

## **AGENDA**

### **BOARD OF MAYOR AND ALDERMEN**

**December 15, 2009**  
**Mayor and all Aldermen**

**7:30 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation by representatives of the Board of Water Commissioners and Thomas Bowen, Water Works Director, regarding a proposed increase schedule to water usage rate.

#### **CONSENT AGENDA**

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

#### **Accept BMA Minutes**

- A. Minutes of meetings held on June 3, 2008 (One meeting), July 8, 2008 (Two meetings), August 5, 2008 (Three meetings), August 21, 2008 (One meeting).

#### **Approve under supervision of the Department of Highways**

- B. Pole petition:

11-1258      870 Hayward Street

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

C. Sidewalk Petition:

1188 Union Street

**Information to be Received and Filed**

- D. Approved minutes from the Commission meeting held October 27, 2009, October 2009 Financial Report, and October 2009 Ridership Report submitted by Evan Rosset, Executive Director MTA.
- E. Communication from Bryan Christiansen, Comcast, regarding upgrades to cable services.

**REFERRAL TO COMMITTEE**

**COMMITTEE ON FINANCE**

F. Resolutions:

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park – Al Lemire Field Improvement Project.”

**COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC**

- G. Amended and Restated Petition to close streets by gates submitted by Wal-Mart Real Estate Business Trust attorneys Devine Millimet & Branch, Professional Association.  
*(Note: A recommendation from Michael Landry, Planning Board Chairman, has been attached.)*

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

5. Nomination(s) to be presented by Mayor Guinta, if available.  
**Ladies and Gentlemen, what is your pleasure?**
6. A motion is in order to recess the meeting to allow the Committee on Finance to meet.
7. Mayor Guinta calls the meeting back to order.
8. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**
9. Report(s) of the Committee on Administration/Information Systems, if available.  
**Ladies and Gentlemen, what is your pleasure?**
10. Report(s) from the joint meeting of the Committee on Community Improvement/Lands and Buildings, if available.  
**Ladies and Gentlemen, what is your pleasure?**
11. Communication from Steven Hermans, Attorney, submitting 1850 Associates Limited Partnership Community Revitalization Tax Relief Incentive Application.  
*(Note: A summary of findings submitted by Jay Minkarah, Economic Development Director, is attached.)*  
**If the Board so desires a motion would be in order to grant the request for a period of five years and further authorize staff to execute all related documents.**
12. Consideration of an employment contract for the Airport Director.  
*A motion would be in order to enter non-public session under the provisions of RSA 91-A:3(II)(a).*

13. Discussion relating to the Office of Youth Services.  
*A motion would be in order to enter non-public session under the provisions of RSA 91-A:3(II)(c).*

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

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center.”

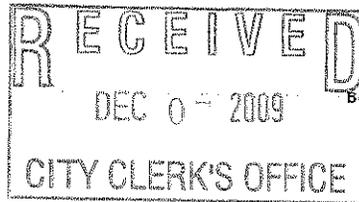
“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park – Al Lemire Field Improvement Project.”

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

15. Mayor Guinta advises that a motion is in order that all matter pending before the present Board of Mayor and Aldermen and its Committees as of January 5, 2009 be referred to the next Board of Mayor and Aldermen.

16. NEW BUSINESS  
A. Communications  
B. Aldermen

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



**MANCHESTER WATER WORKS**  
281 LINCOLN ST., MANCHESTER, NEW HAMPSHIRE 03103-5093 Tel. (603) 624-6484

BOARD OF WATER COMMISSIONERS

LOUIS C. D'ALLESANDRO  
President  
DYLAN R. CRUESS  
Clerk  
WILLIAM A. BEATON  
BERNARD G. GARRITY, JR.  
PHILLIP SAPIENZA  
PAUL G. LESSARD

Ex Officio  
HON. FRANK C. GUINTA  
Mayor

THOMAS M. BOWEN, P.E.  
Director and Chief Engineer

ROBERT BEAURIVAGE, P.E.  
Asst. Director

December 7, 2009

Board of Mayor and Aldermen  
c/o City Clerk's Office  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

**RE: WATER USAGE RATE**

Dear Members of the Board of Mayor and Aldermen:

In response to the questions raised by the Board of Mayor and Aldermen at the meeting on December 1, 2009 regarding the need for a water rate increase, the following background information is herein provided:

1. An explanation and justification of the proposed 7% water rate increase effective January 1, 2010.
2. A summary of the typical annual residential water bill.
3. 2009 Water rate comparison of major communities throughout the State.

Representatives of the Board of Water Commissioners and I will be in attendance at the December 15, 2009 Board of Mayor and Aldermen meeting to answer any questions that the Board may have.

Sincerely,

Thomas M. Bowen, P.E.  
Director

TMB:ds

Enclosures

cc: Board of Water Commissioners

Rationale and financial justification to warrant the proposed rate adjustments:

- A subcommittee of the Water Commission met in September and October to review projected revenue shortfalls and consider alternatives which would allow the MWW to continue to meet our customers' needs and maintain our aging infrastructure. This information was presented to the full board in November and after reviewing alternatives to correct the projected revenue deficiency, opted for a series of 3 – 7% increase beginning in 2010. In addition to cutting more than \$400,000 from the MWW proposed 2010 budget, the Board considered other alternatives including deferring an increase in 2010 and several options which included bonding necessary improvements for 1 - 2 years.
- MWW's policy as endorsed by the Water Commission is to maintain an operating cash balance of \$1M, this equals 1 month of operating expenditures and payroll. Beginning in 2010, this balance is anticipated to fall below this amount.

Further, without the projected rate increases, the operating cash balance would be in a deficit of almost \$1.5M by the end of 2011 and \$4.0 million by 2012.

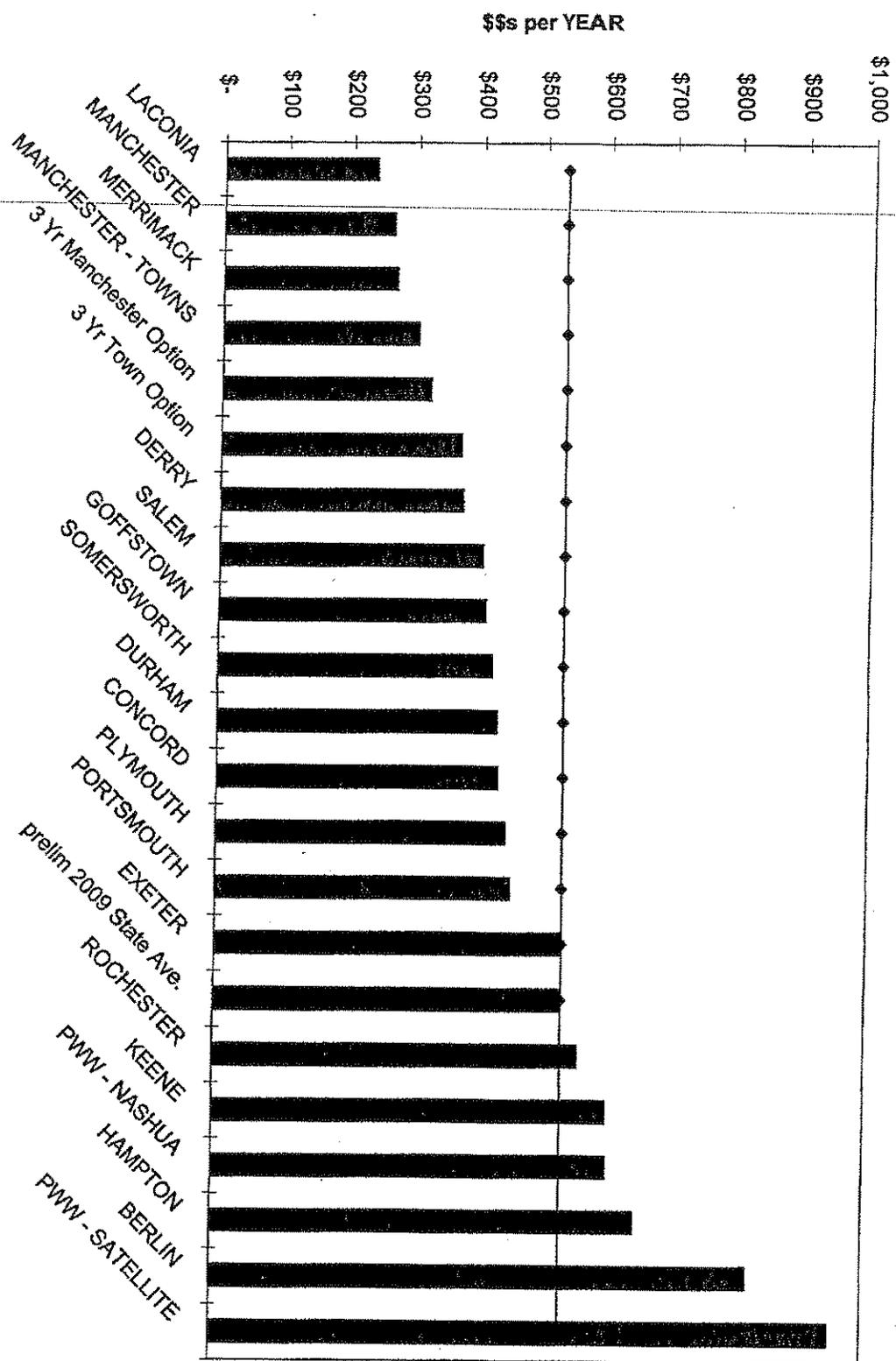
- Delaying the rate increase to future years has a multiplying effect on the size of the increases - To defer the earlier years increases would warrant double digit increases to 'catch up' prior year deficits. If MWW were to defer the 2010 7% increase until 2011, it would be necessary to impose an 18% increase in 2011 and a 4% increase in 2012 to hit the target operating balance through 2014. The Water Commission was not in favor of deferring the increase as that would only necessitate a double digit increase the following year.
- MWW is committed to maintaining its infrastructure however the Water Commission does not support bonding to finance routine and recurring capital projects such as annual water main replacement and rehabilitation. The financing cost of bonding for 20 years at 4% interest is approx. 40% of the principal amount. The most cost effective way to fund such recurring projects is through rate base.
- MWW rates are currently the second lowest of all major cities and towns in the State of NH at \$262 per year for a typical single-family home in Manchester. The proposed rate adjustments would increase billing less than \$20 annually (\$5 per quarterly billing) to a maximum estimated annual cost of \$321 by 2012. Factoring in the proposed rate increases, MWW rates would still be markedly below the State's current average household cost of water service of over \$500 annually and the 3<sup>rd</sup> lowest amongst local cities and towns.

**SUMMARY OF TYPICAL ANNUAL RESIDENTIAL WATER BILL**

**ASSUMES RESIDENTIAL USAGE OF 275 GPD OR 134 CCF/YR**

	2009 CURRENT	PENDING 1/1/2010 +7%	FUTURE 1/1/2011 +7%	FUTURE 1/1/2012 +7%
<b>MANCHESTER</b>				
RATE / CCF	\$ 1.305	\$ 1.396	\$ 1.494	\$ 1.599
5/8" SERV CHARGE / Q	\$ 21.87	\$ 23.40	\$ 25.04	\$ 26.79
TYPICAL ANNUAL COST	\$ 262.35	\$ 280.71	\$ 300.36	\$ 321.39
INCREASED COST / MO.	\$	\$ 1.53	\$ 1.64	\$ 1.75
<b>OUT OF TOWN</b>				
RATE / CCF	\$ 1.50	\$ 1.605	\$ 1.717	\$ 1.838
5/8" SERV CHARGE / Q	\$ 25.15	\$ 26.91	\$ 28.79	\$ 30.81
TYPICAL ANNUAL COST	\$ 301.60	\$ 322.71	\$ 345.30	\$ 369.47
INCREASED COST / MO.	\$	\$ 1.76	\$ 1.88	\$ 2.01

2009 WATER RATE COMPARISON



CITY  
 2009 Prelim State Ave

Matthew Normand  
City Clerk



Kathleen Gardner  
Deputy City Clerk

**CITY OF MANCHESTER**  
*Office of the City Clerk*

**MEMORANDUM**

To: Board of Mayor and Aldermen

From: Matthew Normand  
City Clerk 

Date: December 3, 2009

Re: Minutes of Meetings

I have enclosed minutes of meetings which will be submitted for consideration on the December 15, 2009 agenda of the Board as follows:

June 3, 2008 (One meeting)  
July 8, 2008 (Two meetings)  
August 5, 2008 (Three meetings)  
August 21, 2008 (One meeting)

Please call me should you have any questions or concerns. Thank you.



**Public Service  
of New Hampshire**

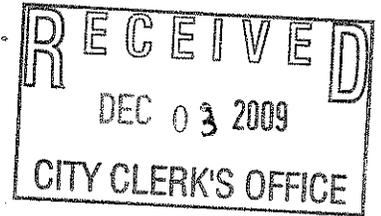
60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire  
P.O. Box 330  
Manchester, NH 03105-0330  
(603) 669-4000

The Northeast Utilities System

December 2, 2009

Office of the City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101



Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace poles located in the City of Manchester. Enclosed for your review is pole license petition 11-1258 for pole(s) located in the City of Manchester.

Upon approval, please have the license section signed by the proper authority. The copy labeled "**Manchester**" should be retained for your records.

Please return the remaining copies along with any invoices for payment to my attention at the address below.

If the petition is rejected, please return all copies of the license petitions with an explanation of rejection.

If you have any additional questions or require more information, please contact me at 603-634-2218 if you have any questions.

