

## BOARD OF MAYOR AND ALDERMEN

June 1, 2010

7:30 PM

Mayor Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Craig, Ludwig, Long, Roy, Osborne, Corriveau, O'Neil,  
Lopez, Shea, Shaw, Greazzo, Ouellette, Arnold

Absent: Alderman DeVries

Messrs: H. McDonough, T. Clark, K. O'Maley, W. Sanders

**Mayor Gatsas** asked Hubert McDonough to come forward for a presentation.

**Alderman Ludwig** stated for anyone here who doesn't know this individual, Hubert McDonough has been an icon in the City of Manchester for a lot of years. He regularly acts as Master of Ceremonies and if you know Hubie's humor you know why he does such a great job at it. He is here tonight, as I had a couple other individuals up earlier so we can recognize Hubie for his years of service for the Queen City Athletic Hall of Fame. As I said before, this organization for 21 years inducted over 200 outstanding athletes from Manchester - coaches and others who participated in recreation and gave out a little more than \$150,000 in scholarships. Hubie was a huge part of that and he did act as Master of Ceremonies for that event for 21 years. He did an outstanding job. Since that organization is going away for a time uncertain here, I thought it would be appropriate to ask Hubie to

come down there tonight so we could give him one of probably many awards that he has received. From the City of Manchester:

*Be it known that the Office of the Mayor extends its gratitude to you, Hubie McDonough, in recognition of your 21 years of commitment to the Queen City Athletic Hall of Fame and be it further known that the City of Manchester extends its best wishes for continued success and that this resolution be duly signed by the Mayor of Manchester, Theodore Gatsas.*

Thanks so much.

**Mr. Hubert McDonough**, 65 Holmes Drive, stated they exaggerated a little bit of what I did. I gave \$150,000; I realize it. That is a little over doing it. Thank you very much. I am not going to waste everyone's time here. The Queen City Hall of Fame...after Bill Allen's retirement the Hall of Fame has kind of stopped putting members in so maybe somebody will renew it in the upcoming future. Somebody could take the ball and run with it. So thank you all very, very much for this honor.

### **CONSENT AGENDA**

Mayor Gatsas 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 January 5, 2010 (two meetings), January 13, 2010 (one meeting), January 19, 2010 (two meetings), January 20, 2010 (one meeting), January 27, 2010 (one meeting) and January 30, 2010 (one meeting).

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

**B. Pole Petition:**

11-1266 (2 poles) Grove Street

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

**C. Sidewalk Petitions:**

19 Trolley Street  
565 Brent Street  
237 Poplar Street  
194-196 Lafayette Street  
54 Medford Street

**Information to be Received and Filed**

**D.** Monthly Bulletin from the City of Manchester Health Department for May 2010.

**E.** Comcast franchise fee payment for the first quarter of 2010 submitted by Bryan Christiansen, Comcast.

**REFERRALS TO COMMITTEE**

**COMMITTEE ON FINANCE**

**F. Resolutions:**

“Authorizing the Finance Officer to effect a transfer of Three Hundred Ninety One Thousand Eighty Two Dollars and One Cent (\$391,082.01) for the 2010 CIP 713510, Annual ROW Improvements.”

“Authorizing the Finance Officer to effect a transfer of Eight Hundred One Thousand Fifty Seven Dollars and Sixty Eight Cents (\$801,057.68) for the 2010 CIP 310210, School Improvement Project.”

“Amending the FY1998, 2002, 2003, 2005, 2007 & 2010 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Million One Hundred Forty One Thousand Eighty Two Dollars and One Cent (\$1,141,082.01) for the CIP 713510, Annual ROW Improvements.”

“Amending the FY2001, 2002, 2003, 2005, 2007, 2009 & 2010 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eight Hundred One Thousand Two Hundred Fifty Five Dollars and Twenty Six Cents (\$801,255.26) for the CIP 310210, School Improvement Project.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Six Million Four Hundred Thousand Dollars (\$6,400,000) for certain CIP Projects.”

