated I'd like to thank you for allowing us to come and present the draft Master Plan for Manchester. I'd like to introduce members of the Planning Board who are here this evening: Dan Pinard, Peter Capano, Don Pomeroy, and Pete Wasernault. The Master Plan Steering Committee did the lion's share of the work preparing this Master Plan. The Chairman of the Master Plan Steering Committee is Kevin McCue. Also on the Committee are Ray Clemens, Peter Capano, Karen Roberge, and David Preece of the Southern New Hampshire Planning Commission. I'd like to offer a brief overview of the Master Plan and then ask for your feedback and support of this draft Master Plan. After our presentation we would like you to ask any questions that you may have. Once adopted by the Planning Board, this proposed draft of Manchester's Master Plan will be the basis for future land use decisions. This draft of the Master Plan is intended to be flexible to allow the City to respond to changing needs and conditions. The Master Plan is not intended to be an absolute rule. Instead of dictating a set of rigid specifications, the Master Plan offers a set

of goals and associated strategies that can be used to achieve those goals. Meeting those goals depends upon a number of factors including available funding and a willingness on the part of the City and its citizens to work towards those goals. New Hampshire statute RSA 674:1 requires that every Planning Board established under the statute prepare and amend a Master Plan to guide the development of new municipalities. RSA 674:2 states that the purpose of a Master Plan is to set down as clearly and as practically as possible the best and most appropriate future development of the area, to aid the Board in designing Ordinances that result in preserving and enhancing the unique quality of life and culture in New Hampshire and to guide the Board in performance of its other duties in a manner that achieves the principles of smart growth, sound planning and wise resource protection. In addition to providing the vision for future growth, the Manchester Master Plan will also serve as the basis for the City zoning Ordinances, capital improvement programs, site plan reviews, subdivision regulations and building codes. In addition to these purposes, the Master Plan can also be used as a marketing tool to attract new companies to the area, including new high-tech companies to the City's technology park at Hackett Hill. Manchester's last Master Plan was established in 1993. Given the changes in the City and in the regional economy over the past 16 years, it is now time for an updated Master Plan. New Hampshire statutes require that the adoption of the Master Plan be a public process. In accordance with New Hampshire statutes, the Master Plan will be adopted by the Planning Board following a formal public hearing. Before the Planning Board adopts the Master Plan, we are presenting the draft to you tonight to give you a chance to comment on the plan and, if appropriate, provide your support. The Planning Board is scheduled to hold a dedicated public hearing on October 29th at 6:00 PM. This draft of the Master Plan is the product of several years of work by the Master Plan Steering Committee, which was created by the Planning Board. The Steering Committee has met weekly for years and has received input from the public from a series of well attended public meetings as well as an online survey. The group has also interviewed a number of City department heads for their recommendations. The Steering Committee also engaged the services of a qualified consultant and took advantages of the

resources made available by the Southern New Hampshire Planning Commission. This draft of the Master Plan is clearly the product of hard work by dedicated people. Should the Board of Mayor and Aldermen support this plan and the Planning Board adopt the plan, we will be sending you a letter requesting guidance for an implementation plan by City department heads. With that, I would like to turn the presentation over to Chairman Kevin McCue of the Steering Committee to offer some highlights and major strategies contained in the Master Plan.

Mr. Kevin McCue, Steering Committee Chairman, stated the first slide is broken down into sections of the plan, which coincide with each slide. The first one is the community profile for Manchester. The community profile provides a snapshot of the City through a variety of key statistics. There are quite a few statistics that we have developed to explain why we need a Master Plan. The City is growing. The historic Manchester segment includes strategies that would include city-wide demolition review and historic neighborhood protection measures. We feel that is very important for a City with the historic past that we have here. It makes a difference as we go into the future to make sure we do not take down or remove buildings inappropriately. Next is economic vitality and arts and culture. Under economic vitality we are looking for goals of higher education, improvements to the transportation system, growth of the Airport, completion of the Northwest Business Park and business assisted programs. These are some of the strategies that we have tried to incorporate into the plan to give guidance. Under the arts and culture area we are looking for strategies including public art displays, music and cultural activities and education and a possible art district. The next is housing opportunities. We would like to have a policy that reacts to market fluctuations, higher demand and provides for energy efficient and sustainable housing. We would like to have attractive gateways and corridors into the City to enhance the image of the City and, therefore, its ability to attract new businesses and residents. We want to update the quality of streetscapes and make the community more attractive and pedestrian friendly. This includes sidewalks, street trees, signage, lighting, street parking and street furniture.

We want to make Manchester more walkable and increase recreational opportunities to create a healthier lifestyle and reduce the need and use of automobiles. Alternative transportation and traffic management should be integrated to include methods such as bus systems, walking, and biking to provide a seamless and convenient way to get around the City without necessarily using an automobile. Traffic growth can be managed through intelligent traffic management systems and innovative traffic controls. We want neighborhoods to have the quality of life to improve traffic calming and enforce traffic regulations. Manchester's growing trail system can provide recreation, health and quality of life benefits to the community. Eventually, the trails will connect many of the City's neighborhoods and adjacent towns. Manchester has an excellent opportunity to enhance parks through management facilities and to connect neighborhoods and trails. Dog parks could provide a range of opportunity for its residents. Providing for natural areas such as trees can provide an environmentally friendly community and a more attractive City. Those benefits can be provided through the increase of street trees, green corridors and the preservation of natural areas. A sustainable City will improve the energy efficiency of homes, business, and infrastructure. It will increase the rate of recycling. The City will be designed to allow walking and biking in addition to auto traffic, which will be reduced, so it will be more adaptable to future global changes. The Master Plan reviews and provides strategies on key public facilities in the City. The neighborhoods of Manchester provide many of the functions required of City residents. The infrastructure and investment development and housing stability will promote a stronger City as a whole. Downtown is extremely important. We need to increase residential opportunities, upgrade its attractiveness, expand the downtown to the south and the west and look at the mixed use concept of development to bring more people downtown. The last and most important part of the Master Plan is land use. There are ten different categories of land use that we are looking at: central business district, general business, civic zones, neighborhood centers, technology production zones and conservation zones. Those are a few to give you an idea. Those are the ones that we have tried to give guidance and vision to about where we hope the City will go in the future. I believe the Master Plan is something that

the City can use because it is flexible and visionary enough. Hopefully, it is user friendly enough so anyone can look at it and understand it. That was a big part of this Master Plan.

Alderman O'Neil stated when I read the draft that was presented to us, one of the words that stood out, and Kevin touched on it, was neighborhoods. How can the Master Plan be a tool for the Planning Board to protect the neighborhoods of our City? In that same vein, how do you allow the neighborhood mixed use developments? My observation is that the Planning Board has wrestled with that in the last year or so.

Mr. McCue replied the way we want to try to encourage the neighborhood part...each neighborhood has a certain uniqueness to it and we're hoping that as the neighborhoods develop...as we did on Rimmon Heights and the Hollow. Those neighborhoods are starting to come back with vibrancy and unique qualities that represent the citizenry of the neighborhood. The City is working with them to develop the identity of each neighborhood. We feel we can create that as long as the Planning Board is careful in the way that they allow the applications to come through so they protect all the interests in the neighborhood and don't let things get out of control. What's in place right now will maintain that control and protection that we feel has to be there.

Alderman O'Neil stated it doesn't really address how the Planning Board can...it is a two folded question. One is to protect the neighborhoods and the other is how we allow for neighborhood mixed use developments.

Mr. McCue replied the mixed use developments are important because we feel that you have to allow the neighborhoods to develop off of some type of business center or some aspect that will keep people in the neighborhood. It could be a local grocery store, drug store, or hardware store. That is a big part of it. Another part of the mixed used aspect is what we saw on Cilley Road where we put up a building that has commercial

applications for the bottom level and for apartments on the top. They did a very nice job with that and the Planning Board was very stringent on what they expected and what they wanted. I think that was the key to the whole thing. We made sure that the mixed use concept was well controlled and done correctly. It is an important strategy to develop in these neighborhoods to make sure that the neighborhoods come back strong. Looking at the future, I really think that Manchester has tremendous potential because the neighborhoods already existed at one time. All we are doing is taking the neighborhoods that were there before and redeveloping them. We're hoping that is going to be the way we get this to work.

Alderman O'Neil stated I appreciate Mr. McCue's comments because we did have these great neighborhoods at one time, but we lost them. Hopefully, we can bring them back. The Master Plan does address it. It seems like the Planning Board has wrestled with some of the development projects that have come before it over the past year. Some they have approved and others they have had a hard time with.

Alderman Lopez stated I've had many conversations with these people. One of the major areas I am concerned about is the execution stage. What method are you recommending to this Board? My understanding is that the Planning Board's Master Plan, if we don't comply with it...what would your execution plan be to the departments?

Mr. McCue replied I think I would start with a top down approach. I believe that once the Board of Mayor and Aldermen offer their support, we can ask for your help to create and develop an implementation strategy with the department heads. You are right that it is very important. Some of these departments have a lot to do with the development of the City. I think Highway is a big one. It is a team approach. I don't think this is going to be driven by the Planning Board. I think it needs to come top down, from the Mayor and Board of Aldermen to the department heads and down from there.

Alderman Lopez asked do you think that the Community Improvement Five Year Plan should coincide with the Master Plan?

Mr. McCue replied I would hope so. I think everything should dovetail and I think everyone should be talking to each other. The right hand should know what the left hand is doing. More communication would facilitate more integration between the Five Year Plan and the Master Plan, which is a longer term vision.

Alderman Lopez stated I want to commend you all for doing an excellent job because we have seen you on TV working at night for a long time, arguing back and forth in order to come up with a great document. I totally support it.