Respectfully,

Jeana Delisle  
Representative-A Records  
Public Service of New Hampshire  
60 West Pennacook Street PO Box 330  
Manchester, NH 03105-9989

Enclosure(s)

CITY OF MANCHESTER, NH  
**PETITION FOR POLE LOCATION LICENSE**

POLE LOCATION  
FORM NO. 1

November 19, 2009

*To the Hon. Board of Mayor and Aldermen  
of the City of Manchester, New Hampshire:*

**PUBLIC SERVICE OF NEW HAMPSHIRE  
&  
FairPoint Communications, Inc.**

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License one ( 1) pole(s), 64/54X located on 870 Hayward Street in the City of Manchester.

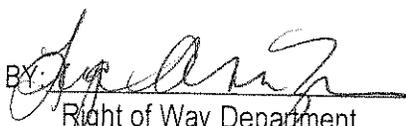
Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE and FairPoint Communications, Inc.".

Plan No. 11-1258  
Dated: 11/19/2009

**PUBLIC SERVICE OF NEW HAMPSHIRE**

BY:   
Jeana Delisle, Licensing Specialist

**FairPoint Communications, Inc.**

BY:   
Right of Way Department

*Conditions upon which The Pole Location License cited on reverse side is Granted:*

1. Excavations, obstructions or encumbrances shall at all times be properly guarded, barricaded or fenced during the whole time the highway is excavated, obstructed or encumbered, and lights shall be maintained throughout the night so that all excavations, obstructions and encumbrances may be readily seen.
2. The grantee hereby agrees to indemnify and save harmless the City of Manchester, NH, for all claims for damages or injury whatsoever that may arise from the excavation, obstruction, encumbrance or occupation of said highway, and the applicant shall be accountable for all damage that may occur on account of said excavation, obstruction, encumbrance or occupation of the aforesaid highway made or created in violation of the terms of this License; the City of Manchester in no case assuming any responsibility or liability by reason of the issuing of this grant.
3. Shade trees shall neither be cut down, cut, trimmed or otherwise injured by the grantee, unless special permission shall have been granted by the abutting owner or owners, or the city.
4. The grantee shall neither grant permission to place signs, or advertisements, (Excepting only city street signs) nor permit the same to be attached to or displayed on or upon any pole or poles within the City of Manchester, and said grantee shall remove or cause to be removed all such signs or advertisements which may be so placed by any corporation, firm, person or persons.
5. The grantee shall paint all poles within the City of Manchester, unless such poles are of the creosote treated type or it is otherwise specified in this grant, the standard color to be dark green.
6. The highway shall be left in as good condition and repair upon the completion of the work necessitated by this grant as existed previously, and the Department of Highways may restore the highway to as good condition and repair, or cause the same to be restored under its direction, and the grantee shall reimburse the City for any and all liability and expenses occasioned by reason of such work.
7. All poles shall be of wood or other suitable material, and the wires shall be run along and across the highway between the points named herein, and shall be maintained at least 18 feet above the surface of the ground.

"In accordance with the requirements of RSA 72:23, 1(b) the licensee(s) and any other entity now or hereafter using or occupying municipal property pursuant to the is license shall be responsible for the payment of, and shall pay, all properly assessed personal and real property taxes no later than the due date. Failure to pay duly assessed personal and real property taxes when due shall be cause to provide a written notice to said licensee to show cause by a date certain specified in the notice to said license should not be terminated for nonpayment of the sums due.

The changes to the within license set for in the preceding paragraph shall take effect April 1, 2005, and shall remain in effect until changed in accordance with the requirements of RSA 231:163."

# POLE LOCATION LICENSE

POLE LOCATION  
FORM NO. 2

In the Board of Mayor and Aldermen of the City of Manchester, New Hampshire,  
on \_\_\_\_\_ It appearing that the public good requires it, it is hereby

## ORDERED

That PUBLIC SERVICE OF NEW HAMPSHIRE AND FairPoint Communications, INC. be and hereby are granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary in the public way, or ways, hereinafter referred to as requested in the petition of said Companies dated the 19th day of November, 2009.

All construction under this order shall be in conformity with the Laws of the State of New Hampshire and the Ordinances of the City of Manchester, NH, and this license is granted, subject to its approval by the Surveyor of Highways and to certain conditions which are printed on the reverse side of this order, also the following designations and definitions, before this license shall be in full force and effect;

The maximum and minimum length of said poles shall be 60 feet and 25 feet; height of structures 52 feet and 20 feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, or of the side-walk, and of underground conduits and cables are designated or defined as shown upon a plan marked "POLE LOCATION PLAN - PUBLIC SERVICE OF NEW HAMPSHIRE AND FairPoint Communications, INC" No. 11-1258, dated 11/19/2009 attached to and made a part of this order. All of said wires and cables except such as are vertically attached to poles and structures shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

Underground conduits, wires and cables shall be not less than current minimum requirements of the National Electrical Safety Code below the surface of the roadway.

This license is granted as to the following public ways or parts of ways in Manchester, New Hampshire.

License one ( 1 ) pole(s), 64/54X located on 870 Hayward Street in the City of Manchester.

Granted By Vote of Board of Mayor  
and Aldermen, subject to approval  
of surveyor of Highways at meeting  
of said Board held \_\_\_\_\_

Approved  
Dept. of Highways

BY: \_\_\_\_\_  
\_\_\_\_\_, Surveyor

ATTEST \_\_\_\_\_  
Matthew Normand, City Clerk

Received \_\_\_\_\_ at Manchester and recorded in Records of Pole Location Licenses.  
Vol., \_\_\_\_\_, Page \_\_\_\_\_, filed and an attested copy delivered to the said Public Service of New  
Hampshire and FairPoint Communications, Inc.

ATTEST \_\_\_\_\_  
Matthew Normand, City Clerk

B-4

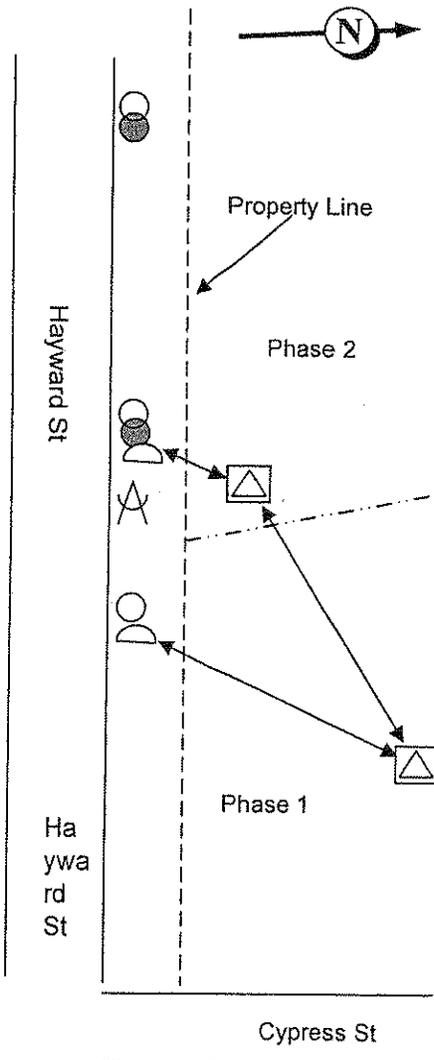
# POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and FairPoint Communications, Inc.

DATE 11/19/2009  
 MUNICIPALITY: Manchester  
 STREET / ROAD: 870 Hayward Street  
 PSNH OFFICE: Hooksett  
 PSNH ENGINEER: John O'Connor  
 TELCO ENGINEER: Jeff Walz

LICENSE NO. 11-1258  
 STATE HWY. DIV. NO. 5  
 STATE LICENSE NO. \_\_\_\_\_  
 WORK REQUEST# 1159859  
 WORK FINANCIAL # 9Y810859  
 TELCO PROJECT # 220301

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL		REMOVE	REF	100% LTS	J/O	100% TEL	Span	DIST. FROM Curb	Remarks	DOC REQ
LTS	TEL			POI F	PB									
64/53		45'3	E+5									next	Lic#5290-2 Cut and kick replace	
64/54		45'3	E+5									next	Lic#5290-2 Riser phase 2 replace next to old	
64/54X		45'3	E+5								30	next	from existing pole Riser Phase 1 New pole	M



B-5



TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN:

MANCHESTER, N.H. 0310

'09 DEC -1 P2:15

I/we, PAUL R. TOUSIGNANT, the  
Name(s)

owner(s) of the real estate abutting upon 1188 Union St.  
Street Address

Manchester, NH 0310

Description (including footage): 100 FT IN FRONT OF HOUSE  
AND 100 FT ON THE LEXINGTON ST SIDE

desire that:

- A sidewalk be constructed along said frontage
- A sidewalk be reconstructed along said frontage
- Curbing be installed along said frontage
- Curbing be reset along said frontage

hereby agreeing that if said improvement is made, I/we will pay one-half (1/2) the cost of same. I/we the undersigned request your Honorable Board to grant this petition and to direct the Public Works Director to prepare and execute the necessary agreement between said petitioner(s) and the City of Manchester and forthwith to carry out the work as specified above.

Signed: Paul R. Tousignant  
Owner

1188 Union St.  
Mailing Address

Phone #: 603-622-1077

Date: 12-1-09

C

**MANCHESTER  
TRANSIT AUTHORITY**

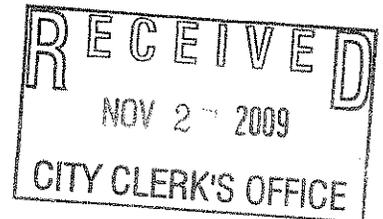
110 ELM STREET, MANCHESTER, NH 03101-2799  
TELEPHONE (603) 623-8801  
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR  
PETER ESCALERA, VICE CHAIR  
JOSEPH DESELLE  
MAUREEN NAGLE  
CAROL WILLIAMS

EVAN ROSSET  
EXECUTIVE DIRECTOR

November 25, 2009



Mr. Matthew Normand, City Clerk  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101

Dear Matthew,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, November 24, 2009. Enclosed are the approved Minutes of the October 27, 2009 Commission Meeting, October 2009 Financial Report, and October 2009 Ridership Report.

The next scheduled Commission Meeting will be Tuesday, December 29, 2009 at 5:00 PM.

If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

*Evan Rosset* (cc)

Evan Rosset  
Executive Director

ER:cr

Enclosures

**MANCHESTER  
TRANSIT AUTHORITY**  
110 ELM STREET, MANCHESTER, NH 03101-2799  
TELEPHONE (603) 623-8801  
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR  
PETER ESCALERA, VICE CHAIR  
JOSEPH DESELLE  
MAUREEN NAGLE  
CAROL WILLIAMS

EVAN ROSSET  
EXECUTIVE DIRECTOR

Manchester Transit Authority

October 27, 2009 Commission Meeting

**MEMBERS PRESENT:**

Chairman John H. Trisciani  
Vice Chairman Peter Escalera  
Commissioner Maureen Nagle  
Commissioner Carol Williams

**PERSONNEL PRESENT:**

Evan Rosset, Executive Director  
Michael Whitten, Assistant Executive Director  
William J. Cantwell, Supt. of Administration  
Karen Holden, Operations Planning Manager

**MEMBER ABSENT:**

Commissioner Joseph Deselle

**PERSONNEL ABSENT:**

Paul Beauregard, Shop Manager

1. a. Chairman TRISCIANI called the meeting to order at 5:05 PM.
- b. Christmas Light Tour. Manchester Police Officer Paul Rondeau did a short presentation on the Senior Citizens Christmas Light Tour to be held on December 17<sup>th</sup>. He pointed out that this event is not possible without the cooperation of the MTA and asked if the MTA could once again provide buses. At 5:30 PM buses would pick up passengers at CMC's parking lot and Elliot Senior Health Center on Webster Street. Manchester Housing Authority would provide transportation to the elderly high-rises. The buses will tour the City and then arrive at the PAL building around 7:30 PM for light refreshments and entertainment. ROSSET said we would need to use school buses for this event and two would be wheelchair equipped. Officer Rondeau will know the passenger count the week prior.

NAGLE made a motion to supply school buses for the Senior Light Tour on December 17<sup>th</sup>. Seconded by WILLIAMS. All Commissioners present in favor. Officer Rondeau thanked the Board and left the meeting.

- c. **Minutes of September 29, 2009.** NAGLE made a motion to approve the minutes as presented. Seconded by WILLIAMS. All Commissioners present in favor.

## **MANAGEMENT REPORTS**

2. a. **Financial Report for September 2009.** NAGLE made a motion to approve the September 2009 Financial Report. Seconded by WILLIAMS.

**Transit Operation:** CANTWELL reported transit revenues were \$69,298 (23.67%) more than budget because the City is paying double the budgeted subsidy. Farebox, tickets, and shuttle revenues were \$5,257 (10.94%) more than budget with the adult monthly fare being the highest variance. Expenses were \$17,388 (5.25%) less than budget with driver labor running close to budget.

**School Operation:** CANTWELL reported revenues were \$3,116 (1.51%) less than budget. School charters were behind budget for the month and year-to-date. Expenses were \$9,440 (3.99%) less than budget. The labor variance against the budget was minimal, as we had a smooth opening week of school. The variance this month was in maintenance parts to replace an engine in a 7-year old school bus (#1189).

TRISCIANI questioned the \$37,000 balance in the school operation fund for vehicle replacement. ROSSET said that money is dedicated to replace failing camera hard drives'.

The Accounts Receivable was reviewed. No questions from the Board.

All Commissioners present in favor of approving September 2009 Financial Report.

b. **Operations Reports for September 2009:**

**Ridership Statistics.** WHITTEN stated September was the first month operating our revised schedules. He reported combining routes 1 and 7 incurred a 20% decrease in ridership as compared to same month last year, the Airport is offering peak service only and ridership decreased 39%, combining routes 5 and 9 ridership is down 4%, and the Front Street is running peak service only and is down 12%. He will monitor why the Airport is down such a great percentage. The Shopper Shuttles have had a consistent decrease; 15% from last year. These figures may get worst for October because last years' ridership was record setting because we were just coming off the peak of gas prices and the recession collapsed in September. October 2008 was the first month we saw people trying to save money in advance of layoffs. StepSaver service continues to grow (+12%) and we ordered 2 new vans to accommodate the expected growth in StepSaver service. Front Street ridership on Saturday is 164 passengers per month. Saturday ridership for the Airport was 18 passengers per day, so adding service to the Front Street bus on Saturdays has more than doubled what the Airport's ridership was. The extended evening ridership is 171 passengers for the month.