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON ACCOUNTS, ENROLLMENT & REVENUE ADMINISTRATION**

- H.** Advising that the travel summary reports submitted by June George of EPD and Lisa Sorenson and Guy Beloin of Finance have been received and filed.  
*(Unanimous vote with the exception of Alderman O’Neil, who was absent.)*
  
- I.** Advising that an audit of the Office of the Tax Collector by the Independent City Auditor has been received and filed.  
*(Unanimous vote with the exception of Alderman O’Neil, who was absent.)*
  
- J.** Advising that a City-wide risk assessment prepared by the Independent City Auditor has been received and filed.  
*(Unanimous vote with the exception of Alderman O’Neil, who was absent.)*

**K.** Advising that it has accepted the following Finance Department reports:

- a) Department Legend
- b) Accounts Receivable summary
- c) Open Invoice report over 90 days

and is forwarding same to the Board for informational purposes.

*(Unanimous vote with the exception of Alderman O'Neil, who was absent.)*

**L.** Advising that it has accepted the City's Monthly Financial Reports (unaudited) for ten months ended April 30, 2010, and is forwarding same to the Board for informational purposes.

*(Unanimous vote with the exception of Alderman O'Neil, who was absent.)*

**M.** Advising that that the FY 2010 Budget Forecast has been received and filed.

*(Unanimous vote with the exception of Alderman O'Neil, who was absent.)*

#### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

**N.** Advising that the communication from Alderman Jim Roy regarding a proposed reorganization of the Economic Development Office has been received and filed.

*(Unanimous vote)*

**O.** Advising that the communication from the Senior Services Department regarding the results of a survey distributed at the William B. Cashin Senior Center has been received and filed.

*(Unanimous vote)*

**R.** Advising that the communication from the Manchester School District regarding termination of the Manchester Community Television (MCTV) contract has been received and filed.

The Committee notes that notification of the Board of School Committee's intent to mutually terminate the MCTV contract, effective 12:00 p.m. on June 30, 2010, was accepted by the Board of Mayor and Aldermen on April 20, 2010.

*(Unanimous vote)*

## COMMITTEE ON BILLS ON SECOND READING

**S.** Recommending that Zoning Ordinance Amendment:

“Amending the Zoning Ordinance of the City of Manchester, by replacing the Director of Planning and Community Development with an additional Aldermanic representative as a member of the Millyard Design Review Committee, and increase the membership from eight to nine by adding a members of the architectural or design field.”

ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration for enrollment.

*(Unanimous vote)*

**T.** Recommending that Ordinance Amendment:

“Amending Section 70.54 of the Code of Ordinances of the City of Manchester by establishing a Transit Station Parking Lot.”

ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration for enrollment.

*(Unanimous vote)*

**U.** Recommending that Ordinance Amendment:

“Amending Section 70.54 of the Code of Ordinances of the City of Manchester to Clarify Districts 26 and 27.”

ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration for enrollment.

*(Unanimous vote)*

## COMMITTEE ON JOINT SCHOOL BUILDINGS

- V. Recommending approval of a change order at the Manchester School of Technology for work on the HVAC system.

The Committee further notes that it has approved “Option A” of the attached proposal totaling \$8,646.

*(Unanimous vote)*

## COMMITTEE ON LANDS AND BUILDINGS

- W. Recommending that a Slope and Grading Easement Deed be granted to River’s Edge Manchester, LLC, over an area located near the Manchester Transit Authority, subject to the review and approval of the City Solicitor.

*(Unanimous vote)*

- X. Recommending approval of the request from the Highway Department to change the official street name of Betty Drive to Betty Lane.

*(Unanimous vote)*

- Y. Recommending approval of a plan to sell Lot 611-4A Island Pond Road to one of the two direct abutters.