Alderman DeVries stated I would like to echo the sentiments of Alderman Lopez. I spent many sleepless nights watching the replays of your meetings. Sometimes they were hard to follow because of the structure, but they certainly gave us a good idea of the work in progress and many of the items that went into it. I think Alderman Lopez began to touch on what is really going to be critical to the City. Something that I have heard from constituents from the time I spent working with the Planning Board is the right hand does not know what the left hand is trying to accomplish. This is absolutely an issue. As an Alderman I know I have worked very hard to get more sidewalks on some of the critical streets that aren't very walkable. It is very difficult to receive funding to accomplish that because it falls outside of the school walk zone so the only grant money that seems to be available is school related. It is so important to know that when we have designated a street to have sidewalks...somehow we reinforce that repeatedly. It is very frustrating. Many older neighborhoods have strips of a couple hundred feet of sidewalk and that's it because one developer chimed...it has to help us as Aldermen when we go to look to find small pots of money to expand on that and eventually have a decent structure to present to our constituents. Sidewalks are definitely an issue that I hear constituents want. Unless we can provide pedestrian safe travel ways, I think it will continue to be an emphasis

from constituents. What I didn't hear as much during the meetings was the coordination with programs such as Community Economic Strategy and I'm sure you correlated the two documents because I think we just completed a census last year to make sure the two documents were meshed. Those strives are HUD funding and that is the source of many grants that come into the City to complete projects. Was there synergy between the two?

Mr. Peter Capano, Master Plan Steering Committee, replied yes. One of the advantages we have today is technology. We're able to link the 1993 Master Plan and other Master Plans that we have done with the Parks and Recreation Department and a few other City departments that have plans and then link in the Hackett Hill Master Plan. We're able to do that with this plan and that is a tremendous advantage, which makes it a very usable and viable plan, rather than going back to a textbook and thumbing through the pages trying to find where they mention something useful. It isn't a criticism of the older plan, it is just that the technology today allows us to do that. That is something that we definitely tried to incorporate into this plan to make it a very workable plan that has a lot of other sources of information besides what's on the pages.

Alderman DeVries stated if I had a criticism of the plan in front of us today, it would be a lack of coordination with our abutting neighbors. We should see what they have developed for their Master Plans and their communities. I understand that they are frequently very old and outdated and difficult to interpret to see if you are looking at a living document, but it is something that David Preece was encouraging. I think we have to continue to think regionally when we are looking at a document like a Master Plan so we can strategize with the surrounding communities and try to be in step with the growth opportunities that they are presenting and make sure that we are in sync. We need to maximize any opportunities that may exist for services. If there is an industrial park planned for one community, it would make sense that there is going to be an influx of traffic and congestion that comes from that. It would seem that we would need to know that for our own document and plans for the future. It seems like we have started to think

about that, but I don't think we have gotten there. It became very apparent to me as I helped out with a rezoning, which I think is something that has come back to your Board because it was one of the recommendations of your Master Plan. It was a rezoning opportunity on the extreme southern end of Manchester to determine whether it should be multifamily or something else. I hear questions about whether we have investment issues and whether it should stay suburban or should be something else. There is a lot of criticism of it going to a high density housing category. That is something that I hope you continue to look at because of the congestion at the schools. I haven't heard too many of my constituents saying that that is the best use so I have other suggestions. I'm not sure what the true consensus of the neighborhood is. The majority of the property owners don't seem to want multifamily. I don't know if you are familiar with the property that I am referencing. It is on the extreme end of South Mammoth Road, but that would be one...I hope this is a living working document. I would hope that before this document is finalized we could continue our conversation.

Mr. Capano stated if I may address that point directly, that decision...and I'm not sure if MCTV was there that night or not, but that was a good discussion. We went round and round. They didn't make all of our meetings, but did a good job attending. The reason we got to that point was because we knew that Londonderry was looking to rezone and make businesses in the land immediately to the south. We did take into account what was happening around the area and that's how we got to where we are. We considered making that industrial land, but then figured it was more of a runt piece and would not be big enough. The natural buffer is the PSNH power line easement. Therefore, we recommended that land as multifamily residential. In the end we thought that was the best use because the folks who are going to work in that industrial property, just over the border in Londonderry, are going to need a place to live. That was the mindset.

Alderman DeVries stated I can appreciate the though process that goes into it. The feedback that I get from many taxpayers is that they feel that Manchester has become the bedroom community to surrounding communities that are reaping the benefits of their tax base through industrial or commercial opportunities. I'm not sure that the taxpayers think that further crowding at the surrounding schools is in their best interest. This is a multiphase implementation. The zoning aspect is going to be a discussion at a public hearing. It doesn't automatically get adopted when there is action on the majority of your report. Am I correct?

Mr. Capano replied you are correct.

Alderman DeVries asked if we act on this document with a vote this evening, it doesn't mean that any rezoning recommendations are automatically going to be adopted? They are just recommendations?

Mr. Capano replied that's right.

Alderman DeVries stated I hope that Planning, Zoning, Aldermen and School Boards can figure out a way to communicate with each other better because I do believe that's where we need to continue to work on a common strategy. Are we utilizing our plans and our talent to the best benefit? I hear your discussions talking about sidewalks. That's just one minor example. Rezoning and variances are another piece of it. Are we all on the same page? I'm not sure we are because I don't think we have enough conversations between us as Board.

Alderman Shea stated one of the points that I want to make is the idea of housing opportunities for the homeless. I think that is very essential and I know what was mentioned about neighborhoods is interrelated with this. I think that the idea of

homelessness and trying to help people with housing opportunities is very important. I know that the advocated ten year plan is important, but I think that as a community, we have to work at that particular phase because housing can be one of the chief components of keeping families together. In many instances, as property owners, we forget that we are in position that other people may not be. I think that is very significant and it adds a lot to neighborhoods.

Alderman O'Neil stated I want to add onto the implementation plan or process. It is nice to have a document, but you need to make it work. Currently, our process can be slow, burdensome and bureaucratic. Does the implementation plan belong in the Master Plan?

Mr. Capano replied I don't know if it specifically belongs in the Master Plan, but I think it has to consider the ramifications of what the Master Plan will bring. Again, without the implementation of some of the suggestions or goals of the Master Plan there will be a lot of unhappy people out there. They want to see certain things develop a certain way. That is not to say that something has to be done our way, but based on the input that we have received and what we see for the future, we have to look at sustainability, environmental issues, school situations, population growth and the problem with housing. These are all things that have to be looked at in a very serious way. Without getting the buy-in from the elected officials who run this City...we have to make sure that we have their support. Financially, not many of these things can be done easily. It is going to depend on the Board of Mayor and Aldermen to step forward and make it work. The guidance is there to make it work. This didn't come from me, Peter or Ray. This came from a lot of people who have given input into this document. They vote too. They are taxpayers in the City and this is what they are looking for. This is what they want to see. This is the vision of their City that they want to see in the next ten years. It is important that we have this concept out there, so that the people who control the purse strings know it and know that they have to get this done. This is not specific to every plan we have or everything we ask

for, but certainly for the general concepts and attitudes. That's why Master Plans are so important. I hope that answered your question, Alderman.

Alderman O'Neil stated I think there needs to be a strong statement to make the process work because those same people that you talk about are the same people that tell me that the current system doesn't work.

Mr. Capano stated I agree with you. I don't envy any of you for the job you have. It is at the point where we did the best we could to get this information as usable and doable as possible. Now we are turning it over to the next stage, which is the implementation. We want this to be a flexible document because things and situations change.

Alderman J. Roy stated I want to commend the entire Committee. They did a lot of hard work and came up with a good document.

On motion of Alderman J. Roy, duly seconded by Alderman M. Roy, it was voted to support the Master Plan, without recommending all of the rezoning changes.

Alderman Lopez stated there is another public hearing scheduled. Do you see any changes to the Master Plan?

Mr. Capano replied not at this point.

Mr. McCue stated we want to point out that we did have a strategy for housing for the homeless. It references the ten year plan. Hopefully, that will get the word out that that is an issue to address. Also, given what we heard from Alderman DeVries and Alderman O'Neil, we will take a look at strengthening a process statement and trying to weave it through a couple places.

Alderman Lopez stated I want to clarify that because if we are accepting this plan, all the department heads should be looking at this and moving on a five and ten year plan to comply with it. That is the execution stage that I was getting at.

6. Presentation by the Greater Manchester Chamber of Commerce Joint Sustainability Committee.

Mr. David Preece, Southern New Hampshire Planning Commission, stated I'm the Chairman of the City of Manchester Chamber of Commerce Joint Sustainability Committee. This is a partnership between the Greater Manchester Chamber of Commerce and the City of Manchester. As you recall, this Committee was established in August of this year. You gave us some specific requirements to flush out a mission statement and to come back with a set of short and long term goals for the Joint Sustainability Committee. We have several Committee members in the audience tonight. I would like to acknowledge them because we have been meeting on a very regular basis, every two weeks, to flush out our goals. To my right is Jillian Harris from the Southern New Hampshire Planning Commission; Pam Goucher and Jonathan Golden from the Manchester Planning and Community Development Department; Robert Duval from TF Moran; Barry Basigner; Nick Lassos; Sean Thomas; Jay Minkarah from the Manchester Economic Development Office; Mike Skelton; Kevin O'Maley; Kevin Sheppard; Fred McNeil; Tom Bowen from Manchester Water Works; Tim McCloury; Carl Frank; Alderman Peter Sullivan and Rick Smith who is also representing the Chamber. The mission statement that we came up with is that the City of Manchester Joint Sustainability Committee, a partnership of the City of Manchester and the Greater Manchester Chamber of Commerce, is dedicated to making Manchester an environmentally sustainable City. Through efforts in waste reduction, energy efficiency, alternative and renewable energy, land use and transportation, green jobs, educational campaigns, law regulations and other activities the City of Manchester can achieve multiple benefits including saving energy and money, reducing environmental impacts, improving economic vitality and the quality

of life, utilizing schools, businesses, individuals, developers and organizations within the community and the region. The City of Manchester's Joint Sustainability Committee will take action in promoting sustainable practices and policies. We have done this by dividing our goals into seven areas. First is general, which is basically an educational tool to educate the public, the department heads, and businesses about the practices of sustainability. Next is waste reduction, energy management, efficiency, alternative and renewable energy. The next topic is land use and transportation. It is followed by water quality and conservation, habitat restoration and green jobs. We have passed out the goals that we have identified for short and long term. The short term goals we are hoping to accomplish within the next six months to a year and the long term goals within a year to three years. We're very excited about this because this is the first venture to combine both the Chamber and the City on a very important project. Are there any questions tonight?