**Transit Operating Statistics.** Passenger boarding's were 39,430 on transit and 1,033 on StepSaver. During the month there were 2 minor vehicle collisions and 8 complaints (schedule related). ESCALERA questioned the scheduled and unscheduled absent days and asked if we are ever short on drivers. WHITTEN

replied we have 21 schedules and 26 operators and rarely do we see 26 of 26 operators reporting to work. ROSSET said there was a period last year between January 2<sup>nd</sup> to June 30, 2009 that we averaged 2 people out per day sick; not FMLA or workers compensation. ESCALERA asked about the attendance policy. ROSSET explained when an employee calls in sick they are charged with 2 points; they can call out sick for 3 days in a row and it is only 2 points. Once an employee gets 9 points within 12 months they will be spoken to and at 15 points they are terminated. An employee can have a point removed if they are not absent an entire month.

**School Operation Report.** HOLDEN reported the school operation is in full swing. During the first week of school we had drivers staged around the City in case of overloads or anything else that could come up. We started the month with 84 school bus drivers and ended the month with 79. There were 117,940 school passenger boarding's, we did 131 school charters, there were 6 complaints (discipline related) and all have been resolved, and 2 vehicle collisions (minor) with no students on board.

**Maintenance Report for September 2009.** WHITTEN reported there were 13 transit inspections scheduled and completed, and 24 school inspections were scheduled with 11 completed. There was 1 transit and 4 school bus road calls.

### **NEW BUSINESS**

3. a. **Ratify October 6<sup>th</sup> Telephone Poll to Sell an Additional Mini School Bus at the State of NH Auction.** NAGLE made a motion to approve selling an additional mini school bus at the State Auction. Seconded by WILLIAMS. All Commissioners in favor.

- b. **2010 Holiday Schedule.** ROSSET presented the following 2010 Holiday schedule:

New Year's Day	Friday, January 1 <sup>st</sup>	Closed
Martin Luther King, Jr.	Monday, January 18 <sup>th</sup>	Open
Presidents' Day	Monday, February 15 <sup>th</sup>	Open
Memorial Day	Monday, May 31 <sup>st</sup>	Closed
Independence Day	Sunday, July 4 <sup>th</sup>	Closed
Labor Day	Monday, September 6 <sup>th</sup>	Closed
Columbus Day	Monday, October 11 <sup>th</sup>	Open
Veterans Day	Thursday, November 11 <sup>th</sup>	Closed
Thanksgiving Day	Thursday, November 25 <sup>th</sup>	Closed
Christmas Day	Saturday, December 25 <sup>th</sup>	Closed

NAGLE stated we are a service orientated business and should have bus service on Veterans Day. She realizes we are honoring Veterans, but asked what happens to the Veterans that have to go to work, school, etc. ROSSET said running on the holiday adds cost to the budget and we would need to negotiate with the Union to remain open. WHITTEN said ridership on a holiday is usually lower than 75%.

NAGLE made a motion to approve the 2010 holiday schedule as presented.

Seconded by ESCALERA. All Commissioners present in favor.

- c. **Disposal of Transit Bus 122.** ROSSET has been talking to the Seacoast Trolley Museum to see if they are interested in taking buses 122 and 9801. His first choice is to donate these two buses, but if that doesn't work try to sell them.

TRISCIANI said if we keep them on property we have to insure them. NAGLE made a motion to either donate or sell these two buses. Seconded by

WILLIAMS. All Commissioners present in favor.

- d. **ARRA Round Two.** ROSSET explained he submitted a request to the NH Department of Transportation for ARRA Round 2 funds to outfit the fleet with bike racks and purchase a ticket vending machine for downtown. When the terminal reopens they will be selling tickets, but it is not as convenient as having

them sold at Veterans' Park. This machine would eliminate drivers having to sell tickets. Will keep the Board informed.

- e. **Labor/Management Meetings.** ROSSET started having bi-monthly labor/management meetings with the 4 Union Representatives and Department Heads. This keeps the Union informed about what is going on and vice versa.
- f. **Grievances Filed by Union – 09-025 and 09-026.** WHITTEN explained during the week of October 12<sup>th</sup>, Union Board members approached him about attending a conference in Connecticut and requested time off for 4 Representatives on October 22<sup>nd</sup> and 23<sup>rd</sup>. We have a long standing practice of approving up to 2 Union members off for Union business. Last year when Joanne Beauregard was President, she and 2 Union Representatives had gone to a conference in Florida and an agreement was made that they would be allowed the time off provided Management is allowed to use spare transit operators rather than offering the work out at overtime. Since that agreement worked in the past, he presented it to Union Vice President Denis Carrier. Mr. Carrier wanted to discuss this agreement with the Union President who was out sick. Over several days Mr. Carrier tried to contact the President via telephone. Since this work had to get posted, in his capacity as Vice President acting in her place he let WHITTEN know he agreed to this agreement and that they were decreasing their request from 4 Representatives to 3. Mr. Carrier spoke with Union Representative Richard Longden and authorized him to sign the agreement which was identical to the agreement done in the past. On Thursday their conference was cancelled, the work was already covered for that day, and we were not approached by members to return to work or alter the agreement for Friday. MTA reached out to President Valentin and

Secretary/Treasurer Martel, and they said they were still taking the time off for Union business. Since everyone was still going to be out, we continued to cover the schedules with the spares operators as agreed to. We received 2 grievances regarding this. One of the grievances references a request that the Union will contact the Labor Relations Board and First Transit. WHITTEN stated Management has been working very closely these past months with the Union leadership and they have done a great job of stepping up to the plate. What happened about this agreement is that we have a couple of employees who are just dissatisfied. Grievance 09-025 asks nothing of Management and brings up no section of anything just a series of requests for the Union. The second grievance references the work was offered in violation of the CBA; WHITTEN explained when Union and Management reach an agreement, that agreement supersedes the CBA and they can't grieve their own agreement. ROSSET explained he is not going to be in the practice of bringing grievances to the Board, but since these are complaints he wanted to make sure the Board was aware.

### **OLD BUSINESS**

4. a. **Town of Bedford Subsidy Effective April 2010.** ROSSET received a call from Bedford's Town Manager stating they are having a difficult budget year and he is not putting money in for transit subsidy for FY 2010. ROSSET will be meeting with SNHPC to develop a rider survey, Bedford's Town Manager is surveying businesses along that route to find out how many employees utilize bus service and what the impact would be for them, and if businesses would be interested in funding instead of money coming from the town. We will wait and see what the demands are and what the impact will be.

- b. **Manchester School District – Pupil Transportation RFP.** ROSSET reported he and WHITTEN attended the School Board’s Coordination Committee Meeting where they talked about FTA Region I’s finding regarding the MTA’s ability to respond and compete with private bus carriers in an RFP process for pupil transportation. This Committee feels very strongly that they need to adhere to their own policy that purchases or services over \$20,000 need to be put out to bid. The Superintendent has also recommended going out to bid. The Asst. Superintendent informed the Committee that they put the special needs transportation out to bid and the 2 providers they were using were the only two providers who responded which ended up costing the School District more money to provide special needs transportation. ROSSET stated this has to go before the full School Board for approval. ROSSET will keep Board Members apprised.

### **TABLED ITEM**

5. a. **Drivers Handling Cash.** NAGLE made a motion to remove this item from the table. Seconded by WILLIAMS. ROSSET stated he is optimistic that the second round of ARRA funding will allow us to purchase the ticket vending machine which would eliminate drivers selling tickets. All Commissioners present in favor of removing from the table.

### **OTHER BUSINESS**

6. a. **Stuff a Bus/Open House.** NAGLE stated with the holiday season approaching she would like to do a “Stuff a Bus” program where passengers would donate canned goods and non perishable items and place in containers on the buses. She would also like to hold an Open House for the elected officials and introduce the

new hybrid buses. NAGLE and HOLDEN will work on the "Stuff a Bus" program.

- b. **Date for Next Meeting.** Tuesday, November 24, 2009.

With no further business to come before the Board, NAGLE made a motion to adjourn the meeting at 6:30 PM. Seconded by WILLIAMS. All Commissioners present in favor.

# Commissioners Memorandum

To: Commissioners  
 From: Mike Whitten, Assistant Executive Director  
 Date: November 20, 2009  
 Re: Transit Ridership Report – Oct 2009



## October

## FYTD

Routes	FY 2009		FY 2010		% Change	FY 2009		FY 2010		% Change
	Weekdays	Saturdays	18	22		87	17	87	17	
Dartmouth Clinic-VA Hosp #1			3,801	2,790	-27%	13,819	12,821		-7%	
Hanover-Massabesic Route #2			3,760	2,955	-21%	13,529	11,708		-13%	
Brown Ave-Airport Route #3			3,045	1,751	-42%	11,772	7,719		-34%	
Elliot-Industrial Park Route #4			3,234	2,305	-29%	11,691	9,494		-19%	
SNHU-Northside Plaza #5			3,352	2,677	-20%	11,332	10,504		-7%	
Bremer-Mast Rd Route #6			6,128	4,822	-21%	21,428	19,279		-10%	
So. Willow Route #8			6,932	5,618	-19%	25,130	21,338		-15%	
Valley-Weston Rd. Route #10			5,765	4,804	-17%	21,194	18,392		-13%	
Front St. Route #11			2,651	2,231	-16%	9,375	8,054		-14%	
So. Beech Route #12			5,344	4,794	-10%	20,301	18,254		-10%	
Bedford Highlands Route #13			5,603	5,045	-10%	20,848	19,433		-7%	
UPass Riders - MCC			1,124	1,238	10%	3,249	3,780		16%	
Hannaford Shuttle			548	474	-14%	1,965	1,779		-9%	
Stop & Shop Shuttle			166	99	-40%	603	498		-17%	
Weekday Fixed Route Totals			46,211	35,784	-23%	165,940	143,982		-13%	
Saturday Fixed Route Totals			4,118	4,581	11%	17,047	15,291		-10%	
Fixed Route Weekday Average			2,567	1,627	-37%	1,907	1,655		-13%	
Fixed Route Saturday Average			824	916	11%	947	899		-5%	
Total Transit Passengers Served			50,329	40,365	-20%	182,987	159,273		-13%	
Total StepSaver Passengers Served			1,069	1,113	4%	3,680	4,065		10%	

## Saturday Changes

	Oct		Sep
	Total	Avg Sat	Avg
Front Street Ridership	242	48	41
Extended Evening Ridership	190	38	43
Brown Ave Demand Response Trips	32	6	2

Mike Whitten



**Transit**

**October 2009**

**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Four Months Ending October 31, 2009**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Farebox Revenue</b>					
Farebox Revenue	\$28,432.59	\$32,199.00	\$104,064.47	\$124,025.00	(\$19,960.53)
Adult Fares	7,475.00	4,600.00	20,976.20	18,400.00	2,576.20
Adult Monthly Fares	3,700.00	5,750.00	35,728.80	23,000.00	12,728.80
Senior Citizens Fares	1,638.00	1,150.00	5,033.50	4,600.00	433.50
Senior Citizen Monthly Fare	1,404.00	1,035.00	5,516.50	4,140.00	1,376.50
Disabled Rider Fare	3,262.66	2,415.00	11,434.42	9,660.00	1,774.42
Student Fares	6,120.00	1,150.00	6,995.00	4,600.00	2,395.00
<b>Total Farebox and Tickets</b>	<b>52,032.25</b>	<b>48,299.00</b>	<b>189,748.89</b>	<b>188,425.00</b>	<b>1,323.89</b>
<b>Shuttle and Excursions</b>					
Shopping Shuttle	825.00	1,000.00	3,450.00	4,000.00	(550.00)
<b>Total Shuttle and Excursions</b>	<b>825.00</b>	<b>1,000.00</b>	<b>3,450.00</b>	<b>4,000.00</b>	<b>(550.00)</b>
<b>Other Revenue</b>					
Sale of Fuel to City Departments	31,635.65	25,625.00	123,651.28	102,500.00	21,151.28
Sale of Maintenance Service to City	4,849.38	1,800.00	14,241.71	7,200.00	7,041.71
Advertising Revenue-Bus	3,362.66	5,000.00	17,812.38	20,000.00	(2,187.62)
Sale of Scrap Materials			672.39		672.39
Interest Income	65.95	250.00	379.29	1,000.00	(620.71)
Photo Picture ID Revenue	16.00	20.00	64.00	80.00	(16.00)
Other Non-Transp. Revenue		25.00	3.91	100.00	(96.09)
<b>Total Other Revenue</b>	<b>39,929.64</b>	<b>32,720.00</b>	<b>156,824.96</b>	<b>130,880.00</b>	<b>25,944.96</b>
<b>Total Operational Income</b>	<b>92,786.89</b>	<b>82,019.00</b>	<b>350,023.85</b>	<b>323,305.00</b>	<b>26,718.85</b>
<b>Operating Assistance</b>					
City of Manchester	150,000.00	81,188.00	600,000.00	324,752.00	275,248.00
Town of Bedford	3,600.00	3,600.00	14,400.00	14,400.00	
State of New Hampshire				9,100.00	(9,100.00)
Federal Operating Subsidy	137,813.00	118,115.00	522,797.00	472,460.00	50,337.00
<b>Total Operating Assistance</b>	<b>291,413.00</b>	<b>202,903.00</b>	<b>1,137,197.00</b>	<b>820,712.00</b>	<b>316,485.00</b>
<b>Total Revenue</b>	<b>384,199.89</b>	<b>284,922.00</b>	<b>1,487,220.85</b>	<b>1,144,017.00</b>	<b>343,203.85</b>
<b>Expenses</b>					
<b>Labor</b>					
Transit Operator Wages	60,311.76	58,248.00	264,140.06	226,370.00	37,770.06
Transit Operator Overtime Wages	8,629.26	6,513.00	27,001.73	25,333.00	1,668.73
StepSaver Operator Wages	13,031.22	13,864.00	51,977.79	54,101.00	(2,123.21)
StepSaver Operator Overtime Wages	2,850.45	1,628.00	7,933.03	6,333.00	1,600.03
Mechanic Wages	10,171.36	12,976.00	43,420.34	51,314.00	(7,893.66)
Mechanic Overtime Wages	1,766.59		2,731.23		2,731.23
Transp. Admin Wages	8,148.74	9,603.00	44,169.87	37,975.00	6,194.87
Transp. Admin Overtime Wages	88.21		284.37		284.37
Maint. Admin Wages	4,311.93	4,036.00	16,659.20	15,962.00	697.20
General Admin Wages	9,217.17	7,784.00	30,654.25	30,785.00	(130.75)
Gen. Admin Overtime Wages		57.00		228.00	(228.00)
<b>Total Labor</b>	<b>118,526.69</b>	<b>114,709.00</b>	<b>488,971.87</b>	<b>448,401.00</b>	<b>40,570.87</b>
<b>Fringe Benefits</b>					