The Committee further recommends that the Board of Mayor and Aldermen:

- Find the lot surplus to City needs;
- Find that acquisition by either of the two petitioners would lessen or resolve the non-conforming nature of their side yard building setback or lot frontage distances;
- Direct the Tax Collector to solicit “highest offer” sealed bids from the two abutters, subject to the review and approval of the Committee and the Board of Mayor and Aldermen;
- Condition the sale upon their merger of Lot 4-A with their abutting parcel; and
- Pass an ordinance authorizing the disposition of the city-owned tax deeded property at TM 611, Lot 4-A, in the manner suggested herein.

*(Unanimous vote)*

- Z.** Recommending approval of the proposed agreement between the City and the Manchester Dog Park Association to construct, maintain, and operate a dog park on property located at Bass Island, subject to the review and approval of the City Solicitor.  
*(Unanimous vote)*

**SPECIAL COMMITTEE ON ENERGY CONTRACTS AND RELATED ACTIVITIES**

- AA.** Advising that the communication from the Highway Department regarding energy funding opportunities has been referred to the Board of Mayor and Aldermen for informational purposes.  
*(Unanimous vote)*

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

- G.** Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) for the 2010 CIP 310310 – School Administration Offices Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million One Hundred Thirty Thousand Dollars (\$1,130,000) for the CIP 310410 – School Building Energy Efficiency Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000) for the 2010 CIP 310510, School Facility Improvements.”

**Alderman Corriveau** stated I know we are probably going to discuss this in Committee, Your Honor, but regarding the School Building Energy Efficiency item, the paperwork in our packet, I didn't actually see... I understand we are

bonding over \$1.1 million but I didn't see a list of potential projects. Nothing has come before the Energy Committee in terms of this amount of money and I was wondering if there was any sort of outline or plan or list or anything along those lines.

**Mayor Gatsas** stated let me clarify for you. Right now there are two sources of funding for energy efficiency. One bond is the bond that you see before us. There is ARRA funding that we have that is in place. We have just now applied for \$1,250,000 with REGI funding. I think that is coming forward maybe in two weeks. I think once we have all \$3 million in place that would be the appropriate time to go before the Energy Committee to talk about the projects. Some of those projects are School projects we need to invite the Committee to. I would think at that time once we had that list we would then come before the Energy Committee so people can see what they are and then we could make our selections on the City side.

**Alderman Corriveau** asked so at that time we will use this appropriation?

**Mayor Gatsas** replied this is a placeholder, correct.

*On motion of Alderman Corriveau, duly seconded by Alderman Lopez it was voted to refer this item to the Committee on Finance.*

- P.** Recommending that the communication from Aldermen Corriveau, Arnold, O'Neil, and Ouellette proposing that the City contract with a non-profit organization to provide Public, Educational, and Government (PEG) television in Manchester, be approved.

The Committee notes that the proposal recommends that the non-profit's Incorporators/Board of Directors consist of the five Manchester residents who have volunteered to the Mayor and include former Mayors Dupuis, Wieczorek, and Baines along with former Aldermen Cashin and Wihby. The Committee recommends that future appointments to this Board of Directors follow the provisions of Section 3.14 of the City Charter except that the Mayor shall have only two appointments with confirmation of eight Aldermen and the Board of Aldermen shall have the remaining three appointments for nomination and confirmation.

The Committee concludes by directing City staff to work with the Board of Directors to determine how their by-laws should address the needs of the City.

*(Unanimous vote with the exception of Alderman DeVries who voted in opposition)*

**Alderman Lopez** state the Aldermen should have an email from Will Infantine, the President of MCAM. As it reads, he is setting up a meeting with the Attorney General's Office. They have also asked to have counsel review the current agreement and documents between MCAM and the City. Also, the Aldermen should have a page out of the contract with MCAM. In reference to item P, I understand after talking to the City Solicitor and he can comment on this, the public access has been given to MCAM and the only way we can do it is to terminate the agreement upon 120 days with written notice to MCAM. In accepting this item, in the motion we need to include that the City shall have the right to terminate the agreement upon 120 days with written notice to MCAM of revocation of designation of MCAM, Inc. as access provider for the City's public access channels. This would mean we will give them 120 days according to the contract. After that, as of this date, they will no longer be public access for the City of Manchester. In completing this motion that the Committee has brought forward, we will continue to move forward as a non-profit organization and government and educational channels will proceed. The only thing we will not be able to do, I will let the City Solicitor speak to that, is have public access under the

non-profit organization for 120 days. If the City Solicitor would like to add anything, he may.