Alderman O'Neil asked was there any one area that was completely off course in City government?

Mr. Preece replied I wouldn't say off course, but I think there is a tension that needs to be paid attention to. For instance, in the area of recycling, we have a great curbside recycling program for residents. We should have one for the Downtown Merchants Association and we should definitely have one for City Hall. That is an example of something we could strengthen.

Mr. Bob Duval, TF Moran, stated I would like to share the observation that struck me. When we were putting this together and talking with department heads, it amazed me how much the City was already doing that wasn't being publicized or being done in a coordinated way. One department may have had a paper reduction policy, but another department didn't. What really struck me was how much was already being done and how much the City was already thinking along those lines. I think one of the benefits of this Committee is that we can bring greater attention to these practices that are already being

done, build upon them and implement them Citywide and business wide and really see some benefits quickly.

Alderman Smith stated in the long term you have an education program. I really believe in recycling. I want to know what the citywide recycling goal would be and how you would educate the public into full time recycling.

Mr. Preece replied one of the ways we can accomplish this is by showing students how much energy can be saved by the simple act of recycling paper, cans and plastic containers. It could be as simple as that. We need to have that information available to our schools, residents and businesses.

Alderman Smith stated if we had a good recycling program it would save the City money. It would be a revenue source to the City. You wouldn't have the influx of dire locations if you had a recycling program. I think the message is good, but I would like to know more about how you are going to inform the household owners.

Mr. Preece replied that is the task the Committee has. We have to take the long and short term goals and to flush them out within the next six months. That is what our task is. We will be working very closely with the department heads, the Chamber and the business in implementing these goals.

Mr. Duval stated I would also like to point out that David Preece and Kevin Sheppard went through the structure of the various schools with a working group and department heads to reduce waste. We're setting specific measureable goals for increasing our recycling amount. Committee meetings are televised on MCTV. We also expect to have community outreach programs. For example, we want to have a segment on MCTV where we can talk about recycling issues, announce and publicize programs, and make

presentations in the schools. This is all part of this group working together to bring together schools, businesses, and government.

Alderman Shea stated I noticed that your first short term goal is to review and comment on the drafting of the Master Plan. I think Pam is on both Committees and I wondered if you have anyone else who would be that kind of link.

Mr. Preece replied we're hoping to have a direct link between what the Joint Committee is doing and what recommendations have been put forward in the Master Plan. We see this Committee as a way to implement many of the goals that have been identified in the Master Plan as they pertain to sustainability.

Alderman Shea asked you're going to work as more of an agent of implementation rather than getting too involved in the Master Plan itself?

Mr. Preece replied that's correct. We're more of an implementation tool of the Master Plan.

Alderman Sullivan stated I want to thank you and Jillian for all the time and effort that you have put into the Sustainability Committee. There is a lot that goes on behind the scenes and you're to be commended for it. I hope the members of the Board appreciate everything that you have done. I want to emphasize the role the Chamber of Commerce is going to be playing in this process. By bringing the public and private sectors together I think we can make this whole process work a lot faster, smoother and work in a way that makes Manchester a green City and more economically viable and attractive. One of the things we have talked about is recycling and the lack of it downtown. I think our chances of having a strong recycling program for the downtown business community is enhanced by bringing the Chamber of Commerce into the picture. We can act in a collaborative manner with the small business owners, hear their concerns, and make this work so that it

meets their needs as well as the larger picture needs of the City. I really look forward to seeing where this Committee goes over the next six months to a year. Again, I thank you for everything you have done for this Committee.

Mr. Preece replied I thank you for your support that you have given this Committee throughout the last three months.

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.

Information to be Received and Filed

- A. Monthly Bulletin from the City of Manchester Health Department for October 2009.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- C. Resolutions:

“Authorizing General Airport Revenue Refunding Bonds in the amount of One Hundred Fifteen Million Dollars (\$115,000,000) for Refunding Certain Outstanding Municipal Revenue Bonds of the City issued on Behalf of Manchester Airport.”

“Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for the FY 2009 CIP 214509 Homeless Health Care – American Recovery & Reinvestment Act Program.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Three Thousand Four Hundred Three Dollars (\$53,403) for the FY 2010 CIP 410510 Justice Assistance Grant Program.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty Thousand Nine Hundred Thirty Seven Dollars (\$380,937) for the FY 2010 CIP 412410 COPS Child Sexual Predator Program.”

“Amending the FY 2010 Community Improvement Program authorizing and appropriating funds in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000) for the FY 2010 CIP 511310 McIntyre Ski Lodge Reconstruction Project.”

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

- D.** Communication from Journey Ewell, Co-President of the Friends of the Manchester Animal Shelter, requesting an amendment to the Service Contract between the Friends of the Manchester Animal Shelter and the City of Manchester.

REPORTS OF COMMITTEES

COMMITTEE ON HUMAN RESOURCES

- E.** Recommending that the recommendation from Jane Gile, Human Resources Director, to compensate the Office of Youth Services workers who rotate coverage from the Substance Abuse Hotline at \$210/week be approved.
The Committee notes that an Ordinance prepared by the City Solicitor is attached.
(Unanimous vote)

COMMITTEE ON JOINT SCHOOL BUILDINGS

- F.** Advising that it has accepted the school construction updates for the Highland Goffs Falls and Manchester School of Technology projects as submitted by the Facilities Division and is forwarding same to the Board for informational purposes.
(Unanimous vote)

- G.** Advising that it has accepted the Design/Build project updates as submitted by Facilities Division and is forwarding same to the Board for informational purposes.
(Unanimous vote)
- H.** Recommending that a recommendation from the Facilities Division to utilize available funds from the School Design/Build project to repair or replace the Central High School roof and gymnasium floor be approved subject to the review and approval of the Finance Officer and City Solicitor.
(Unanimous vote)
- I.** Advising that it has accepted activity summaries from the Facilities Division 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 M. ROY, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- B.** Approved minutes from the Commission meeting held August 25, 2009, August 2009 Financial Report, and August 2009 Ridership Report submitted by Evan Rosset, Executive Director MTA.

Alderman Shea stated I would like to call to the Board's attention item D on page six. It has to do with the 2010 budget update from the MTA. I want to read what it says here: "It was reported by the Executive Director that with the state of New Hampshire using stimulus funds for operating, we no longer have the budget shortfall that we thought we were going to have." I realize we had a lot of discussion about that, Your Honor, when the MTA budget was being developed. Now the MTA system will be operational without impairing anyone in the City.

On motion of Alderman Shea, duly seconded by Alderman J. Roy, it was voted that the minutes from the MTA Financial Report be approved.

8. Nominations presented by Mayor Guinta.

Timothy Barton to succeed Bethany Plumpton (resignation) as a member of the Safety Review Board, term to expire March 15, 2012

Cameron DeJong to fill a vacancy as an alternative member of the Heritage Commission, term to expire January 1, 2011

9. Confirmations presented by Mayor Guinta.

Revolving Loan Fund Board

Francis Fernando as a member, term to expire June 1, 2012

Parks, Recreation & Cemetery Commission

Richard E. Powers as a member, term to expire July 7, 2012

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to approve the confirmation of Francis Fernando.

On motion of Alderman Smith, duly seconded by Alderman O'Neil, it was voted to approve the confirmation of Richard E. Powers.

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

Mayor Guinta called the meeting back to order.

12. Reports of the Committee on Finance

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

“Authorizing General Airport Revenue Refunding Bonds in the amount of One Hundred Fifteen Million Dollars (\$115,000,000) for Refunding Certain Outstanding Municipal Revenue Bonds of the City issued on Behalf of Manchester Airport.”

“Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for the FY 2009 CIP 214509 Homeless Health Care – American Recovery & Reinvestment Act Program.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Three Thousand Four Hundred Three Dollars (\$53,403) for the FY 2010 CIP 410510 Justice Assistance Grant Program.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty Thousand Nine Hundred Thirty Seven Dollars (\$380,937) for the FY 2010 CIP 412410 COPS Child Sexual Predator Program.”

“Amending the FY 2010 Community Improvement Program authorizing and appropriating funds in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000) for the FY 2010 CIP 511310 McIntyre Ski Lodge Reconstruction Project.”

ought to pass and be Enrolled.

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

13. Report(s) of the Committee on Community Improvement, if available.

The Committee on Community Improvement respectfully advises, after due and careful consideration, that the communication from Community Legal Services Inc. requesting funds to be used to purchase a laptop and printer for a Manchester-based Hillsborough County clinic has been received and filed.

On motion of Alderman Garrity, duly seconded by Alderman Smith, it was voted that the request for funds to be used to purchase a laptop and printer for a Manchester-based Hillsborough County clinic has been received and filed.

Alderman DeVries stated I would like to make a motion that we request staff to reach out to this individual, not to insinuate that we're willing to make a donation, but to see if space could be offered by the City in lieu of what is being presented. Also, I would like someone to do some further checking into the validity of this agency. I know that several of my constituents over the years have indicated that there are holes in available legal services. Though I agree with what was said at the CIP Committee, I'm hoping we can have someone reach out and see if they are legitimate or facilitate this without costing the City anything.

Mayor Guinta stated there is already a motion on the table to receive and file. These services are already provided in the City through CIP funds by another entity.

Alderman DeVries asked I would assume you are referencing Legal Aid?

Mayor Guinta replied yes.

Alderman DeVries stated the situation I am referencing is people saying that their problems were not something that Legal Aid would work on.

On motion of Alderman DeVries, duly seconded by Alderman Ouellette, it was voted to have the Solicitor's Office reach out to Legal Aid to confirm their legitimacy and if satisfied, see if there is a way to facilitate, at no cost to the City, the internet hookup they are requesting.