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**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Four Months Ending October 31, 2009**

	Current	Budget	YTD	YTD Budget	YTD Net Change
Health Insurance Expense	\$51,666.75	\$52,379.00	\$215,334.29	\$211,916.00	\$3,418.29
Dental Insurance Expense	1,455.20	1,563.00	6,493.37	6,252.00	241.37
Life Insurance Expense	996.60	857.00	3,255.60	3,428.00	(172.40)
Pension Expense	5,882.00	6,777.00	27,432.00	27,108.00	324.00
FICA Expense	12,665.09	11,120.00	46,824.45	43,949.00	2,875.45
Worker's Compensation	3,437.00	4,532.00	13,646.20	17,852.00	(4,205.80)
Unemployment Compensation	581.00	476.00	2,377.10	1,902.00	475.10
Transit Operator Vacation Wages	5,025.02	4,492.00	27,549.90	17,968.00	9,581.90
Transit Operator Holiday Wages	5,633.01	4,725.00	16,405.99	18,900.00	(2,494.01)
Transit Operator Sick Wages	5,253.20	2,835.00	24,538.76	11,340.00	13,198.76
Mechanic Vacation Wages	2,616.16	1,254.00	10,716.02	5,016.00	5,700.02
Mechanic Holiday Wages	1,861.50	1,479.00	5,577.47	5,916.00	(338.53)
Mechanic Sick Wages	3,866.50	296.00	5,697.99	1,184.00	4,513.99
Transp. Admin Vacation Wages	929.00	1,016.00	6,837.10	4,064.00	2,773.10
Transp. Admin Holiday Wages	567.12	1,120.00	4,129.08	4,480.00	(350.92)
Transp. Admin Sick Wages	1,851.96	240.00	2,697.24	960.00	1,737.24
Maint. Admin Vacation Wages	860.00	860.00	3,206.08	3,440.00	(233.92)
Maint. Admin Holiday Wages	991.64	482.00	1,815.94	1,928.00	(112.06)
Maint. Admin Sick Wages		103.00		412.00	(412.00)
Gen Admin. Vacation Wages	741.74	865.00	2,822.49	3,460.00	(637.51)
Gen. Admin Holiday Wages	(127.84)	728.00	2,214.16	2,912.00	(697.84)
Gen. Admin Sick Wages	335.39	156.00	6,653.23	624.00	6,029.23
Transit Uniform Allowance	775.10	733.00	2,942.58	2,932.00	10.58
Maintenance Uniform Allowance	550.00	448.00	2,529.72	2,972.00	(442.28)
Tool Allowance		100.00	471.50	400.00	71.50
License Reimbursement		42.00	137.10	168.00	(30.90)
Burden Adjustment	(13,435.29)	(16,474.00)	(51,727.58)	(65,150.00)	13,422.42
<b>Total Fringe Benefits</b>	<b>94,977.85</b>	<b>83,204.00</b>	<b>390,577.78</b>	<b>336,333.00</b>	<b>54,244.78</b>
<b>Services</b>					
Management Consultant	12,217.12	13,189.00	51,196.39	52,756.00	(1,559.61)
Commissioner Expense			500.00	500.00	
Auditing Expense	4,000.00	4,533.00	4,000.00	4,533.00	(533.00)
Legal Expense	241.50	667.00	3,045.40	2,668.00	377.40
Service Bureau	6,693.07	966.00	12,951.43	3,864.00	9,087.43
Security Service	194.78	83.00	771.88	332.00	439.88
Outside Advertising	287.95	667.00	845.00	2,668.00	(1,823.00)
Drug & Alcohol Testing	450.00	167.00	495.00	668.00	(173.00)
Pre-Employment Medical	265.50	125.00	531.00	500.00	31.00
Janitorial Service and Supplies	150.79	667.00	3,350.67	2,668.00	682.67
Bank Service Charges	464.21	500.00	2,005.32	2,000.00	5.32
<b>Total Services</b>	<b>24,964.92</b>	<b>21,564.00</b>	<b>79,692.09</b>	<b>73,157.00</b>	<b>6,535.09</b>
<b>Materials and Supplies</b>					
Fuel Operations	19,140.16	20,788.00	80,457.44	80,878.00	(420.56)
Sale of Fuel to City Departments	30,512.44	25,000.00	122,963.29	100,000.00	22,963.29
Maintenance Parts	23,366.59	8,358.00	10,907.57	32,517.00	(21,609.43)
Purchase Discounts	(14.87)	(250.00)	(111.54)	(1,000.00)	888.46
Tires Expense	1,650.81	1,416.00	4,695.51	5,509.00	(813.49)
Oil and Grease	271.34	634.00	1,650.03	2,468.00	(817.97)
Maintenance Supplies	2,473.82	863.00	5,236.66	3,452.00	1,784.66
Body Shop Supplies	509.52	467.00	3,762.54	1,868.00	1,894.54
Hazardous Materials		47.00		188.00	(188.00)
Outside Parts and Labor	50.00	83.00	200.00	332.00	(132.00)
Repairs-Building and Grounds	147.98	1,100.00	5,668.35	4,400.00	1,268.35

D-14

**Manchester Transit Authority**  
**Income Statement Transit**  
**For the Four Months Ending October 31, 2009**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Repairs-Shop Equipment	\$770.94	\$210.00	\$1,746.71	\$840.00	\$906.71
Repairs-Radio Equipment		42.00		168.00	(168.00)
Repairs-Office Equipment	320.93	298.00	1,300.16	1,192.00	108.16
Office Supplies	1,284.93	688.00	4,880.74	2,752.00	2,128.74
Transit Schedules and Tickets	268.80	833.00	3,988.50	3,332.00	656.50
<b>Total Materials and Supplies</b>	<b>80,753.39</b>	<b>60,577.00</b>	<b>247,345.96</b>	<b>238,896.00</b>	<b>8,449.96</b>
<b>Utilities</b>					
Electricity	3,416.71	2,166.00	7,507.41	8,664.00	(1,156.59)
Natural Gas	64.10	50.00	261.74	200.00	61.74
Telephone	755.55	770.00	2,462.08	3,080.00	(617.92)
Water	171.93	193.00	644.09	772.00	(127.91)
<b>Total Utilities</b>	<b>4,408.29</b>	<b>3,179.00</b>	<b>10,875.32</b>	<b>12,716.00</b>	<b>(1,840.68)</b>
<b>Insurance</b>					
Public Liability Insurance	11,196.00	10,625.00	44,784.00	42,500.00	2,284.00
Other Liability	861.00	944.00	3,433.12	3,776.00	(342.88)
<b>Total Insurance</b>	<b>12,057.00</b>	<b>11,569.00</b>	<b>48,217.12</b>	<b>46,276.00</b>	<b>1,941.12</b>
<b>Other Expenses</b>					
Dues and Memberships	159.00	125.00	569.00	500.00	69.00
Training and Meetings		250.00	(907.82)	1,000.00	(1,907.82)
Grievance Expense		75.00		300.00	(300.00)
Depreciation	50,000.00	50,000.00	200,000.00	200,000.00	
<b>Total Other Expenses</b>	<b>50,159.00</b>	<b>50,450.00</b>	<b>199,661.18</b>	<b>201,800.00</b>	<b>(2,138.82)</b>
<b>Total Expenses</b>	<b>385,847.14</b>	<b>345,252.00</b>	<b>1,465,341.32</b>	<b>1,357,579.00</b>	<b>107,762.32</b>
<b>Net Income (Loss)</b>	<b>(1,647.25)</b>	<b>(60,330.00)</b>	<b>21,879.53</b>	<b>(213,562.00)</b>	<b>235,441.53</b>



School

October 2009

D-16

**Manchester Transit Authority**  
**Income Statement School**  
**For the Four Months Ending October 31, 2009**

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
<b>Student Transportation</b>					
Pupil Contract	\$166,450.00	\$169,500.00	\$678,142.50	\$678,450.00	(\$307.50)
Manchester Skill Center	24,000.00	15,000.00	60,000.00	60,000.00	
Special Needs		(8,000.00)	24,000.00	16,000.00	8,000.00
<b>Total Student Transportation</b>	<b>190,450.00</b>	<b>176,500.00</b>	<b>762,142.50</b>	<b>754,450.00</b>	<b>7,692.50</b>
<b>School Charter</b>					
Student Athletics	16,445.75	13,500.00	31,216.65	33,500.00	(2,283.35)
Student Fieldtrips	7,280.75	5,000.00	14,722.95	12,000.00	2,722.95
<b>Total School Charters</b>	<b>23,726.50</b>	<b>18,500.00</b>	<b>45,939.60</b>	<b>45,500.00</b>	<b>439.60</b>
<b>Other Revenue</b>					
Sale of Vehicles and Equipment			6,006.00		6,006.00
Interest Income	10.41	100.00	13.62	400.00	(386.38)
Other Non-Transp. Revenue	197.00		1,467.71		1,467.71
<b>Total Other Revenue</b>	<b>207.41</b>	<b>100.00</b>	<b>7,487.33</b>	<b>400.00</b>	<b>7,087.33</b>
<b>Total Operational Income</b>	<b>214,383.91</b>	<b>195,100.00</b>	<b>815,569.43</b>	<b>800,350.00</b>	<b>15,219.43</b>
<b>Expenses</b>					
<b>Labor</b>					
School Operator Wages	99,323.82	109,771.00	227,877.26	223,786.00	4,091.26
School Operator Overtime Wages	310.46	4,448.00	1,008.75	9,123.00	(8,114.25)
Transit Operator Wages		570.00		1,038.00	(1,038.00)
Transit Operator Overtime Wages	107.00		124.59		124.59
Mechanic Wages	10,146.46	10,833.00	47,713.28	42,841.00	4,872.28
Transp. Admin Wages	7,044.70	9,472.00	24,625.91	37,459.00	(12,833.09)
Transp. Admin Overtime Wages	120.60		162.36		162.36
Maint. Admin Wages	3,560.00	3,728.00	14,909.91	14,744.00	165.91
General Admin Wages	4,132.97	4,409.00	14,000.84	17,434.00	(3,433.16)
Gen. Admin Overtime Wages		18.00		72.00	(72.00)
<b>Total Labor</b>	<b>124,746.01</b>	<b>143,249.00</b>	<b>330,422.90</b>	<b>346,497.00</b>	<b>(16,074.10)</b>
<b>Fringe Benefits</b>					
Health Insurance Expense	(4.95)		(39.78)		(39.78)
Dental Insurance Expense	(76.92)		1,168.09		1,168.09
FICA Expense	9,971.52	10,256.00	19,394.62	23,392.00	(3,997.38)
Worker's Compensation	2,291.00	4,229.00	9,164.80	8,579.00	585.80
School Operator Holiday Wages	379.46	1,080.00	611.10	1,080.00	(468.90)
School Uniform Allowance	90.00	250.00	160.99	1,000.00	(839.01)
Maintenance Uniform Allowance			89.55		89.55
Tool Allowance			571.48		571.48
License Reimbursement	240.00	208.00	836.00	832.00	4.00
Burden Adjustment	13,435.29	16,474.00	51,727.58	65,150.00	(13,422.42)
<b>Total Fringe Benefits</b>	<b>26,325.40</b>	<b>32,497.00</b>	<b>83,684.43</b>	<b>100,033.00</b>	<b>(16,348.57)</b>
<b>Services</b>					
Management Consultant	12,217.15	13,189.00	51,196.42	52,756.00	(1,559.58)
Commissioner Expense			500.00	500.00	
Auditing Expense	6,000.00	6,800.00	6,000.00	6,800.00	(800.00)