**Mr. Thomas Clark**, City Solicitor, stated Alderman Lopez is correct. The contract that was signed between the City and MCAM, specifically reserves the right, to this Board, to revoke their designation as the public access provider upon 120 days notice. It does not require fault, it does not require a breach. It just gives the right to do it. As such, the public access with the 120 day notice they will continue to operate for 120 days.

**Mayor Gatsas** asked if they come back and agree to the terms that the Committee sent out, at that point can we do a phone poll of the Board to accept those terms, the equipment coming in, the liability of the lease and the liability of the equipment.

**Mr. Clark** replied generally, Your Honor, I do not approve of telephone polls but you will have plenty of time to make revisions.

**Alderman Lopez** stated just to further answer your question, Your Honor, since you spoke to that question, in reference to Item Q, I was going to ask that particular item be tabled in the event that MCAM does want to come back and negotiate. We then would not have to go through the whole process again.

**Mayor Gatsas** asked is there any way Alderman Lopez can make his motion with item P and we pass item Q so that they are both in place at the same time, if we have given 120 days notice? If they come back and want to follow the terms that were in item P that the City Solicitor in conjunction with the Mayor's Office, formulated, we can move forward.

**Mr. Clark** replied if it is the wishes of this Board, you can approve item Q and it would be up to MCAM to decide if they are going to accept it.

**Alderman Lopez** stated right now we are talking about item P.

**Mayor Gatsas** stated we are talking about item P and that is what your motion would be, to send a termination letter. I agree.

**Alderman Craig** stated it is about item P but it is unrelated to the topic Alderman Lopez was talking about. It is on page P-5, number three, Educational Access. It specifically states that this entity shall offer extended learning opportunities for School District students and staff, including a graded course of independent study through the School District for high school students. It is my understanding that the extended learning opportunities, or the ELO's, are only offered at Central High School. I just want to make sure that what we are including here will be offered and available to all students at every high school.

**Mayor Gatsas** stated that is a great question and I have had communication this afternoon with Dr. Brennan about that. He has never authorized any such class so he is going to talk to the ELO Coordinator tomorrow to find out who authorized the class. He certainly doesn't have a problem with that. He certainly believes that he can find somebody to make sure that happens but nobody has ever notified him as the Superintendent that a class is going to be offered.

**Alderman Craig** asked so is it our intention that a class be offered to high schools?

**Mayor Gatsas** responded I think where Alderman Long was going, because he was the one who was on top of that question, and I agree with him that if we have

an opportunity to offer that it should be offered to all schools and not just Central High School. His suggestion was if we can find a spot at MST and provide them with some of the equipment once we get everybody put into the non-profit and there is additional equipment, he thinks there is space there that they can do it and they can provide a future for all the students in the City to participate and not just the ones at Central.

**Alderman Craig** asked so a highly qualified teacher and all high schools students?

**Mayor Gatsas** replied he is aware of both of those so I know he is looking into them first thing in the morning.

**Alderman Roy** stated thank you, Your Honor. This has been going on for quite some time. Last year I suggested it then and I suggested it several months ago that we should sit down and renegotiate because we were told that the sticking point was the amount of money we were giving them with the escalator clause and I agree with you. We were told that we were going to terminate these contracts in order to force them to the table to renegotiate. That has morphed into something more now. This is a mess in my view. Adding on to what Alderman Craig said, I never believed I would be sitting in this chair talking about educating children. I don't think this is the place. I think it belongs over at the School Board. Who was it that actually developed this plan?