Alderman O'Neil stated I opposed the vote in Committee. I would have liked to see some more information. The more I thought about it, there were a lot of holes in the presentation that was made. I don't know if that particular program is right for the citizens of Manchester. That's why I voted in favor of the committee report even though I opposed it in Committee. I don't know that we need to spend time with this agency.

Alderman DeVries stated I'm not sure I disagree with you based on the presentation. I didn't come off with a much different thought, but I know that there was a local attorney who was willing to offer extremely discounted legal services to constituents and I have heard over the years that many constituents cannot find the kind of pro bono or discounted legal services that might be offered.

Alderman O'Neil stated he wasn't a local attorney. He is from western Massachusetts.

Alderman DeVries stated in his presentation he said he had a Manchester attorney that would be working on this.

Mayor Guinta stated if that is the case why do we need to buy a laptop for someone?

Alderman DeVries replied I'm not suggesting that we buy a laptop, Your Honor. I'm suggesting that someone do some outreach to see if there is another way.

Mayor Guinta stated I think if anyone wants to provide pro bono service they can. There is nothing that we are doing to stop them from doing that today. I am more than happy to have staff look into it again, but we already have a vote of the Board. There is nothing that stops any attorney from providing pro bono work.

Alderman Sullivan stated there is an existing program that addresses some of the situations that you are referring to. I used to work for a legal services entity in Arkansas. There are certain matters that we were prohibited from handling like class actions or product liability. Those same restrictions don't apply to the participants in the New Hampshire Bar Association Reduced Fee Program and the pro bono program, which are two separate, but related entities. In the future, that may be something to keep in mind and direct your constituents. Their hotline number is on the web so that might be the best way to go about handling that in the future.

Alderman Smith stated I also opposed this in Committee, but after finding out the information I think we should go along with the motion to receive and file.

Alderman Gatsas stated I'm not too sure the staff's time is not worth something. Certainly, it is going to cost us just for the staff to take the opportunity and the time to investigate when this Board has already received and filed. I think it is pretty clear what the Board's position is and I don't think we should be extending staff time by looking at something the Board is not looking favorably on.

Mayor Guinta called for a vote on the motion. The motion failed.

The Committee on Community Improvement respectfully advises, after due and careful consideration, that the communication from New Horizons in support of the funding request of the fiscal agent of the Manchester Continuum of Care's Homeless Healthcare Center has been received and filed.

On motion of Alderman Osborne, duly seconded by Alderman O'Neil, it was voted to receive and file the communication from New Horizons.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that funds in the amount of \$1,600,000 for the McIntyre Ski Lodge Reconstruction project CIP #511310 be accepted and for such purpose an amending resolution and budget authorization has been submitted.

On motion of Alderman Gatsas, duly seconded by Alderman O'Neil, it was voted that the funds for McIntyre Ski Lodge be accepted.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning & Community Development, to accept funds in the amount of \$1,000 from the U.S. Department of Health and Human Services for CIP project #214509 Homeless Healthcare – American Recovery & Reinvestment Act be approved and for such purpose an amending resolution and budget authorization has been submitted.

On motion of Alderman Pinard, duly seconded by Alderman J. Roy, it was voted that the funds from the U.S. Department of Health and Human Services for CIP project #214509 Homeless Healthcare be accepted.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning & Community Development, to accept funds in the amount of \$380,937 from the U.S. Department of Justice for CIP project #412410 COPS Child Sexual Predator Program be approved and for such purpose an amending resolution and budget authorization has been submitted.

*On motion of **Alderman J. Roy**, duly seconded by **Alderman M. Roy**, it was voted that the funds from the U.S. Department of Justice for CIP project #412410 COPS Child Sexual Predator Program be approved.*

Alderman Gatsas stated the Child Sexual Predator Program is certainly an important issue to everybody. How soon can we get this program or these officers into place and start combating this problem?

Mr. David Mara, Police Chief, replied we're hoping that the funds come in within a couple of months. We are going to be making a follow up request. This involves hiring two officers. The funds go for two years and expire after that. There is no requirement that the City then keep them on. However, we are going to be asking the Board of Mayor and Aldermen to expand our complement by two.

Alderman Gatsas stated there is a line that says "probation and parole officers for sex offender compliance checks, \$32,000". Can you tell me what that means and how we are going to spend money for compliance checks and who we are checking?

Mr. Mara replied a lot of sexual offenders are on probation or parole. We are going to be working in conjunction with the state division of parole to check the offenders. That is what the money is for. Those are extra patrols so we can go to the listed addresses of sex offenders to make sure they are complying. Then we do follow-ups. If we find that someone who registered as a sex offender is not living where they say they do, we have to do follow ups.

Alderman Gatsas stated I'm sure this program is going to be a big benefit to the City to protect the children of the City.

Mr. Mara stated we have 400 registered sex offenders in our City. It definitely is going to be a help. We are looking forward to starting.

Alderman J. Roy asked you're already doing this? In our discussions before you said you did your own extra checks on these individuals and it was very efficient.

Mr. Mara replied we were doing it. When we could, we would get our detective division to go do checks and we had some funding through Weed 'n' Seed.

Alderman J. Roy asked is this going to augment that and make it more stringent? Wasn't that a pilot program that everyone was watching because it was so effective?

Mr. Mara replied yes. We had to be nominated by the U.S. Marshalls in order to apply for this grant. We were fortunate that we got their support. Right now we have one person who is in charge of taking photos, registering and keeping track of these people. When the law changed in terms of registering, some people need to register four times per year depending on their level.

Alderman Lopez asked can these funds be used for parole officers?

Mr. Mara replied yes. In the grant it specifies that we will be working with them.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning & Community Development, to accept funds in the amount of \$153,403 from the U.S. Department of Justice for CIP project #410510 Justice Assistance Grant be approved and for such purpose an amending resolution and budget authorization has been submitted.

On motion of Alderman M. Roy, duly seconded by Alderman O'Neil, it was voted that the request to accept funds for CIP project #410510 Justice Assistance Grant be approved.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning & Community Development, to transfer the administration of CIP Project #712610 2 Line Drive Parking Lot Construction from the Finance Department to the Highway Department be approved.

On motion of Alderman M. Roy, duly seconded by Alderman Osborne, it was voted that the request to transfer the administration of CIP Project #712610 2 Line Drive Parking Lot Construction from the Finance Department to the Highway Department be approved.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning & Community Development, to extend CIP project #611509 Angie's Place and CIP project #611609 until November 15, 2009 to allow for final payment of both projects be approved.

On motion of Alderman Sullivan, duly seconded by Alderman O'Neil, it was voted that the request from Leon LaFreniere to extend CIP project #611509 Angie's Place and CIP project #611609 until November 15, 2009 to allow for final payment of both projects be approved.

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request from Leon LaFreniere, Director of Planning & Community Development, for appropriation of HOME funds for the MHRA – South Porter Street project be approved subject to the terms and conditions as attached.

On motion of Alderman DeVries, duly seconded by Alderman Pinard, it was voted that the request from Leon LaFreniere for appropriation of HOME funds for the MHRA – South Porter Street project be approved, subject to the terms and conditions as attached.

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

The Committee on Public Safety, Health & Traffic respectfully recommends, after due and careful consideration, that various regulations governing standing, stopping, parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

Section 70.36 Stopping, Standing, or Parking Prohibited

NO PARKING ANYTIME:

On Chester Street, north side, from Amherst Street to Dutton Street
On Krakow Avenue both sides, from Union Street to Pine Street
On Harvard Street, south side, from a point 180 feet east of Maple Street to the dead end
On Hayward Street, south side, from Sunnyside Street to a point 23 feet west
On Walker Street, south side, from Second Street to Turner Street
On Turner Street, both sides, from Walker Street southerly to the dead end
On Laurel Street, north side, from Kenney Street east to the dead end
On Moore Street, west side, from Kelley Street to a point 40 feet south

NO PARKING LOADING ZONE:

On Massabesic Street, east side, from a point 55 feet north of Old Falls Road to a point 25 feet north
On Walnut Street, east side, from a point 50 feet south of Salmon Street to a point 22 feet southerly
On Lincoln Street, west side, from a point 56 feet north of Dix Street to a point 20 feet north
On Brook Street, north side, from a point 30 feet east of Pine Street to a point 38 feet east
On Brook Street, north side, from a point 192 feet east of Pine Street to a point 38 feet east

NO LEFT TURN -7:00 AM – 9:00 AM / 4:00 PM – 6:00 PM – MONDAY – FRIDAY:

On Connecting Road at Brown Avenue

CROSSWALKS:

On Young Street, east and west of Jewett Street
On Jewett Street, north and South of Young Street
On Pinard Street, west of Agnes Street
On Union Street, north of Green Street
On Green Street, west of Union Street
On Mammoth Road, north of Smyth Road
On Mechanic Street, west of Plaza Drive

STOP SIGNS:

On Ellis Avenue at Ruth Avenue – SWC
On Hamblett Street at Somerville Street – NWC

STOP SIGNS – 4 WAY:

On Franklin Street at West Merrimack Street, SEC, NWC

STOP SIGN – EMERGENCY ORDINANCE:

On Hayes Avenue at Chase Avenue – SWC

YIELD SIGNS – EMERGENCY ORDINANCE:

On Laurel Street at Milton Street – SEC

On Laurel Street at Milton Street – NWC

RESCIND ONE HOUR PARKING:

On Cypress Street, west side, from a point 85 feet north of Hayward Street to a point 90 feet north (Ord. 2903)

RESCIND RIGHT TURN ON RED PROHIBITED:

On Varney Street at South Main Street – Westbound (Ord. 9107) – (Effective when the reconstructed traffic signals are placed in operation)

RESCIND NO PARKING 4:00 PM – 7:00 AM:

On South Main Street, west side, from Varney Street to a point 80 feet south of West Hancock Street (Ord. 9053) – (Effective when the reconstructed traffic signals are placed in operation)

NO PARKING ANYTIME:

On Cypress Street, west side, from Hospital Avenue, to a point 90 feet southerly

On Cypress Street, east side, from a point 425 feet south of Auburn Street to a point 65 feet southerly

On Cypress Street, west side, from a point 115 feet south of Hospital Avenue, to a point 45 feet southerly

On South Main Street, west side, from Varney Street to a point 80 feet south of West Hancock Street

(Effective when the reconstructed traffic signals are placed in operation)

RESCIND NO TRUCKS – 9:30 PM – 7:00 AM:

On Central Street, from Cass Street to Kenney Street (Ord. 8028)

NO PARKING DURING SCHOOL HOURS – EMERGENCY ORDINANCE:

On Lois Street, west side, from a point 375 feet south of Roysan Street to a point 83 feet south

On Lois Street, west side, from a point 560 feet south of Roysan Street to a point 160 feet southerly

On Lois Street, east side, from a point 540 feet south of Roysan Street to a point 90 feet southerly

On Lois Street, east side, from a point 290 feet south of Roysan Street to a point 80 feet south

On South Gray Court, west side, from Fernand Street to a point 80 feet southerly

On Fernand Street, south side, from South Gray Court to a point 80 feet westerly

NO LEFT TURN – 7:30 AM -8:30 AM / 2:15 PM – 3:15 PM / MONDAY – FRIDAY – EMERGENCY ORDINANCE

On Summerside Avenue at Milford Street

Alderman Smith

RESCIND NO PARKING ANYTIME – EMERGENCY ORDINANCE:

On James A. Pollock Drive, east side, from Lewis Street to a point 200 feet south of the Parker Varney School (Ord. 3156)

NO PARKING – 7:30 AM-8:30 AM – EMERGENCY ORDINANCE:

On James A. Pollock Drive, west side, from a point 450 feet north of Allen Street to Lewis Street

NO STOPPING, STANDING OR PARKING – 2:15PM – 3:15 PM – EMERGENCY ORDINANCE:

On James A. Pollock Drive, east side, from a point 450 feet north of Allen Street to Lewis Street

RESCIND TWO HOUR PARKING – 8:00 AM-6:00 PM – MONDAY – SATURDAY:

On Valley Street, north side, from a point 45 feet east of Belmont Street to a point 40 feet east (Ord. 8587)

15 MINUTE PARKING – EMERGENCY ORDINANCE:

On Valley Street, north side, from a point 45 feet east of Belmont Street to a point 40 feet east

RESCIND 30 MINUTE PARKING – 8:00 AM – 6:00 PM – EMERGENCY ORDINANCE:

On Valley Street, north side, from Belmont Street to a point 120 feet west (Ord. 6257)

RESCIND NO PARKING 8:00 AM – 5:00 PM – MONDAY – FRIDAY:

On Cypress Street, west side, from Lake Avenue, to a point 150 feet north of Massabesic (Ord. 6782)

NO PARKING ANYTIME – EMERGENCY ORDINANCE:

On Valley Street, north side, from Belmont Street to Wilson Street

RESCIND ONE HOUR PARKING:

On Cypress Street, east side, from Massabesic Street to a point 100 feet northerly (Ord. 2906)

PEDESTRIAN SIGNALS:

On Elm Street at Brook Street /West Brook Street

ONE HOUR PARKING – 11:00 AM – 8:00 PM

On Elm Street, east side, from a point 30 feet south of Brook Street to a point 36 feet southerly

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

On Cypress Street, west side, from Spruce Street to Hospital Avenue

On Cypress Street, west side, from a point 90 feet south of Hospital Avenue, to a point 25 feet southerly

On Cypress Street, west side, from a point 160 feet south of Hospital Avenue, to a point 235 feet north of Massabesic Street

On motion of Alderman Osborne, duly seconded by Alderman Ouellette, it was voted that various regulations governing standing, stopping, parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester be put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

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 Section 70.57 (B) Parking lot rates by removing metered parking at the Pine Street Lot.”

and that same be referred to the Committee on Bills on Second Reading for technical review.

*On motion of **Alderman J. Roy**, duly seconded by **Alderman Sullivan**, it was voted that the Ordinance Amendment be approved and referred to the Committee on Bills on Second Reading for technical review.*

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

“Amending Section 70.78 Penalty of the Code of Ordinances of the City of Manchester by including a new penalty for parking in a permit parking space without displaying a permit and occupying more than one parking stall.”

and that same be referred to the Committee on Bills on Second Reading for technical review.

*On motion of **Alderman Osborne**, duly seconded by **Alderman J. Roy**, it was voted that the Ordinance Amendment ought to pass and be referred to the Committee on Bills on Second Reading for technical review.*

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that the snow removal policy submitted by Brandy Stanley, Parking Manager, has been received and filed.

On motion of Alderman J. Roy, duly seconded by Alderman O'Neil, it was voted to receive and file the snow removal policy.

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that the communication from Brandy Stanley, Parking Manager, regarding details of enforcement activities on July 4, 2009 has been received and filed.

On motion of Alderman Shea, duly seconded by Alderman J. Roy, it was voted that the communication from Brandy Stanley has been received and filed.

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that the Parking Division and the Highway Department will begin implementation of the reconfiguration of a portion of Elm Street from West Auburn Street to the Rockwell Property.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted that the Parking Division and the Highway Department implementations of the reconfiguration of a portion of Elm Street from West Auburn Street to the Rockwell Property be approved.

Alderman O'Neil stated the reason I voted against this was because it was my understanding that we are going to be seeing the entire Gas Light District plan at some point in the near future. It is clear if you look at the associated maps, it is part of the preliminary plan for the Gas Light District. I think it needs to be all inclusive and not picking out pieces when it is convenient. I plan on voting against it.

Alderman Gatsas stated I agree with my colleague. The worst thing we can start doing is putting parking plans in place and changing them six months later. I would think it would make more sense that before we touched Auburn Street we wait to see what is going to happen. I don't think the configuration with ten spaces...

Mayor Guinta stated I read the letter and it looks like there are 24 additional spaces. It is a \$5,000 cost that will bring in an additional \$10,000.

Alderman O'Neil stated we were told \$7,500 tonight.

Mayor Guinta stated whether you vote in favor or against this I would say that it doesn't affect what occurs on South Elm Street in terms of redeveloping. That is a multimillion dollar project. I think for a short term parking fix this is appropriate. As you consider South Elm Street, which is a multimillion dollar project, this may change, but it sounds like it would more than pay for itself inside the fiscal year.

Alderman Shea stated I voted for this because my understand from talking to Brandy is that this project is in conjunction with the Gas Light development and they have worked together even though the full plan has not come forth. This has been included in her budget as far as revenues are concerned. I would hope the Board would go along with this.

Alderman Gatsas asked are we putting in meters? We need to buy 24 more if we have 24 more spaces.

Mayor Guinta replied it will be a kiosk.

Alderman Gatsas asked the kiosk is already there? You don't have to add anything?

Alderman M. Roy stated I have had some time to spend in this area and I can tell you that these spaces are needed. They will be a definite traffic calming measure to people going south on Elm Street so I would support this.

The Committee on Public Safety, Health and Traffic respectfully advises, after due and careful consideration, that the discussion regarding the Canal Street Parking Lot Operational Policy has been received and filed.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted that the discussion regarding the Canal Street Parking Lot Operational Policy ought to be received and filed.

15. Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

On motion of Alderman Shea, duly seconded by Alderman Osborne, it was voted to commit a warrant to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges be approved.

City Clerk Matt Normand stated Your Honor, that amount is \$278,285.25.

16. Notice of Reconsideration given by Alderman Gatsas on the failed motion to accept the report of the Committee on Human Resources/Insurance recommending, after due and careful consideration, that the Identity Theft Awareness Training Program recommended by Ronald Robidas, Security Manager, be approved.
(Motion failed with Aldermen Gatsas, J. Roy, Lopez, Shea, and Ouellette voting yea and Alderman M. Roy, Sullivan, Osborne, Pinard, O'Neil, DeVries, Garrity, and Smith voting nay.)
Note: The matter was referred to the Mayor's Office by the prevailing side on October 6, 2009

Alderman Gatsas stated I was notified this afternoon that I can withdraw my request because Water Works and EPD decided that they will each spend \$200 and get another program in place. We will wait to see what happens when it comes to the full Board.

17. Communication from Rita Gosselin, 1124 S. Mammoth Road, protesting the petition to rezone Tax Map 797, Lots 3A and 4.

Alderman DeVries stated I would like to request that Leon come up because this is a Planning matter. It is my understanding that this will affect a future vote of this Board because there is an item that is currently tabled and will be before us again.

Mayor Guinta asked Leon, what is your recommendation?

Mr. Leon LaFreniere, Director of Planning and Community Development, replied since the letter was received from the party to the Rezoning Board, the Planning Board has taken this matter under additional consideration and has submitted a letter for your consideration. They have withdrawn their support for the rezoning at this time. The letter reads, "Honorable Board Members, It was recently brought to my attention that one of the property owners of land at 1124 South Mammoth Road, who is a party to the recent request to rezone land at TM 797 Lots 3A and 4 from RS to RSM, has now indicated a dropped position to the rezoning request. The Planning Board originally supported the request to rezone the property as it was consistent with the long range land use plan proposed in the draft Master Plan of the City of Manchester. However, given that the owner of eight acres of the approximate ten acres proposed to be rezoned now prefers that the land not be rezoned, the Planning Board would not support the request pending before the BMA. I trust this matter will be considered by the Board of Mayor and Aldermen as they proceed on this matter." This was signed by Michael Landry, the Chairman of the Planning Board. My recommendation would be that we proceed in that

vein, given that 80% of the land area under consideration has now been withdrawn from consideration.

Alderman DeVries stated the clarity that I need is in reference to the item that was redirected. There is still a rezoning request and maybe the City Clerk's Office can advise me with the proper motion. I would like to try to coordinate both in one motion.

City Clerk Normand stated I believe as the matter stands right now we are waiting for the Planning Board before we schedule the public hearing. Your question is what to do with this letter?