D-17

**Manchester Transit Authority**  
**Income Statement School**  
**For the Four Months Ending October 31, 2009**

	Current	Budget	YTD	YTD Budget	YTD Net Change
Legal Expense	\$161.00	\$667.00	\$2,099.45	\$2,668.00	(\$568.55)
Service Bureau	4,282.48	793.00	4,456.32	3,172.00	1,284.32
Security Service	114.62	125.00	980.30	500.00	480.30
Outside Advertising	81.06	1,833.00	800.47	7,332.00	(6,531.53)
Driver and Criminal Record			663.00		663.00
Drug & Alcohol Testing	918.00	500.00	1,413.00	2,000.00	(587.00)
Pre-Employment Medical	371.70	417.00	1,505.70	1,668.00	(162.30)
Janitorial Service and Supplies	2,186.08	667.00	3,572.06	2,668.00	904.06
Bank Service Charges		8.00		32.00	(32.00)
<b>Total Services</b>	<b>26,332.09</b>	<b>24,999.00</b>	<b>73,186.72</b>	<b>80,096.00</b>	<b>(6,909.28)</b>
<b>Materials and Supplies</b>					
Fuel Operations	20,604.73	24,224.00	44,956.69	51,266.00	(6,309.31)
Maintenance Parts	5,218.60	8,034.00	39,557.00	17,003.00	22,554.00
Tires Expense	1,295.71	1,417.00	3,876.34	2,999.00	877.34
Oil and Grease	301.60	760.00	1,192.91	1,608.00	(415.09)
Maintenance Supplies	1,339.40	720.00	4,371.25	2,880.00	1,491.25
Body Shop Supplies	540.57	367.00	1,753.73	1,468.00	285.73
Hazardous Materials		37.00		148.00	(148.00)
Outside Parts and Labor		83.00		332.00	(332.00)
Repairs-Building and Grounds	112.77	900.00	6,040.00	3,600.00	2,440.00
Repairs-Shop Equipment	711.66	165.00	1,393.37	660.00	733.37
Repairs-Radio Equipment		83.00		332.00	(332.00)
Repairs-Office Equipment	213.96	244.00	966.15	976.00	(9.85)
Office Supplies	1,222.30	563.00	3,983.38	2,252.00	1,731.38
School Schedules and Tickets	179.20	167.00	2,421.50	668.00	1,753.50
<b>Total Materials and Supplies</b>	<b>31,740.50</b>	<b>37,764.00</b>	<b>110,512.32</b>	<b>86,192.00</b>	<b>24,320.32</b>
<b>Utilities</b>					
Electricity	3,153.89	1,772.00	6,500.83	7,088.00	(587.17)
Natural Gas	59.18	52.00	142.96	163.00	(20.04)
Telephone	697.46	630.00	2,140.30	2,520.00	(379.70)
Water	158.72	158.00	560.46	632.00	(71.54)
<b>Total Utilities</b>	<b>4,069.25</b>	<b>2,612.00</b>	<b>9,344.55</b>	<b>10,403.00</b>	<b>(1,058.45)</b>
<b>Insurance</b>					
Public Liability Insurance	10,639.00	11,325.00	42,556.00	45,300.00	(2,744.00)
Other Liability	716.00	807.00	2,865.92	3,228.00	(362.08)
<b>Total Insurance</b>	<b>11,355.00</b>	<b>12,132.00</b>	<b>45,421.92</b>	<b>48,528.00</b>	<b>(3,106.08)</b>
<b>Other Expenses</b>					
Dues and Memberships	126.00	167.00	141.00	668.00	(527.00)
Tolls and Parking			10.00		10.00
Training and Meetings	293.98	250.00	699.20	1,000.00	(300.80)
Grievance Expense		75.00		300.00	(300.00)
Depreciation	21,000.00	21,000.00	79,500.00	84,000.00	(4,500.00)
<b>Total Other Expenses</b>	<b>21,419.98</b>	<b>21,492.00</b>	<b>80,350.20</b>	<b>85,968.00</b>	<b>(5,617.80)</b>
<b>Total Expenses</b>	<b>245,988.23</b>	<b>274,745.00</b>	<b>732,923.04</b>	<b>757,717.00</b>	<b>(24,793.96)</b>
<b>Net Income (Loss)</b>	<b>(31,604.32)</b>	<b>(79,645.00)</b>	<b>82,646.39</b>	<b>42,633.00</b>	<b>40,013.39</b>



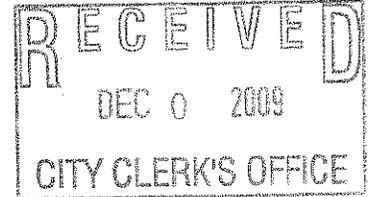
December 4, 2009

The Honorable Frank Guinta  
Office of the Mayor  
City of Manchester  
1 City Hall Plaza  
Manchester, NH 03101

RECEIVED

DEC 07 2009

CITY CLERK'S OFFICE



Dear Mayor Guinta:

We are pleased to inform you Comcast will be upgrading the on screen Cable Guide for our Digital Cable customers in Manchester. This on screen guide upgrade will occur during the month of January 2010. This upgrade will improve the customers experience when using Comcast's on-screen Guide and include many new features such as links to high definition (HD) programming, improved Digital Video Recorder (DVR) management and more.

More than 80% of our DVR customers also subscribe to our high-speed Internet service and, with this upgrade, customers will be able to manage and schedule their DVRs online, from any computer with Internet access. In addition, we're taking a feature that used to be only for DVR customers and making it available to Digital Cable customers, extending it to On Demand. Customers watching an On Demand program will be able to skip ahead or back in five-minute increments.

Perhaps the most anticipated new feature coming to customers is "Watch in HD." This feature tested the highest in customer interest. It will enable customers with an HD set-top or DVR box to quickly jump from the standard definition channel to the simulcast HD channel. No more scrolling through the channel listings.

In order to make these improvements for our customers in Manchester, we will begin to upgrade how our customer's cable boxes identify certain channels. This change will not impact customer's pre-recorded and saved programs. However, customers will have to reset their preferences on 1) Parental Controls by channel, 2) DVR recording settings, 3) Reminders and 4) Favorites listings for each affected channel.

To ensure customers in Manchester are aware of this upgrade, we will send all Digital Cable customers a message to their cable boxes that they can read on their TV screens, and will place an automated telephone call to them over the next few weeks. Below are examples of the messages customers will receive.

### Cable Box Message

On January 6, 2010, a Guide upgrade will require you to reset your settings for Parental Control by channel, DVR recordings and Favorites on up to 17 channels. See channels impacted at [www.comcast.com/guide](http://www.comcast.com/guide).

### Automated Telephone Message

*"This is Comcast calling with an important message about an upgrade that may impact your parental control settings. Tonight between midnight and 6:00 a.m. we will be upgrading your Digital Cable Guide to improve performance. After this upgrade, several of your guide settings will need to be reset. Please reset your guide settings to ensure parental controls are on the channels you want locked. You should also check your reminders, DVR recording settings, and your favorites lists. We apologize for any inconvenience this causes and thank you in advance for your understanding. If you need immediate assistance, press zero now to speak with an agent, or call us at anytime at 1-800-266-2278. To hear this message again, press one now or visit [www.comcast.com/guide](http://www.comcast.com/guide)".*

We understand how important features like parental controls and DVR settings are to our customers in Manchester. To help you answer any questions you may receive about this upgrade I have included instructions on what customers will have to do to reset their parental control and DVR settings after January 6, 2010.

If you have any questions or simply need more information about this upgrade please feel free to call me directly at 603-224-0957, ext. 202 or visit [www.comcast.com/guide](http://www.comcast.com/guide) for more information and a list of channels that may be affected in your area.

Sincerely,



Bryan Christiansen  
Senior Manager of Government & Community Relations

## Steps to take after A28 Upgrade

### Parental Controls:

- Channel Locks for the affected channels will default to unlocked. You must set up new Channel Locks for channels affected.
- You may also want to take this opportunity to look for other channels that you may want to lock.
- Though not impacted by this upgrade, you also may wish to confirm that Content Locks (locks for violence, language, etc.) are set up the way you want them.
- Do this for every digital set-top box in your home – don't forget, each box has independent Parental Control settings.

### Reminders and Recordings:

- Reminders and DVR recordings set from the channels affected will have to be reset. You'll need to delete and recreate your Series and Individual recordings on those channels, and re-set any Reminders.
- *Before* the Upgrade, we suggest writing down your DVR Series Recordings titles, in priority order. This step will help jog your memory when making updates later.
- *After* the Upgrade, use your list to set up your Series Recordings again that take place on any of the affected channels, and put them back in Priority order where you want them.

### Favorites Lists:

- If you have Favorites Lists that include any of the affected channels listed, you will want to add those channels back to your Favorites list.

Informative how-to videos on Parental Controls, DVR features and more are available at no additional cost On Demand in the Help & Services section; in addition, online help is available at [Comcast.com/support](http://Comcast.com/support).

# City of Manchester New Hampshire

*In the year Two Thousand and Nine*

## A RESOLUTION

"Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant and Home funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen has authorized the appropriation of funds to assist in the funding of the City's first Homeless Services Day Center;

NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

**By adding:**

FY 2010 CIP 214510 Manchester Homeless Services Center-\$62,500 Unprogrammed  
CDBG/Program Income

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Nine*

## A RESOLUTION

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park-Al Lemire Field Improvement Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen voted to accept funds from Trinity High School to assist in the payment of costs for improvements to Al Lemire ball field;

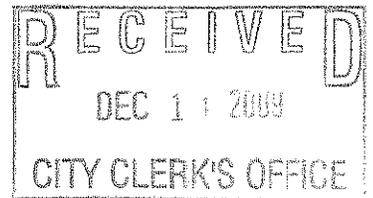
NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

**By adding:**

FY 2010 CIP 511510 Derryfield Park-Al Lemire Field Improvement Project - \$40,000 Other

Resolved, that this Resolution shall take effect upon its passage.

To the Honorable Board of Mayor and Aldermen  
of the  
City of Manchester, New Hampshire



**AMENDED AND RESTATED PETITION TO CLOSE STREETS BY GATES**

Now comes the Petitioner, Wal-Mart Real Estate Business Trust, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and represents that for the accommodation of the public there is occasion for the closing of certain streets by the installation of gates described as follows:

- a. Sewall Street at Ross Avenue and
- b. Gold Street between Bradley Street and Ross Avenue.

This request is made in conjunction with a site plan approval granted by the City of Manchester Planning Board on December 10, 2009 (regarding SP-10-2009), pursuant to which a site plan was approved for Petitioner to locate a Wal-Mart store at 725 and 835 Gold Street. The Planning Board directed the Petitioners to request that the Mayor and Board of Aldermen permit the installation of gates described above and below, as a condition of its approval.

Petitioner therefore requests that, pursuant to your authority, you modify or condition the layout of said streets by permitting the installation of Opticom gates thereon, in such a manner that said streets remain public ways and provide an emergency pre-emption system controlled gate (Opticom).

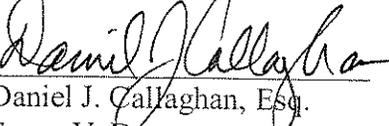
In support thereof, Petitioner does hereby agree to install said gates at its sole expense and to complete any and all other work necessary for the construction and installation of said gates all as required by the Planning Board approval of SP-10-2009 on December 10, 2009.

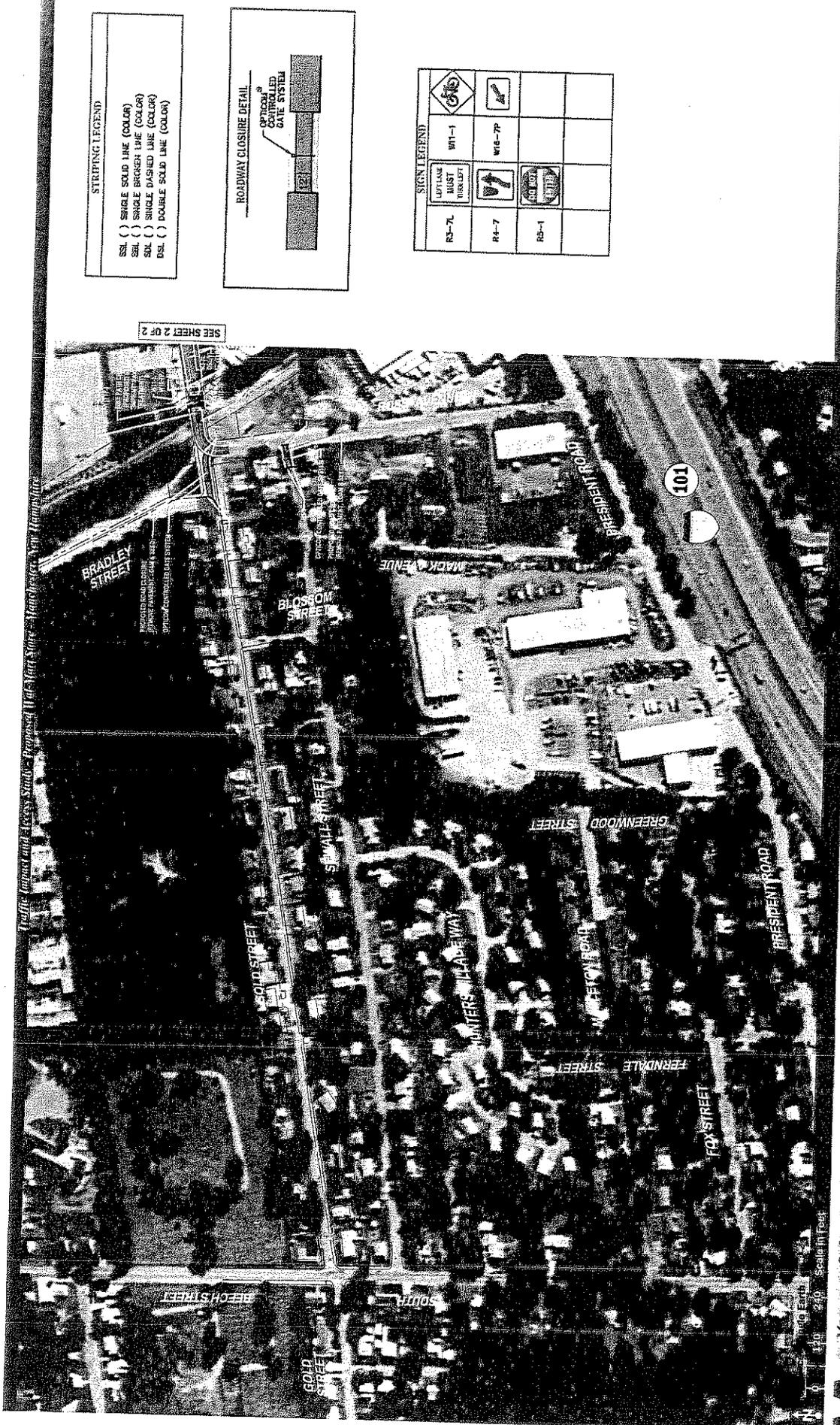
The Petitioner represents that this Amended and Restated Petition replaces the petition filed earlier today.