**Mayor Gatsas** asked what plan are you talking about, Alderman?

**Alderman Roy** replied the plan we are looking at now.

**Alderman Lopez** asked are you speaking of the contract or are you speaking of the non-profit organization?

**Alderman Roy** replied both.

**Alderman Lopez** stated okay. As a draft it was presented by the City Solicitor, Matt Normand and the Finance Officer, and I think they can speak to that.

**Alderman Roy** stated so staff developed this. My question to staff then is this: Exactly how are the students going to be educated because we are now going to have a third party entity that is educating the students in the City of Manchester? I thought that was the purview of the School Board.

**Mayor Gatsas** stated being the Chairman of the School Board, I think that is the clarification that I just brought to Alderman Craig. That person would be a School Board employee, out of the School District at MST. We would provide some equipment for them to do what they need to do. This course was only being offered to Central High School students. The Superintendent didn't know anything about it. The ELO director is the one that put it on. So those questions and discussions that we have heard and have come before us other than just tonight, that there would be a course offered to those students and it wouldn't be lost. The Superintendent has no problem with that but he thinks it is only fair that it be offered to all three high schools. Certainly, if that is extended learning that is up to them and it is not up to us. We would just make sure that the opportunity for that happens.

**Alderman Roy** asked so who is going to oversee that? I am confused as to how this whole thing is going to mesh.

**Mayor Gatsas** replied the School District.

**Alderman Roy** stated because in this that I read, it said that we were going to have I think its four employees from MCTV, that were still going to be there and none of them are a teacher.

**Alderman Lopez** stated this was brought up in Committee and in conversations. I think every Board member here agrees on the educational portion. The School Board is also involved in the educational aspect and it was brought up and the Mayor answered it. He instructed Tom Brennan that he would provide an educator for the curriculum for MCTV for the students. The Superintendent will provide and pay for an educator to come over and educate the students and the curriculum that they have to do. Whether it is at MST or MCTV that is up to the non-profit organization moving forward but the point I want to make is that I think that everyone did agree that the education...when it comes to education the Superintendent will provide the certified teacher to teach the educational portion.

**Alderman Roy** asked where does it say that in here? Because I see where it says educational opportunities are going to be there but I don't see where it is spelled what is actually going to take place.

**Alderman Lopez** responded I think just to answer your question a little further, I think what happens in establishing this non-profit organization, and that's where the three staff people got together, and from what I understand, if this passes, the non-profit organization has a lawyer that will sit down with staff and these are the items that will be worked out and into the contract and also the bylaws that will be established by the non-profit organization. There still is some work to be done. The most important critical item is we have to give the authority for that process to move forward.

**Alderman Roy** stated essentially we are voting on a plan without a final draft.

**Alderman Lopez** stated we do know the contract. Maybe the City Solicitor can help the other members understand what he was speaking of at the Committee meeting.

**Mr. Clark** stated the contract that is going to be between the City and the non-profit does call for them to provide educational opportunities. We can't tell them what educational opportunities to put in there. That is going to be up to the School District. The non-profit then will have to sit down with the School District and develop an educational plan as to how they want to go forward, whether they want to do it at one of the studios or whether they want to do it at MST and who the teacher from the School District will be assigned.

**Alderman Roy** asked Tom, does it spell out in this document here, because I must have missed it, that they are going to get that input from the School Board?

**Mr. Clark** responded it says they will offer extended learning opportunities for School District employees and staff. To do that, they have to sit down and negotiate something with the School District.

**Alderman Roy** stated my last point right now would be, I think you already addressed this, if anything comes back, if this is terminated because if we pass this tonight it is going to a non-profit and then if we terminate MCAM and they decide to come back with a different offer to us it is going to have to come back before this Board, right?