Alderman DeVries replied where is the rezoning request standing? That was before this Board and not Planning.

Mr. LaFreniere replied there is no change in the status of the rezoning request until this Board takes action. The fact that a protest petition has been filed does change the dynamic in so far as the number of votes required by this Board to vote in the affirmative to rezone the property. It requires a supermajority if the Board decides to move forward. In this case, the Planning Board has considered the matter, originally supported the request, but now does not support the request given the landowner's position on the matter.

Alderman DeVries asked has the rezoning been sent to Bills on Second Reading?

City Clerk Normand replied the Board took an action that we would have a second public hearing after the Planning Board had met and had a disposition or recommendation on this. If that is in the form of this letter, we could schedule a public hearing if that's what the Board desires.

Alderman DeVries stated it should show as tabled at this Board level. I guess that's my confusion. It is not a tabled item here.

City Clerk Normand stated it wasn't a tabled item. It was a public hearing and the Board asked that we schedule a second public hearing once the Planning Board had met on the matter.

On motion of Alderman DeVries, duly seconded by Alderman Shea, it was voted to receive and file the rezoning request.

Mayor Guinta stated the request is at our level at this point. The owner has changed her mind. We can go forward over the objection of the owner or we can support the owner in her change of position.

Mr. LaFreniere stated that's correct. There are two property owners, a two acre parcel and an eight acre parcel.

Mayor Guinta stated the 80% owner doesn't want to do this.

Alderman Gatsas stated I think we have to have the public hearing. We have to do that. I don't think we can take a vote on this until we have a public hearing.

Alderman DeVries stated that is why I was asking the staff for clarity because the rezoning is not before us. I'm not looking to receive and file this. It needs to run in conjunction with the rezoning. I think the appropriate motion would be to receive and file the actual rezoning request. I would do that this evening.

Alderman Gatsas stated we already said we were going to have a public hearing. You can't do that.

Mayor Guinta stated we could receive and file it at this point. Couldn't we? If the owner of the property has changed her mind, we have the right to say we are no longer going to continue with a public hearing.

Mr. Tom Arnold, Deputy City Solicitor, stated my understanding is that you have already had a public hearing. At that public hearing, the Board requested that the Planning Board provide input at another public hearing to be held. Since a public hearing has been held, if it is this Board's desire to receive and file this, I think it would be appropriate.

Alderman M. Roy stated to me this gets complicated because this is not the applicant. There is an applicant and then there is an owner. We told the applicant that we would have another public hearing and I think it would be up to the applicant to remove the rezoning request.

Mayor Guinta stated that's fine and if that is the position you take you can vote against the motion. The next motion would be to refer this letter to a public hearing.

Alderman O'Neil asked Alderman DeVries, was it your understanding that the applicant had an agreement with the owner of the eight acres? Was the request from the developer based on the fact that they thought they had a deal with Ms. Gosselin for the eight acres?

Alderman DeVries replied it is my understanding, and I think it was represented by the 80% owner of the land, Ms. Gosselin who is withdrawing her support, that she didn't understand the intensity of construction that was planned for the two acres. Initially, they had a telephone conversation without seeing plans. They verbally thought it sounded okay.

Alderman O'Neil stated the applicant moved forward based on thinking he was going to be able to purchase the rezoned property from Ms. Gosselin. Correct?

Alderman DeVries replied no, you're not correct. They never had any kind of agreement for transfer of the parcel.

Alderman O'Neil asked what land was he asking to rezone then?

Alderman DeVries replied her land.

Mayor Guinta stated pending sale.

Alderman DeVries stated he needed ten acres. There wasn't a purchase and sale agreement on the Gosselin parcel. It was an abutting piece that they had a verbal or handshake agreement that it sounded good. When the actual plan came forward, they didn't think it looked good. That is my understanding of the scenario. In essence, someone else is asking for rezoning of another's land that they don't want rezoned. It is unique. What I found out along the way is that anyone can ask for a rezoning of anybody's land in the City. An applicant doesn't have to be an owner.

Mayor Guinta asked are we clear?

Mayor Guinta called for a vote on the motion to receive and file the rezoning request. The motion passed.

18. Communication from Arthur Sullivan, Brady Sullivan Properties, requesting approval to execute a Non-Disturbance Agreement with Air Tight LLC for a parking license agreement at the garage at 50 Kidder Street.

On motion of Alderman M. Roy, duly seconded by Alderman O'Neil, it was voted that the request to execute a Non-Disturbance Agreement for a parking license agreement be approved.

19. Communication from Linda Hodgdon, Commissioner for NH Department of Administrative Services, requesting a revision to the deed for the Hillsborough County North Superior Courthouse.

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

Alderman Gatsas asked is the increase in lot size the street or does that include part of the park?

Mr. Steve Lorentzen, Department of Administrative Services, replied the land that we are looking for is not the street. It is the property on the south end. There are two bump-outs at the front and back of the building and a small spot for mechanical work in the corner. On these pictures you can see the courthouse building here. The existing building is three feet beyond the courthouse. The existing building extends to the south by three feet outside of that expansion. That is the new copy we are talking about.

Alderman Gatsas asked who owns the rest of the area?

Mr. Lorentzen replied the City owns it. It is now and would continue to be owned by the City.

Alderman Gatsas asked is there a reason why we wouldn't square it off and give you the whole piece, seeing as you are not a tax entity and neither are we?

Mr. Lorentzen replied we thought that it would be simplest to take the minimum amount of area for the new building. This is the most similar to the existing scenario. We have also discussed taking that entire block and using that as well. It is up to the pleasure of the Board.

Alderman Gatsas asked there is nothing that we can do with that land?

Mr. Lorentzen replied that's correct.

Alderman Gatsas asked why wouldn't we clarify it once and for all in case you want to come back and do something else later and we're not in the same position? Wouldn't it make sense that we do the whole lot?

Alderman O'Neil asked are you taking about the blue area?

Alderman Gatsas replied no, I'm talking about all the white area. I'm talking about Chestnut Street all the way to the angled parking and from Merrimack Street to Central Street. Right now, they are telling us that the white areas are owned by the City. There is nothing that we can do with them. If the state had them they would also have to maintain the crosswalks and the back alley. We're maintaining it, so I would think that we could use it as we like. I would change the motion and say that it should not only be the sally port, but the entire piece.

On motion of Alderman Gatsas, duly seconded by Alderman Pinard, it was voted to direct the Solicitor to prepare a document for the Mayor's execution to include the requested area in addition to the area proposed by Alderman Gatsas.

Alderman Osborne asked that would be from curb to curb from Merrimack Street, to Central Street, to Chestnut Street? Would the sidewalk still be the responsibility of the City?

Alderman Gatsas replied correct. Some of the sidewalks are maintained by the state.

Alderman Osborne asked don't they do the snow blowing anyway?

Mr. Lorentzen replied on the sidewalks we do.

Alderman M. Roy stated while I agree with my colleague that right now there would be virtually little change except for the maintenance, we have often talked about being on the short end of the stick for decisions regarding reverted clauses 50 and 70 years ago. While I know the state's intention is to put a lot of money into the building so it can be a courthouse for many years to come, I'm afraid that at the end of our political lifespan we may be on the short end. I do support the request to make the changes that are necessary for the building. I would be remiss for many past conversations regarding reverted clauses back to Amoskeag Industries if we don't protect the City's right to as much property as possible.

Alderman DeVries stated it looked like the Solicitor had comments on the motion.

Mr. Arnold stated I wanted to be clear whether Alderman Gatsas proposal included Barrister Lane or not.

Alderman DeVries asked does that have an impact?

Mr. Arnold replied it may have an impact because Veteran's Park has restrictions. It can only be used as a park. We've determined that parking for the park is an allowed use, but I would have to look at the restrictions and see whether we could convey the land. If it is not the intent to convey Barrister Lane, I would want to make that clear. In addition, we might have road discontinuance issues.

Mayor Guinta stated I understood it to mean the white area. Alderman Gatsas could you clarify?

Alderman Gatsas stated I am talking about the white area, but it looks like there is angled parking on Barrister Lane that is not currently there. The angled parking towards the park does not currently exist.

Mr. Arnold replied that's correct.

Alderman Gatsas stated have you developed the change in conjunction with anybody's approval? Or is it something you would like to do?

Mr. Lorentzen replied it has been developed in conjunction with the Parks Department, Red Robidas, Amoskeag Industries, and the Highway Department. We worked with all these groups to make sure that everyone is comfortable with what's being proposed on the Barrister Lane side, which would continue to be City property along with the park. The only conveyance that we are talking about is the pink hatched area, which is just outside of the building line to the west.

Alderman Gatsas asked the light blue is parking on Barrister Lane that you have changed the parking scheme on? Did the City Solicitor say that was something that was able to be done?

Mr. Lorentzen replied yes. We worked with the City Solicitor and the other departments.

Alderman Gatsas stated based on what I am hearing from the City Solicitor is that my motion would have to...the white area that we see on the document would be conveyed to the state. The state would maintain Barrister Lane because they are changing the parking scheme there, so snow removal is their problem and not the City's. They are adding a cost to the City and the last I knew, you weren't paying any taxes so we shouldn't be incurring costs for snow removal if you are changing the parking space area that is there.

Mr. Lorentzen stated we do snow removal of the parking spaces today.

Alderman Gatsas stated right. I would leave the motion to just the white area. The reverted clause states that there is nothing that we could do with that land if it was given to us. It has been sitting there. I don't think any of us on the Board knew that it was owned by the City.

Alderman Lopez stated I did. I was on the commission for 18 years.

Alderman DeVries stated I would like to know who from the court, because that will affect the budget for the maintenance...has this been discussed? Are you empowered to say that the change of the maintenance obligation is something that you would embrace?

Mr. Lorentzen replied right now we do plow.

Mr. Bob Winn, Chief Justice of Superior Court, I think the maintenance comes out of Administrative Services' budget. Even if they are court buildings, the maintenance responsibilities come from Administrative Services.