Respectfully submitted,  
Wal-Mart Real Estate Business Trust

By its Attorneys,  
Devine Millimet & Branch  
Professional Association

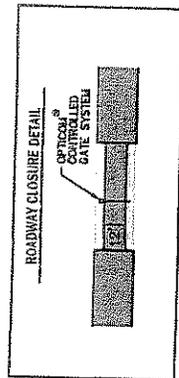
Dated: December 11, 2009

By:   
Daniel J. Callaghan, Esq.  
Susan V. Duprey  
111 Amherst Street  
Manchester, NH 03101  
(603) 669-1000



STRIPING LEGEND

SSL ( )	SINGLE SOLID LINE (COLOR)
SBL ( )	SINGLE BROKEN LINE (COLOR)
SDL ( )	SINGLE DASHED LINE (COLOR)
DSL ( )	DOUBLE SOLID LINE (COLOR)



SIGN LEGEND

RS-7L	WYMS WYMS DARK LEFT	W1-1	W1-1
R4-7	W7	W16-7P	W16-7P
RS-1	W16-7P		

Gold Street Corridor  
Improvement Plan  
Sheet 1 of 2

**VAI**  
Vanasse & Associates, Inc.  
Transportation Engineers & Planners

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Copyright © 2009 by V&A. All Rights Reserved.

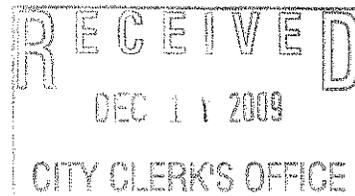
G-2



**City of Manchester Planning Board**  
c/o City of Manchester Planning & Community Development Dept.  
One City Hall Plaza  
Manchester, New Hampshire 03101  
603-624-6450  
Fax (603-624-6529)

December 11, 2009

Honorable Board of Mayor & Aldermen  
City of Manchester  
One City Hall Plaza  
Manchester, NH 03101



**Subject: Walmart, Gold Street**

Honorable Board Members:

Please be advised that at the Planning Board Meeting of December 10, 2009, the Board took action to approve the Walmart project located on Gold Street, with several conditions. Two of these conditions involve street closures and will require approval by the full Board of Mayor and Aldermen. The two specific conditions are as follows:

1. With the approval of the BMA, close Gold Street between Bradley Street & Ross Avenue and provide an emergency vehicle pre-emption system (OPTICOM) controlled gate, prior to securing a CO for the site; and
2. With the approval of the BMA, close Sewall Street at Ross Avenue and provide an emergency vehicle pre-emption system (OPTICOM) controlled gate, prior to securing a CO for the site.

The Planning Board **did not** want to close President Road, although they did include a condition whereby the applicant is required to place a set amount of monies in an escrow account to cover the costs of installing an OPTICOM controlled gate on President Road should it be determined within one year of the store opening that such a closure of President Road is warranted.

We respectfully request the Board of Mayor and Aldermen to take the necessary action to close Gold Street and Sewall Street at the locations indicated above.

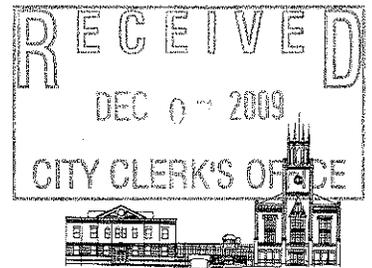
Respectfully submitted,

Michael J. Landry, Chairman  
Manchester Planning Board



# CITY OF MANCHESTER

## Economic Development Office



December 7, 2009

Frank C. Guinta, Mayor  
Board of Mayor & Aldermen  
One City Hall Plaza  
Manchester, NH 03101

RE: Community Revitalization Tax Relief Incentive Application (RSA 79-E) of 1850 Associates

Dear Mayor Guinta and Members of the Board:

We have reviewed the above referenced application and find that it is eligible for relief to support rehabilitation of the Pandora Mill under the 79-E incentive program. A summary of findings is provided below:

### Background

The Pandora Mill is an approximately 144,000 square foot, 6-7 story building located near the intersection of Commercial and Granite Streets. The building has been vacant for about 20 years. Originally part of the Amoskeag Manufacturing mill complex, the building was last used by the Pandora Sweater company. Before repairs and restoration work began in 2008 to stabilize the structure, the building was in a serious state of deterioration. Current renovation efforts began after the City entered into a Purchase & Sale agreement for the sale of the Granite Street and Seal Tanning Lots to 1848/1850 Associates along with Phillippe Cote Street. Planning Board site plan approval for the project was granted in May of 2009 and the plans received final approval from staff in August. The closing took place at the end of September. The Pandora building is part of the Amoskeag Millyard Historic District.

### Criteria

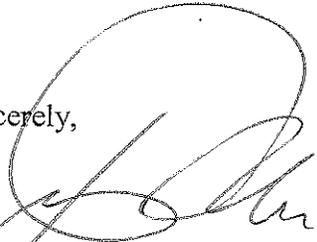
- The property is located within the AMX Zoning District, one of four districts that comprise the downtown area for purposes of RSA 79-E, and is therefore a "qualifying structure" under the statute.
- The work proposed is substantial as required under the statute. Current assessed value is \$1,671,100. The total estimated cost of the rehabilitation work is \$9,529,470. The application therefore, clearly meets the rehabilitation requirements of \$75,000 or 15% of assessed value, which ever is less.
- The proposed use is consistent with the Master Plan and the City's development regulations. The proposed use, office space, is a permitted in the AMX Zoning District

and has received site plan approval from the Planning Board. The proposal is also consistent with Master Plan goal to "Evaluate the city's older commercial and industrial areas for their potential to be creatively rehabilitated and reused" and supports efforts to "strengthen the Central Business District."

- The proposal would have a public benefit as defined in RSA 79E-7 in that it would enhance the economic vitality of the downtown by rehabilitating a vacant building and by adding new office space to the area. It would also enhance and improve a structure that is culturally and historically important at the local, state and national levels both individually and as a part of the larger Historic District.

Should Board find that the application is consistent with statutory requirements and provides a public benefit, staff would recommend that the relief be granted for a period of five years consistent with the last three applications approved by the Board and that a covenant be recorded to preserve the public benefits found as required under the statute. I would be pleased to provide any additional information or assistance required with regard to the application. Thank you for your consideration.

Sincerely,



Jay Minkarah, Director  
Manchester Economic Development Office

cc: Steve Hermans Esq., DEKA Research & Development Corp.

**STEPHEN G. HERMANS**  
**Attorney at Law**

Mail Address:  
DEKA Research  
340 Commercial Street  
Manchester, NH 03101  
Tel 603/206-0248

November 24, 2009

Honorable Frank Guinta, Mayor  
Board of Aldermen  
Manchester City Hall  
One City Hall Plaza  
Manchester, NH 03101

Re: 1850 Associates Limited Partnership Community Revitalization Tax Relief  
Incentive Application

Dear Mayor Guinta and Members of the Board:

I represent 1850 Associates Limited Partnership, owner of the Pandora building situated at 88 Commercial Street.

Enclosed are my client's "Community Revitalization Tax Relief Incentive Application" and check payable to the City of Manchester for the \$50 application fee.

As stated in the Application, my client and I believe that this is exactly the type of project for which RSA 79-E was intended. The availability of tax relief under RSA 79-E was a substantial motivating factor in my client's decision to undertake this project.

We appreciate your consideration of this Application.

Please get back to me with any questions.

Sincerely,



Stephen G. Hermans

cc: Mr. Jay Minkarah  
enc.

In Board of Mayor and Aldermen  
Date: 12/01/09  
On motion of Ald. O'Neil  
Seconded by Ald. J. Roy  
Voted to refer to the Committee on  
Community Improvement and a Public Hearing  
with a date to be set by the City Clerk.

  
City Clerk

**CITY OF MANCHESTER**  
**Economic Development Office**  
Community Revitalization Tax Relief Incentive Application

<b>Building Name</b> (if any) Formerly: "Pandora" and "Manchester Mill No. 2". <b>Building Address</b> 88 Commercial St.	<b>Owner Name(s)</b> 1850 Associates Limited Partnership  <b>Applicant Name(s)</b> (if different from owner)
<b>Owner Address (es)</b> 340 Commercial Street Manchester, NH 03101 Phone # Contact Stephen Hermans: 603-206-0248 (Legal counsel) Email: shermans@dekaresearch.com	<b>Applicant Address</b> (if different from owner)  <b>Phone #</b> <b>Email address</b>
<b>Map#</b> 837 <b>Lot#</b> 22	<b>Book#</b> 5513 <b>Page #</b> 1677
<b>Year Built:</b> 1850 <b>Square Footage of Building:</b> 144,000	<b>Is the building eligible or listed on the State or National Register of Historic Places or located in a Local, State, or Federal Historic District?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> provide historic district name if applicable) Amoskeag Millyard Historic District. The Pandora building is described as item 31 on the attached "New Hampshire Division of Historical Resources Continuation Form" Exhibit 1).
<b>Existing Uses</b> (describe number of units by type and size ) None <b>Proposed Uses</b> (describe number of units by type and size) Office Space. Number of units to be determined.	<b>Is there a change of use associated with this project?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If so, please describe: Vacant to office. <b>Has an abatement application been filed or has an abatement been awarded on this property within the past year?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Will the project include new residential units?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe:	<b>Will the project include new affordable residential units?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe:

Note: Application must be accompanied by a \$50 Application Fee made payable to "City of Manchester"

**Will any state or federal grants or funds be used in this project? If so, describe and detail any terms of repayment (if applicable)**

No grants. Owners may seek available federal income tax credits.

**Describe the work to be done and estimated cost:** please attach additional sheets if necessary and any written construction estimates

Structural:	\$3,602,320
Electrical:	\$1,425,000
Plumbing/Heating:	\$1,400,000
Mechanical: (included in above)	\$
Other:	\$3,102,150
Total:	\$9,529,470
Note: To qualify for this tax relief incentive, the costs of the project must be at least 15% of the pre-rehabilitation assessed value or \$75,000, whichever is less	

Please attach any plot plans, building plans, sketches, renderings or photographs that would help explain this application.

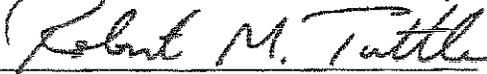
See Attachment and Exhibits:

- 1 - Item 31 on pages 27 and 28 of "New Hampshire Division of Historical Resources Continuation Form".
- 2A, 2B, 2C, and 2D - photos showing building before renovations.
- 3A and 3B - Elevations of renovated building.

**APPROVAL BY A MAJORITY OF MAYOR AND ALDERMEN REQUIRED**

I have read and understand the Community Revitalization Tax Relief Incentive RSA Ordinance (see following pages) and am aware that this will be a public process including a public hearing to be held to discuss the merits of this application and the subsequent need to enter into a covenant with the City and pay any reasonable expenses associated with the drafting of the covenant.

1850 Associates Limited Partnership

By:  24 Nov. 2009  
Robert M. Tuttle, partner

Expected project start: Oct. 2008.

Expected project completion: April 2010

One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6505 Fax (603) 624-6308  
E-mail: [econdev@manchesterNH.gov](mailto:econdev@manchesterNH.gov) [www.manchesterNH.gov](http://www.manchesterNH.gov)

TITLE V TAXATION

CHAPTER 79-E  
COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE

Section 79-E:1

**79-E:1 Declaration of Public Benefit. –**

I. It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.

II. It is further declared to be a public benefit to encourage the rehabilitation of the many underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.

III. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this chapter are considered to provide a demonstrated public benefit if they encourage substantial rehabilitation and use of qualifying structures as defined in this chapter.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:2

**79-E:2 Definitions. –** In this chapter:

I. "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter.

II. "Substantial rehabilitation" means rehabilitation of a qualifying structure which costs at least 15 percent of the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less.

III. "Tax relief" means that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation thereof.

IV. "Tax relief period" means the finite period of time during which the tax relief will be effective, as determined by a local governing body pursuant to RSA 79-E:5.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:3

**79-E:3 Adoption of Community Revitalization Tax Relief Incentive Program –**

I. Any city or town may adopt the provisions of this chapter by voting whether to accept for consideration requests for community revitalization tax relief incentives. Any city or town may do so by following the procedures in this section.

II. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

III. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

IV. If a majority of those voting on the question vote "yes," applications for community revitalization tax relief incentives may be accepted and considered by the local governing body at any time thereafter, subject to the provisions of paragraph VI of this section.

V. If the question is not approved, the question may later be voted on according to the provisions of paragraph II or III of this section, whichever applies.

VI. The local governing body of any town or city that has adopted this program may consider rescinding its action in the manner described in paragraph II or III of this section, whichever applies. A vote terminating the acceptance and consideration of such applications shall have no effect on incentives previously granted by the city or town, nor shall it terminate consideration of applications submitted prior to the date of such vote.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:4

##### 79-E:4 Community Revitalization Tax Relief Incentive. –

I. An owner of a qualifying structure who intends to substantially rehabilitate such structure may apply to the governing body of the municipality in which the property is located for tax relief. The applicant shall include the address of the property, a description of the intended rehabilitation, any changes in use of the property resulting from the rehabilitation, and an application fee.

II. Upon receipt of an application, the governing body shall hold a duly noticed public hearing to take place no later than 60 days from receipt of the application, to determine whether the structure at issue is a qualifying structure; whether the proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.

III. No later than 45 days after the public hearing, the governing body shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.

IV. (a) The governing body may grant the tax relief, provided:

(1) The governing body finds a public benefit under RSA 79-E:7; and

(2) The specific public benefit is preserved through a covenant under RSA 79-E:8; and

(3) The governing body finds that the proposed use is consistent with the municipality's master plan or development regulations.