**Alderman Lopez** stated yes. That is what I am saying. If I understand the Mayor's comments, that is the reason I said when we get to item Q, if this passes, all we do is table it so we don't have to go through the whole cycle again. I think the Mayor's position is that we pass item Q, if I understood you correctly, so that if they did come back and agree to the stipulation, the Committee is first recommending under item Q that it will be accepted. It wouldn't have to come back to the Board.

**Alderman Roy** stated you already know I have an issue with taking it off the agenda.

**Mayor Gatsas** stated just so I can clarify, the only deal that I would assume that is coming out of item Q would be the deal that the Committee came forward with. It said assume the lease both on the equipment and the property. Other than that, if it is different than that deal, it would change and it would come back to this Board.

**Alderman Roy** stated my question would be for legal again. Is this precedent setting in that we are going to take on the debt of a non-profit?

**Mr. Clark** stated no, there have been other instances where we have done it; I just don't have any details in front of me. What you are doing is terminating their designation as the public access provider and in order to do that you are assuming the lease. You are not terminating the leases. We will be using the space, as I understand it, for other purposes.

**Alderman Roy** stated thank you.

**Mayor Gatsas** stated with the caveat that if we pay that \$48,000 that is owed on the lease for the equipment that all the equipment comes back because you have to

remember when the separation happened there were dollars and equipment that came from MCTV that were City dollars that went into those pieces of equipment. All equipment from there would come back to the City.

**Alderman Roy** stated thank you.

**Alderman Ouellette** stated thank you, Your Honor. I just want to add a little more clarification on the extended learning opportunity, being the Chairman of the Curriculum and Instruction Committee at the time when it was approved by the School Board, Your Honor. Back then it was open to all students and all students were taking advantage of it as it was located at MST at the time, when MCTV was over at MST. I am very disappointed to hear that has been closed to the other two high schools and that all students aren't taking part of that or being offered that. That is news to me. I am finding that out tonight. I know that location of the program has been an issue in the past when it was at MST; now the program will be centrally located downtown and also have bus lines right through the facility. I think that will open the door for the other two high schools and be able to solve that problem. Again, the premise is that it is an educational opportunity. It is now going to be under the purview of the School Board. The School Board administration will have to negotiate a program, something that is certainly safe for the kids to be at and it is a credited course. Kids take the course and they do get credit. The difference between the MST program that they offer over there and this program is that some of the kids who have accelerated courses, level III's and level IV's, can't take the two or three periods that it takes to attend MST. This program being after school and centrally located I think will flourish even more and draw even more kids to the downtown area to take the program. In terms of the lease agreement and MCAM, I am very disappointed in the MCAM Board. I think that from sitting with Alderman Roy and since this began, Your Honor, this whole process at first anyway was about cooperation and

communication and what is best for the residents and the citizens of Manchester. It is turning into a contest of what's best for me, myself and I. That is really disappointing. I would caution the MCAM Board in this, Your Honor. Be careful what you wish for because you just might get it. My point being, Your Honor, that I think what Alderman Roy was alluding to was, we don't have to assume any of their debt. We have had that discussion, Your Honor, in your office. I really am not in favor of assuming any of their debt, especially the lease and the building. That is not something I think that the ratepayers should be taking forward, in the interest in moving forward and moving the opportunities, not just for the non-profit organization but for the employees of MCAM. If this goes on longer than June 30<sup>th</sup>, Your Honor, and we can't come to an agreement, I am kind of wondering what is going to happen to them. If I was an MCAM Board of Director, I would strongly urge my colleagues to support this because I think the City is bending over backwards to make sure that everybody and everything is made whole. Your Honor, I am very concerned and very disappointed about not being able to close the door on this, this evening. Again, we do have another meeting on June 22<sup>nd</sup> and I am shaking my head. It is unfortunate, Your Honor, that we can't close the door on this tonight because I really thought we were going to be able to do this when I woke up this morning but unfortunately that is supposedly not the case. Hopefully going forward we will come to an agreement soon.