Mr. Lorentzen we do the snow plowing on Barrister Lane for the parking spaces. The City then comes through. It is a joint cooperative effort. We do the front snow plowing and the sidewalks on Chestnut Street when needed. We were originally just asking for the part that we need for the sally port, but if we got it, the change would be for the grass cutting. We have mowers there so I don't think it would be a bid deal. It certainly is not an expense that I am worried about.

Alderman Garrity asked why aren't we talking about this in Lands and Building?

Mayor Guinta replied I brought this up because I thought this was a housekeeping item.

Alderman DeVries stated I think the final piece that needs to be looked at is to see if there is an easement. It sounds like you are fine with the budgetary matter and that is good to hear, but if there are any other easements that run, sewer or water... that you are also adopting that as part of the maintenance... I want to make sure we know what we are giving to you. That would be my impression.

Mayor Guinta stated as far we're concerned, the City is all set.

Alderman DeVries stated it sounds like a good deal for us.

Alderman O'Neil stated Bob, the 23 parking spaces on the west side of Barrister Lane do not exist today. They will exist under this proposed plan. They will be controlled by the state.

Mr. Winn stated they will be controlled by the City under this plan and under Alderman Gatsas' motion.

Alderman O'Neil asked if the state is doing the snow removal in the back, why wouldn't they take the parking spaces on both sides?

Mr. Winn replied part of the ability to create those parking spaces is that they would be a benefit to park users and that is why park land can be used for parking spaces. If those are transferred to the state I'm afraid it would complicate those discussions. Those are public parking spaces on that side.

Alderman O'Neil asked will they be posted with time restrictions or have meters or kiosks?

Mr. Winn replied that involves other Committees and isn't part of our charge to determine. Those are public parking spaces available to park users.

Alderman O'Neil asked the state is going to plow them to be used?

Mr. Winn replied they do now from time to time. That has been discussed and the state is willing to do that.

Alderman O'Neil asked why wouldn't the state want them?

Mr. Winn replied that land is park land now. It was developed in part by federal funds. Amoskeag Industries has an interest in that park land. Both the representatives from the federal government and Amoskeag Industries wanted to make sure that any park land that was being taken for any purpose was made to benefit park users. Therefore, these parking spaces are an allowable use of park land as long as it is for the benefit of park users.

Alderman O'Neil asked we can't put meters on them or anything like that?

Alderman Gatsas replied yes. We can rent them at \$45 per month if we want.

Alderman Osborne stated when I mentioned curb to curb on Central, Merrimack and Chestnut Streets, I meant that to include the sidewalks. What about liability? Does that hold the City accountable if anything happens on those sidewalks as compared to the way it stands now? Will the state be responsible or the City?

Mr. Arnold replied I think what Alderman Gatsas was suggesting was up to the sidewalk.

Alderman Osborne stated that's what I thought, but I said curb to curb, which includes the sidewalk.

Mayor Guinta stated the motion is to the sidewalk.

Alderman Osborne stated I had the understanding that it included the sidewalk.

Alderman Lopez stated I'm going to oppose this and I would like to explain why. I think there is some information that is not being provided by the City Solicitor. This document took a long time to get here. It look a while for you to draft this and all of a sudden we're changing it without seeing any other document and going forward.

Mayor Guinta called for a motion on the vote to direct the Solicitor to prepare a document for the Mayor's execution to include the requested area in addition to the area proposed by Alderman Gatsas. The motion passed.

20. Ordinance:

“Amending Section 33.026 (Independent City Auditor) of the Code of Ordinances of the City of Manchester.”

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

On motion of Alderman Pinard, duly seconded by Alderman Osborne, it was voted that the Ordinance ought to pass and be Ordained.

21. Resolutions:

“Authorizing General Airport Revenue Refunding Bonds in the amount of One Hundred Fifteen Million Dollars (\$115,000,000) for Refunding Certain Outstanding Municipal Revenue Bonds of the City issued on Behalf of Manchester Airport.”

“Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for the FY 2009 CIP 214509 Homeless Health Care – American Recovery & Reinvestment Act Program.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Three Thousand Four Hundred Three Dollars (\$53,403) for the FY 2010 CIP 410510 Justice Assistance Grant Program.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Three Hundred Eighty Thousand Nine Hundred Thirty Seven Dollars (\$380,937) for the FY 2010 CIP 412410 COPS Child Sexual Predator Program.”

“Amending the FY 2010 Community Improvement Program authorizing and appropriating funds in the amount of One Million Six Hundred Thousand Dollars (\$1,600,000) for the FY 2010 CIP 511310 McIntyre Ski Lodge Reconstruction Project.”

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

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

22. Bond Resolutions:

“Authorizing General Airport Revenue Refunding Bonds, Notes or Other Obligations in an Amount not in Excess of Sixty Five Million Dollars (\$65,000,000) for Refunding Certain Outstanding Municipal Revenue Bonds Issued by the City on behalf of the Manchester Airport”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Seven Hundred Thousand Dollars (\$700,000) for the FY 2010 CIP Manchester Water Works 712810 Automatic Meter Reader Program.”

“Authorizing Bonds, Notes or Lease Purchases in the Amount of One Million Six Hundred Thousand Dollars (\$1,600,000) for the City of Manchester’s Portion of the Costs for Demolition of the Existing Building and Construction of a New McIntyre Ski Area Lodge and Equipment.”

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

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

NEW BUSINESS

Alderman Lopez stated the NeighborWorks director couldn't be here this evening, but I have some information that I want to pass on to the Board. I hope they agree with my recommendations. I have also spoken to Aldermen Smith and Ouellette. "As a current member of the Board of Directors of NeighborWorks in Greater Manchester, I am pleased to report on the current progress to clean up neighborhoods in Manchester. Our Executive Director, Mr. Robert Tourigny, has been utilizing the Neighborhood Stabilization Program (NSP) funds to assist in our efforts. Through this program, NeighborWorks has been awarded the successful bid for the property located at 159 Douglas Street. NeighborWorks would now like to convey the property to the City of Manchester for the purpose of expanding the parking lot of at the Senior Center. We can use NSP funds to demolish the building and construct a new parking lot. Since NeighborWorks will be closing in a month, I would respectfully request the following be approved: A. That we accept the offer from NeighborWorks and have the City Solicitor, Planning and Highway Departments see that this project gets done in a timely manner; and B. Recommend that the Executive Director of NeighborWorks be invited to attend the next meeting to present a comprehensive presentation to the Board of Mayor and Aldermen at the November meeting. Your favorable consideration would be appreciated."

Alderman Lopez moved to use NSP funds to demolish 159 Douglas Street to expand the parking lot at the Senior Center. Alderman Ouellette duly seconded the motion.

Alderman Garrity stated we frequently discuss NSP funds in the CIP Committee. I don't believe that the intent of the NSP funds is to make parking lots. Its intent is to revitalize neighborhoods. I think at the very least this should come in front of the CIP Committee.

Alderman Lopez stated NeighborWorks was given \$2 million to revitalize neighborhoods in the City. The City of Manchester was also given \$2 million to do the same thing. NeighborWorks is a non-profit organization that works for us in the long run. This has been approved by the Board of Directors of NeighborWorks to buy property to open up green space. It is an ongoing program, Alderman.

Alderman Garrity stated I wouldn't call a parking lot a green space. With our NSP funds, we are taking vacant lots and revitalizing neighborhoods and building houses. It doesn't seem like a responsible use of NSP funds to me. They are federal funds that are supposed to be used to revitalize neighborhoods or make green space. It is not the intent for NSP funds to build parking lots. Is there a need for a larger parking lot over there? Maybe, but I don't believe it is the intent of these funds. We can vote on it tonight, but I would prefer that it go to CIP. I would oppose this.

Alderman Lopez stated I don't think anything needs to go to CIP. This is a separate operation from a non-profit organization. They are offering this building to us. They are offering to give it to us, tear down the building, and make a bigger parking lot for the Senior Center. If we don't want the offer, they will spend \$1 to \$2 million to renovate it through other funds. I think this is the best use. It is a six story building in really bad shape.

Alderman Garrity stated I've been inside it.

Mayor Guinta asked is there anything in writing from NeighborWorks saying that they are offering this to the City? I don't have anything.

Alderman Lopez replied yes, I have an email. I put this together real fast because it is time sensitive due to the deed that they are processing.

Mayor Guinta stated I'm not sure why this is time sensitive to do today given that they haven't closed on the building yet.

Alderman Lopez stated they are going to be closing in the next month. It is in the email.

Mayor Guinta stated that's fine, but why do we need to do this evening? I think that there should be further discussion about NSP funds and what the intended uses are. This is the first I'm hearing of it. I would like to talk to Robert before we just accept a piece of property for this purpose.

Alderman Lopez stated he has spoken and I sit on the Board and I know that Alderman Smith has been working over on Douglas, Granite and Cleveland Streets for them to buy property. They have bought four or five different properties over there under this program.

Mayor Guinta stated I understand the NSP program. I'm saying that this is the first I'm hearing of them offering this property for this purpose. I think rather than bringing this up under new business, we should have a more formal process to review these kinds of considerations.

Alderman Lopez stated I think it is going to be reviewed by the City Solicitor. This is a preliminary acceptance.

Mayor Guinta stated I don't even know that the offer is real. This is the first I'm hearing of it.

Alderman Garrity stated this belongs in Lands and Building.

Alderman Sullivan asked didn't we get ourselves into a bind a month ago when we took up the downtown services at the end of a meeting under new business? I remember going through the same routine not that long ago for something that was dumped on our laps at the last minute that was trying to get railroaded through. This is some way to run a City.

Alderman Lopez stated there is no one who is trying to railroad anything through.

Alderman Sullivan stated I respectfully disagree, Alderman Lopez. When we are talking about the transfer of a piece of property between a private non-profit entity and the City of Manchester it deserves some thoughtful consideration and vetting. It does not deserve a rushed vote to approve or disapprove City funds in the last minutes of a meeting.