(b) If the governing body grants the tax relief, the governing body shall identify the specific public benefit achieved under RSA 79-E:7, and shall determine the precise terms and duration of the covenant to preserve the public benefit under RSA 79-E:8.

V. If the governing body, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:5

##### 79-E:5 Duration of Tax Relief Period. –

I. The governing body may grant such tax assessment relief for a period of up to 5 years, beginning with the completion of the substantial rehabilitation.

II. The governing body may, in its discretion, add up to an additional 2 years of tax relief for a project that results in new residential units and up to 4 years for a project that includes affordable housing.

III. The governing body may, in its discretion, add up to an additional 4 years of tax relief for the substantial rehabilitation of a qualifying structure that is listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district, provided that the substantial rehabilitation is conducted in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation.

Source. 2006, 167:1, eff. April 1, 2006.

**Section 79-E:6**

**79-E:6 Resumption of Full Tax Liability.** – Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.

Source. 2006, 167:1, eff. April 1, 2006.

**Section 79-E:7**

**79-E:7 Public Benefit.** – The proposed substantial rehabilitation must provide at least one of the following public benefits in order to qualify for tax relief under this chapter:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;
- III. It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B; or
- IV. It increases residential housing in urban or town centers.

Source. 2006, 167:1, eff. April 1, 2006.

**Section 79-E:8**

**79-E:8 Covenant to Protect Public Benefit.** –

I. Tax relief for the substantial rehabilitation of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted.

II. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the governing body, be effective for a period of time up to twice the duration of the tax relief period.

III. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the governing body's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in RSA 79-E:9, I.

IV. The local governing body shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.

V. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

Source. 2006, 167:1, eff. April 1, 2006.

**Section 79-E:9**

**79-E:9 Termination of Covenant; Reduction of Tax Relief; Penalty.** –

I. If the owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided in RSA 79-E:8, III, the governing body shall, after a duly noticed public hearing, determine whether and to what extent the public benefit of the rehabilitation has been diminished and shall determine whether to terminate or reduce the tax relief period in accordance with such determination. If the covenant is terminated, the governing body shall assess all taxes to the owner as though no tax relief was granted, with interest in accordance with paragraph II.

II. Any tax payment required under paragraph I shall be payable according to the following procedure:

(a) The commissioner of the department of revenue administration shall prescribe and issue forms to the local assessing officials for the payment due, which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:10

**79-E:10 Lien for Unpaid Taxes.** – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:11

**79-E:11 Enforcement.** – All taxes levied pursuant to RSA 79-E:9 which are not paid when due shall be collected in the same manner as provided in RSA 80:1-80:42-a.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:12

**79-E:12 Rulemaking.** – The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:13

##### **79-E:13 Extent of Tax Relief.** –

I. Tax relief granted under this chapter shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the governing body and not to those increases attributable to other factors including but not limited to market forces; or

II. Tax relief granted under this chapter shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect public benefit as required in this chapter.

Source. 2006, 167:1, eff. April 1, 2006.

#### Section 79-E:14

**79-E:14 Other Programs.** – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

Source. 2006, 167:1, eff. April 1, 2006.

## Attachment to 1850 Associates Limited Partnership Application

1850 Associates Limited Partnership ("1850") is in the process of totally rehabilitating the 144,000 square foot Pandora building, situated at 88 Commercial Street, into first class office space. See attached Exhibits 2A, 2B, 2C, and 2D showing the building before commencement of the rehabilitation. See attached Exhibits 3A and 3B for renderings of the building post-rehabilitation.

This site is in Manchester's "Downtown", as defined in the "Draft Master Plan for the City of Manchester, New Hampshire" dated August 2009 posted at the City's website at [http://www.manchesternh.gov/website/Portals/2/Departments/planning/master\\_plan/City%20of%20Manchester%20Master%20Plan%20Draft\\_wq.pdf](http://www.manchesternh.gov/website/Portals/2/Departments/planning/master_plan/City%20of%20Manchester%20Master%20Plan%20Draft_wq.pdf) (see pages 19 and 20). (The site is in the "Central Business District/Millyard Area" in the Master Plan adopted November 10, 1993.)

1850 has obtained Millyard Design Review Committee and Manchester Planning Board approval for this project.

1850 will preserve the historic features and appearance of the building while replacing the roof, windows, doors, floors, electrical, HVAC, plumbing, sprinkler and life safety systems. After commencing this project, 1850 discovered far more deterioration of the structural timbers than expected, so the project will be substantially more expensive than originally expected.

When 1850 commenced this project, 1850 intended to file this Application. The tax relief available under RSA 79-E was a substantial motivating factor for 1850 to undertake this project.

The Pandora building is precisely the type of "Qualifying Structure" for which RSA 79-E was intended. It was "underutilized" and is in an urban center. See RSA 79-E:1, II. Rehabilitation of the Pandora building will provide "public benefit" as described in RSA 79-E:7 by enhancing economic vitality of downtown Manchester by construction worker employment during construction, office worker employment once occupied, and enhancement and improvement of a massive, beautiful, historically important mill building standing prominently at an important gateway into Manchester center.

The rehabilitated building, with its copper-clad tower, will help promote Manchester's municipal center and will become a landmark in which Manchester may take pride, contributing to our sense of community.

NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES  
CONTINUATION FORM

Inventory Form       Area Form

NHDHR Inventory#  
NHDHR Area Letter  
Town/City      Manchester  
County      Hillsborough

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SOUTHERN DIVISION

31. Manchester Mill #2 (Pandora), Commercial Street, 1850 with 1874 and 1881 alterations. Contributing building.  
[Figures 48-52; Photo 27]

Manchester Mill No. 2 is a five-story brick building oriented with its 324 foot long elevation running in a north-south direction and the principal facade facing Commercial Street to the east. The facade is punctuated by a regular rhythm of rectangular window openings with rough granite sills and lintels. The original windows were replaced by translucent panels c.1960. There are diamond tie rods between the stories and a corbel course surrounds the building at the base of the flat roof.

Centered on the east elevation is a distinctive six-story c.1870 tower three bays wide with eighteen bays of openings to the north and the south of the tower. Above the fifth floor is a continuous brick corbel course with semicircular corbelled arches marking the ends of the elevation. The arched belfry openings above alternate brick and stone voussoirs with stone springblocks. At the base of the openings are wrought iron railings. The corner piers are topped by granite caps and there is corbelling above the arches. The tall hip roof is sheathed in standing seam copper and is topped by iron cresting and a weathervane bearing "MM" for Manchester Mills. There are hip wall dormers on the east and west faces with circular openings covered with louvers and topped by polychromatic voussoirs. The north and south wall dormers have gable profiles with stepped granite tops. At the base of the tower the entrance is sheltered by a metal canopy and now contains metal doors above a concrete stoop.

Centered on the west elevation is a windowless gable projection capped by a brick corbel course and topped by a rectangular chimney stack. To the north of the chimney is a corbelled, two-story section with blind arches on the west side and small raised windows on the south side. Just to the north of this is a two-story section of lesser height featuring continuous segmental arched openings which have been filled. Above the arcade are small rectangular openings. These two buildings may have originally served as a wool washing house. At the northwest corner of the building is a five-story building, roughly square in plan, which formerly functioned as a picker house.

The north end of the building is seven bays wide and markings indicate the previous location of an upper story connector to Mill No. 1 to the north (no longer extant).

The Manchester Mills were established in 1839 (eight years after the Amoskeag Manufacturing Company was chartered) to produce *mousseline de laines*, printed woolen fabrics. Several of the original incorporators of the Manchester Mills, including Ezekiel Straw, were among the leading stock-holders of the Amoskeag Manufacturing Company. Initially production was centered in Hooksett but in 1845 construction began on a mill in Manchester for the Manchester Mills which would allow for complete manufacture and printing of the fabric. The Amoskeag Company was engaged to build a four-story mill, which was completed in 1846. The company was renamed Merrimack Mills in 1847 and the name was changed again, to Manchester Print Works, just two years later. Between 1846 and 1850 the Amoskeag Company built several additional mills for the Print Works, as well as tenements and boarding houses. Fires destroyed the main building of the Print Works and half of Mill No. 1 in 1853 and 1855 respectively but the company rebuilt.

The No. 2 Mill was originally constructed by the Manchester Print Works in 1850 and measured 324 feet long by 60 feet wide.<sup>59</sup> The building was used for carding, spinning and dressing with an adjacent picker building. The mill building was originally 5 1/2 stories in height and capped by a gable roof with dormers. The front tower was also originally gabled.

<sup>59</sup> Browne, p. 107.

NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES  
CONTINUATION FORM

Inventory Form  Area Form

NHDHR Inventory#  
NHDHR Area Letter  
Town/City Manchester  
County Hillsborough

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At the end of the Civil War, a surplus of the material led to the bankruptcy of the Manchester Print Works. The entire mill complex was sold in 1874 and it was renamed the Manchester Mills by its new owners. According to records of the Manchester Mills Board of Directors, "alterations and renewals" to both Mill #2 and Mill #6 were authorized in 1874 for the manufacture of cotton and worsted goods. The exact nature of the alterations is not specified although the cost of the project was set at \$125,000, a considerable sum considering Mill No. 2 was valued at \$150,000 in 1874.<sup>60</sup> A survey of the property published in 1877 shows that the building still had a gable roof at that time and the front tower had not yet been altered.<sup>61</sup> The front tower does not yet appear to have been altered. A view of the Manchester Mills published in 1879 shows Mill No. 2 with a low, hip roof and new front tower.<sup>62</sup> In 1881, additional improvement work at a cost of \$50,000 was completed on Mill No. 2 including rebuilding the picker building and increasing the mill's opening and carding machinery.<sup>63</sup> Writing in 1875, Clarke noted that Mill No. 2 then contained a thousand looms, ten thousand worsted spindles and 20,000 cotton spindles. The mill employed 165 males and 700 females and produced 200,000 yards of worsted goods a week.<sup>64</sup>

The product line of the Manchester Mills included cassimeres, flannels, cashmeres, and printed cottons. In 1883 the company employed a total of 2,000 workers operating 2,700 looms, 100,000 spindles and 16 printing machines. In 1900-1 the company built the world's largest print and finishing works on the land south of Granite Street, although the anticipated market failed to materialize and the building became known as a white elephant. In 1906 the Manchester Mills were purchased by the Amoskeag. The company's buildings and equipment became part of the Amoskeag's printing and finishing departments and was known from then on as the Southern Division of the Millyard.

The 1939 Sanborn Map shows the building was then owned by Silver Brothers Co., Inc. However soon thereafter the building was taken over by Pandora Industries. Pandora Industries was founded in New York City in 1931 as a children's sweater maker and moved to Manchester in 1940. The company was founded by Saul and May Sidore and her parents. The company was a major sweater and sportswear maker into the early 1980s and at its height employed 1,00 workers and produced 60,000 knitted sweaters each week. In 1983 when the company was sold to Kayser-Roth, part of Gulf & Western, the company had 800 employees. The company was sold two additional times before it was finally forced to close in 1990. May Sidore Gruber retained ownership of the mill building until 1991 when she gave the building to the Mental Health Center of Manchester. In 1994 the Pandora Mill was sold to Dean Kamen.

The bell tower of the Pandora Mill was restored about 1977 at a cost of about \$36,000. The trustees of the Norwin and Elizabeth Bean Foundation and Amoskeag Industries each donated \$2,500. Pandora paid \$5,000 and agreed to maintain the tower. The federal government paid two-thirds of the balance with the City paying the remaining one-third.

The single-story Wet Finishing Building to the west of the Pandora Mill was acquired by Pandora from the Manchester Housing Authority in 1977. The building was later demolished. Manchester Mill No. 1 to the north was demolished as part of Urban Renewal.

32. Manchester Mill #3, Southern Division (Seal Tanning), 1880. Contributing building. [Figures 52-53; Photo 28]

Originally an unbroken line of brick mills forming a continuous river facade, only sections survive of what was known as Mills 3, 5, 6 & 7 in Amoskeag's Southern Division. At the northern end of the complex, Mill No. 3 is currently under renovation. Its east elevation measures 42 bays wide, presents four full stories to Commercial Street and is capped by a

Records of the Board of Directors, Manchester Mills, September 4, 1874. [Manchester Historic Association].

<sup>61</sup> "Manchester Mills, Manchester, N.H.", insurance map, No. 4801, surveyed May 1877 [Manchester Historic Association]

<sup>62</sup> Van Slyck, J.D. Representatives of New England: Manufacturers. Boston: Van Slyck & Co., 1879, vol. 2, p. 338.