Alderman Lopez stated we're not committing any City funds. Let's get that straight.

Alderman Sullivan stated I disagree. You just stated a minute ago that you wanted us to accept the offer from NeighborWorks.

Alderman O'Neil stated the program that was agreed upon in the City or funded in the City, Neighborhood Stabilization Program, was four parts. The three major players were Families in Transition with a plan, NeighborWorks with a plan and the City with a plan. Correct? I'm questioning whether or not, because this is part of NeighborWorks plan, we even have authorization over it. Don't any changes to the plan need to be approved by the Community Development Finance Authority? I'm wondering if we're going to sit here talking about it even though we don't have any jurisdiction over this portion. I think we only have jurisdiction over the \$2.1 million that was the City's portion.

Alderman Lopez replied absolutely.

Mr. LaFreniere stated the CDFA has been delegated with the responsibility for oversight for these funds. As I understand it, the City would need to take action on the actual acceptance of the transfer of the property. Beyond that, I can't add a lot. I'm just hearing about this myself, not the NeighborWorks allocation of the NSP funds, but rather the acceptance of the property.

Alderman Gatsas stated just a short time ago, Alderman O'Neil was bringing something forward for \$12,000 for a leaky roof and we made that go back to Committee. There is no price tag on this. I'm not opposed to helping the Senior Center get more parking, but I think we should have more clarity with what's before us. There is no question that we are all in favor of the proposal, but for me to say I'm in favor of buying something without knowing what the price tag is...

Alderman Lopez interjected we're not buying it.

Alderman Gatsas asked we're accepting it at no cost?

Alderman Lopez replied yes. There is no cost.

Mayor Guinta stated if that is the case, there are proper channels for this entity to communicate with the City.

Alderman Gatsas stated I'm shocked that your office didn't know about this.

Mayor Guinta stated this is the first I'm hearing of it. We don't have any knowledge of it.

Alderman Garrity stated at the very least we need to send this to Lands and Building. That's where it belongs. If we are going to take ownership of the property once it is given to us, it should be in Lands and Building.

Mayor Guinta stated there is a motion on the floor at the moment. I do think it should go to Committee.

Alderman J. Roy stated we work through Committees. It's not that I don't want to see this happen, but it should go through Committee so we can get all these questions answered. It is that simple.

Mayor Guinta stated the motion on the floor is to accept item A and B in Alderman Lopez's letter.

Alderman Lopez asked can I bring a couple things to the Board's attention before the vote? The appraised value of 159 Douglas Street is \$223,000 as of October 1st. NeighborWorks purchased it at \$205,000, 92% of the appraised value. This is the email from the director who had to go away. The closing date is November 13th. It is a six family, three story walk-up. There is no parking on the street. His recommendation was to offer it to the City so that by the closing date the paper work would be done for the deed so he could present it to the City. There is no City money involved. It is a separate organization that has only \$2 million. They have been working on Ward 5 and 10. That's why the second part of my motion was to bring him in because there are five or six properties they have already bought for green space and the rehabilitation of other buildings Alderman O'Neil was absolutely correct...there were funds that were given directly to NeighborWorks...separated by the Board of Directors.

Alderman Garrity stated again, it belongs in Lands and Building. Are we going to get the building intact? Do we have to demolish it? Pave it?

Alderman Lopez replied they are going to give us the building, tear down the building and extend the Senior Center's parking lot. It is not costing the City any money.

Alderman Garrity stated I would like to see that in writing.

Mayor Guinta stated I don't think there is any objection to expanding the parking lot for the seniors. The issue is that we have nothing in front of us. I would recommend that this go to Committee. If this passes I am going to veto it because it doesn't make any sense for this to be dealt with at this level. It should go to Committee first.

Alderman DeVries asked you seem to be indicating that because of the NeighborWorks status closing in a month, that there is a time sensitive issue here. I really haven't heard the clarity I need on that.

Alderman Lopez stated I was going to get a copy of the email from the director.

Alderman DeVries asked that is the time sensitivity?

Alderman Lopez stated they need to do the closing. His indication to me was...

Alderman DeVries interjected closing on the building?

Alderman Lopez replied they wanted the right deed to go to the City rather than them putting it in NeighborWorks and then going back to the City and having to do the whole process all over again.

Alderman DeVries asked are they up against their deadline for closing? They only have so many days to execute?

Mayor Guinta stated we have a meeting before the closing date. Secondly, there is nothing that stops them from closing. An action or inaction of this Board does not affect their closing.

Alderman Lopez stated I think what the director was saying was that if someone is deeding a property to the City, what role would the City play?

Mayor Guinta stated I'm going to take a vote on the motion.

Alderman Lopez asked you don't want to see a copy of the email?

Mayor Guinta replied I have made my point clear. The City did not receive any notification from NeighborWorks. One email to one individual of this Board does not suffice for proper communication for a conveyance. What I am asking is for this to be referred to Committee, reviewed and if it needs to be expedited, it can be brought up at the BMA meeting. I think that is very fair.

Alderman Lopez stated I would hope that the Board would approve this and go through the process and still go to Committee, but approve it on the basis that the City Solicitor would work with NeighborWorks in the meantime.

Alderman O'Neil asked can we have clarification on what the motion is because I think Alderman Lopez just threw in a curveball?

Mayor Guinta stated the motion is on item A and B in the letter, that we accept the offer from NeighborWorks, have the City Solicitor and Highway Department see that this get done in a timely manner and recommend the Executive Director of NeighborWorks be invited to attend the next meeting to present the comprehensive presentation to the Board.

Alderman O'Neil asked are you also included sending it to the Lands and Building Committee?

Alderman Lopez replied that's correct, as long as we have the City Solicitor and Building Department look at it and then turn it over to Lands and Building. If they have to make any technical or legal changes...

Mayor Guinta interjected you can't accept it and then send it to Committee. It has to go to Committee first.

Alderman Lopez stated there is time and paperwork involved here.

Alderman Gatsas stated we don't know if there is a cost associated with the motion that is before us. If we vote in favor of this, it could cost the City dollars or it may not.

Mayor Guinta stated I don't even know if this is real. There is no proposal before the City. There is one email to one individual.

Alderman Lopez stated maybe if you let me give you the email you would read it.

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

Mayor Guinta vetoed the motion.

Alderman M. Roy stated in a parallel, but distinctively different effort, if we could ask the Mayor's Office, Solicitor's Office, Highway and Planning Departments to work with NeighborWorks in order to research, do due diligence and bring back before this Board

on November 10th a recommendation regarding this property. The reason I am making that to come back before this Committee is if we meet November 10th that barely gives any time, if this is a good project, which I believe it is, to reduce density in that neighborhood... If NeighborWorks has made a multimillion commitment to that area, if it is legitimate as people question and a good thing for the neighborhood, I am giving the Mayor's Office and the departments that Alderman Lopez is requesting the ability to do due diligence and bring it back before this Committee with three days notice for them to do all legal paperwork for November 13th.

On motion of Alderman M. Roy, duly seconded by Alderman Gatsas, it was voted to have the Mayor's Office, Solicitor's Office, Highway and Planning Departments work with NeighborWorks to come back with a recommendation for the next Board of Mayor and Aldermen meeting.

Alderman Smith asked when are the next meetings? Because of Election Day we're not going to have a meeting on the 3rd. Would it be the 10th and 24th of November?

City Clerk Normand replied that's correct. The Board voted on that at the last meeting. Lands and Building meets tentatively on the 10th, prior to the Board meeting.

Alderman Smith stated because there was quite a discussion about dog parks tonight, members of the Committee received reports from various cities that have dog parks. We're waiting for the City Solicitor to give us a timely legal document and I would like to know when that is going to be presented to me so I can present it to the Committee.

Mr. Arnold replied if you are talking about a proposed agreement, it has been drafted and it is being reviewed. You will have it for the next Committee meeting.

Alderman O'Neil stated I want to thank Chief Mara and the Manchester Police for the events that affected southwest Manchester. I knew some of the folks that were involved on the eastside Laundromat so I want to thank the Chief and officers for getting bad people off the street. Well done, Chief.

Alderman Shea stated one of my former pupils, Lisa Frisselle, mentioned that the children at McLaughlin School don't have math or science books. She mentioned that there are about 250 kids there. If a textbook costs \$50 and you multiply that, it is about \$12,500. As Chairman of the School Board, I think you should pigeon hole the Superintendent and find out why kids in the seventh grade at McLaughlin School do not have math or science books. There may be a reason, but as a former principal I can't understand how kids are going to learn without books. In watching a Board meeting, my understanding was that they are returning revenues to the City.

Mayor Guinta stated I will bring it up with the Superintendent. However, I will tell you that the last meeting I had with the Superintendent two weeks ago regarding textbooks and supplies, he communicated to me that each principal indicated that they have the proper supplies and all the proper textbooks. That being said, I will follow up with him about that specific school.

Alderman Osborne stated I have been an Alderman for quite a while and this school thing and book issue has come up so many times over the years. I can't understand why this isn't the first priority with the school. I can't understand why the books wouldn't be bought before anything else is spent. I can't believe this.

Mayor Guinta stated let me try and clarify with the Superintendent because he has conveyed to me that that has been done. I'd be happy to report back through written communication.

Alderman Osborne stated it's like being in a tire shop without tires. This has been going on for 30 years. I call it a tear jerker. This is should be the first thing bought for the kids. How can you run a school without books? Everything else should fall second to that.

The Board recessed to meet with legal counsel.

Mayor Guinta called the meeting back to order.

Alderman J. Roy stated Your Honor, we have a meeting of the MCTV/MCAM Committee tomorrow night at 7:00 P.M.

Mayor Guinta stated any Alderman who wants to attend tomorrow can. It is an open meeting.

*On motion of **Alderman J. Roy**, duly seconded by **Alderman Pinard**, it was voted to have Mayor Guinta call the Superintendent and ask him to be at the MCTV Committee meeting with a proposal on how MCTV can help the City through this tough time.*

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

A True Record. Attest.

City Clerk