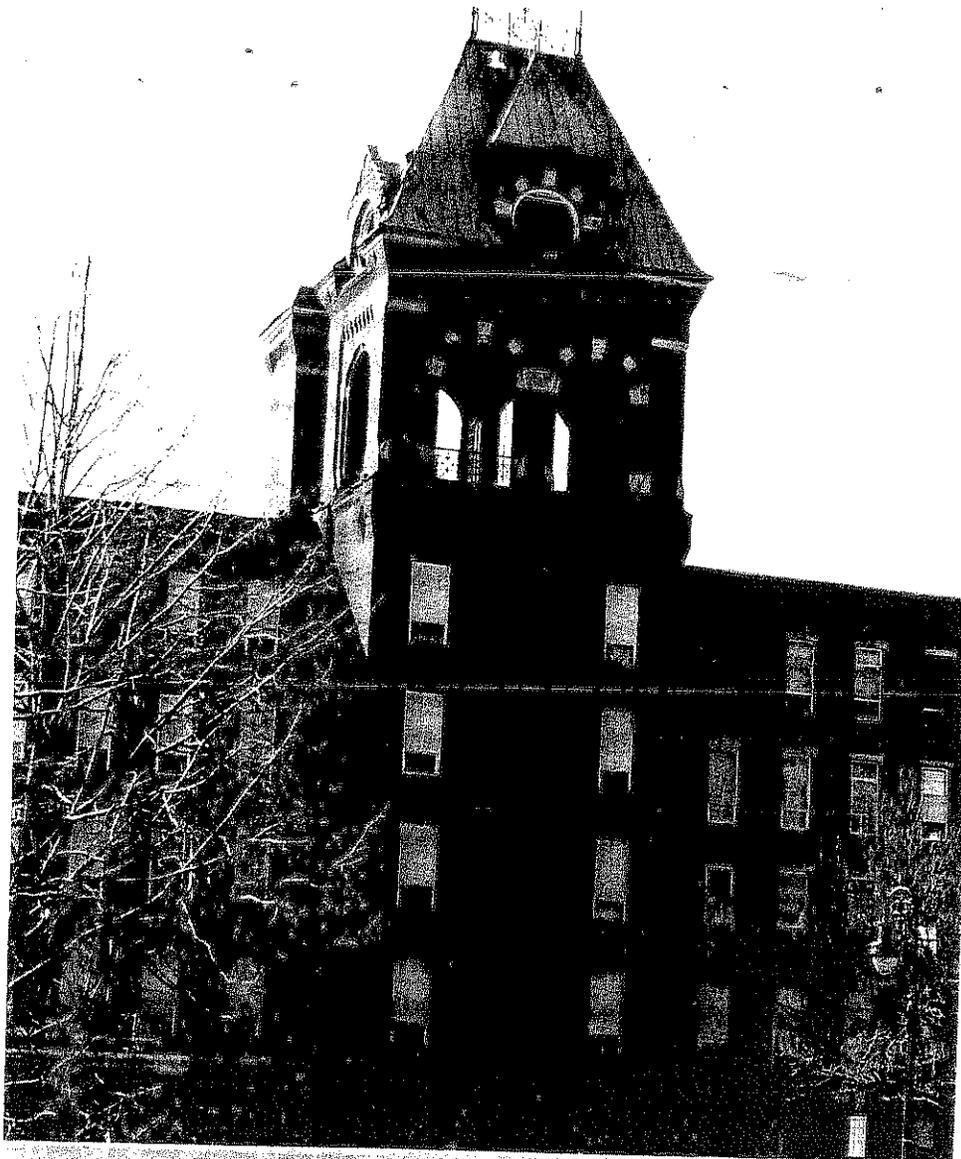
<sup>63</sup> Records of the Board of Directors, Manchester Mills, March 19, 1881.

<sup>64</sup> Clarke, History of Manchester, p. 299.

11-12

EXHIBIT 1

# PANDORA BUILDING RENOVATION



11-13

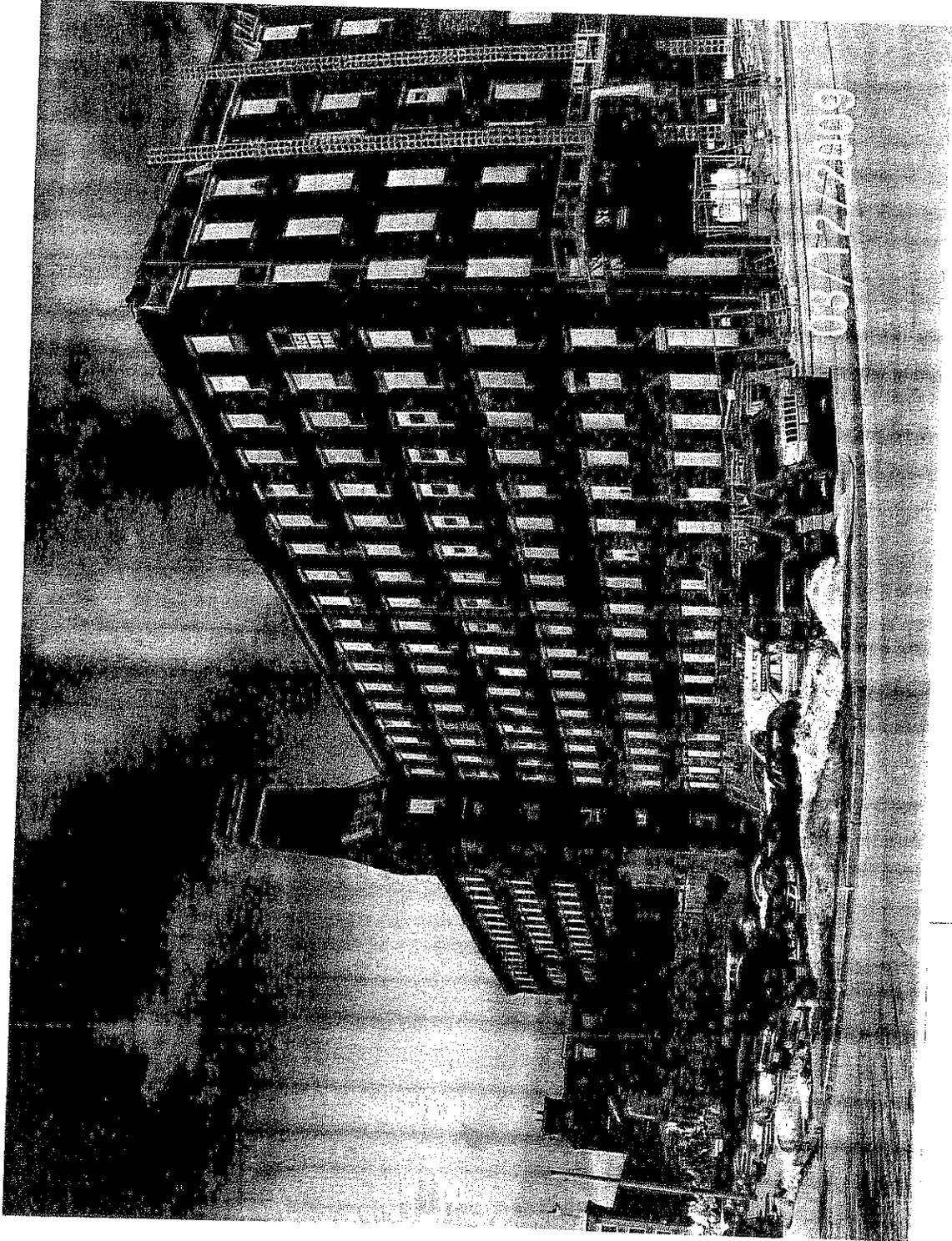
EXHIBIT 2A



EAST SIDE ALONG COMMERCIAL STREET

11-14

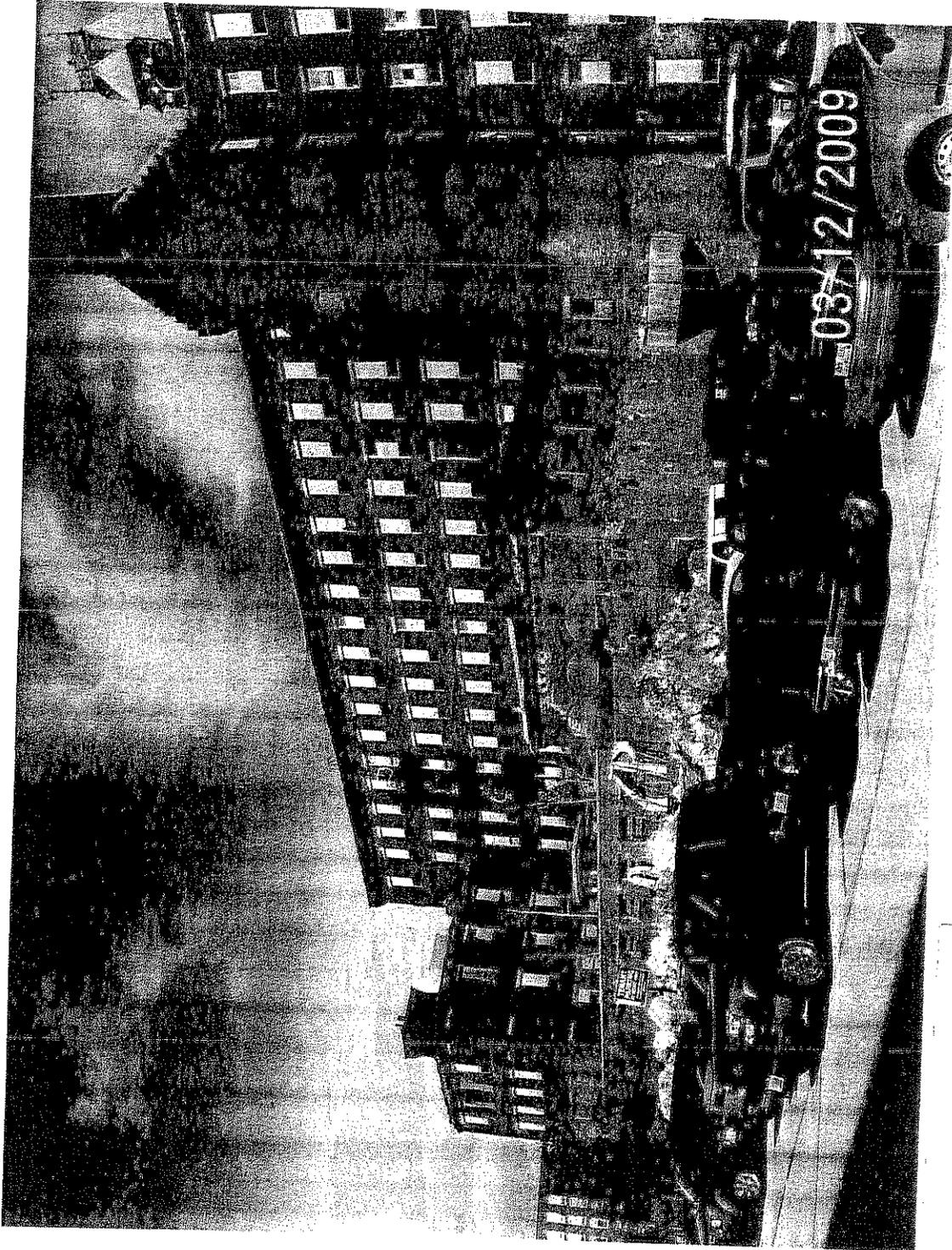
ALM 7 R



WEST SIDE ALONG PHILLIPPE COTE STREET

11-15

8/1/07 20

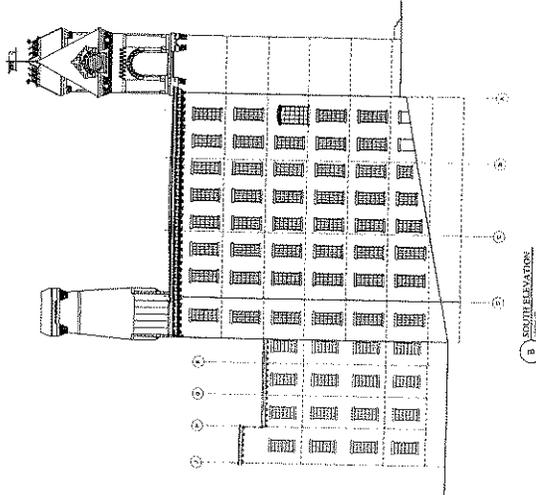
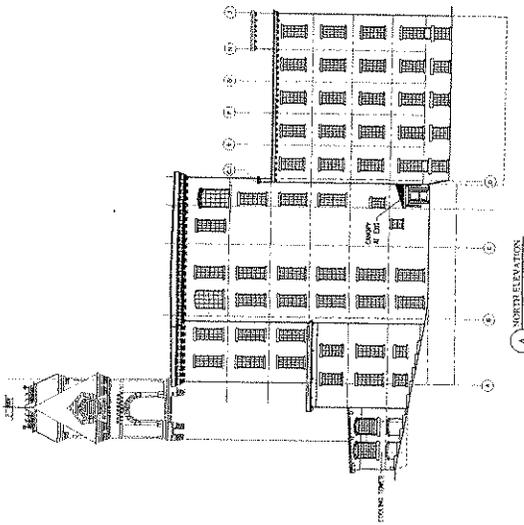


NORTHWEST CORNER BUILDING ADDITIONS

11-16

EXHIBIT 2 D





		<b>JOHN JORDAN DESIGN PLC</b> ARCHITECTS & PLANNERS 125, MARKET STREET, MANCHESTER, M1 1PL	
PROJECT NAME AND LOCATION	MANICORA MILL RENOVATION 82 COMMERCIAL STREET MANCHESTER, NEW HAMPSHIRE	CONTRACT	BLM CHOP ELEVATIONS
DATE	10/22/09	DRAWING NO.	A-201
SCALE	1/8" = 1'-0"	PROJECT NO.	MAN-09
NO.		DATE	
REV.		SCALE	

11-18

EXHIBIT 3B

# City of Manchester New Hampshire

*In the year Two Thousand and Nine*

## A RESOLUTION

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Two Thousand Five Hundred Dollars (\$62,500) for the FY 2010 CIP 214510 Manchester Homeless Services Center.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant and Home funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen has authorized the appropriation of funds to assist in the funding of the City's first Homeless Services Day Center;

NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

**By adding:**

FY 2010 CIP 214510 Manchester Homeless Services Center-\$62,500 Unprogrammed  
CDBG/Program Income

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Nine*

## A RESOLUTION

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000) for the FY 2010 CIP 511510 Derryfield Park-Al Lemire Field Improvement Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2010 CIP as contained in the 2010 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen voted to accept funds from Trinity High School to assist in the payment of costs for improvements to Al Lemire ball field;

NOW, THEREFORE, be it resolved that the 2010 CIP be amended as follows:

**By adding:**

FY 2010 CIP 511510 Derryfield Park-Al Lemire Field Improvement Project - \$40,000 Other

Resolved, that this Resolution shall take effect upon its passage.