**Alderman Shaw** stated what I was going to say was about the ELO's, extended learning opportunities. When Alderman Ouellette just said that... I think there is a question about the terminology here because there was an ELO pilot program at Central the last two years. It is for students to go out and if someone is gifted in the violin and they want to go out and study violin, it's that type of a program. I think that is what some of the kids at Central were involved in. Whether or not this is really an ELO program or if this is extended learning opportunities in a

different way, I am not sure but I know the two coordinators from Plaistow, New Hampshire, were teachers at Central High School. That might be why the kids were from Central but I am not sure about this situation.

**Mayor Gatsas** stated well, as I have said, I had a conversation today with Dr. Brennan and I think it is important that he being the Superintendent of the School District that he should be making decisions as we move forward. I am sure he is prepared to do that. It is just giving him an opportunity for him to meet with the ELO Director tomorrow morning to find out who put this in motion. With that I have a motion.

**Alderman Lopez** stated we are going to a non-profit organization for government and education that we can do to public access for 120 days because we have to give them notice.

*On motion of Alderman Lopez, duly seconded by Alderman Arnold, it was voted to amend the report for the Board to provide 120-day written notice to MCAM, Inc. for revocation of the designation of MCAM, Inc. as access provider for the City's public access channel. Aldermen Ludwig, Roy, Greazzo voted in opposition.*

*On motion of Alderman O'Neil, duly seconded by Alderman Corriveau, it was voted to accept the amendment of the five volunteers to be the non-profit's Board of Directors for up to one year with appointments to be made after one year. Aldermen Ludwig and Roy voted in opposition.*

- Q.** Recommending that the letter from Manchester Community Access Media, Inc. (MCAM) regarding the termination of the public access television agreement with the City of Manchester be accepted with the provision that the City only assume the associated building and equipment leases related to this agreement.  
*(Unanimous vote)*

**Alderman Lopez** stated so that we don't have to start this process all over, I would recommend that we table this in the event that they come back and make an offer either to accept that we take the building lease and equipment and nothing else.

*On motion of Alderman Lopez, duly seconded by Alderman Ouellette, it was voted to table this item.*

**Alderman Craig** stated I agree with tabling but in looking through the information from the MCAM contract, the stipulations regarding termination within 120-days and then reading letter B, we actually don't even need to negotiate anymore do we?

**Mayor Gatsas** stated no, we don't. I just think it's only fair that the Committee comes up with a process to allow them to come in and we would absorb the lease and also the lease on the equipment and all the equipment would come back to the City. I think if that is on the table and they come back with something in writing to accept those terms, then the 120-day revocation would terminate and we would put that back in the place at the next meeting.

4. Nominations to be presented by Mayor Gatsas

Mayor Gatsas stated pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

Robert Blaisdell to succeed himself as a member of the Parks, Recreation & Cemetery Committee, term to expire July 1, 2013;

George “Butch” Joseph to succeed Dennis Smith (term limited) as a member of the Parks, Recreation & Cemetery Committee, term to expire July 1, 2013;

These nominations will layover until the next meeting of the Board pursuant to Rule 10 of the Board of Mayor and Aldermen. Your consideration of these nominees is appreciated.

*On motion of Alderman Arnold, duly seconded by Alderman O’Neil, it was voted to suspend the rules and confirm Robert Blaisdell.*

5. Communication from the Highway Department requesting authorization to accept funds from the State for hazardous waste clean up and to enter into a contract with the NH DES, Waste Management Division, for the program.

*On motion of Alderman Osborne, duly seconded by Alderman O’Neil, it was voted to approve the request of the Highway Department.*

6. Ordinance establishing a special purchase procedure relating to the John Stark statue, submitted by the City Solicitor.

*On motion of Alderman Craig, duly seconded by Alderman Arnold, it was voted to suspend the rules and place the Ordinance on its third and final reading.*

*On motion of Alderman Craig, duly seconded by Alderman Long, it was voted that this Ordinance be Ordained.*

7. Communication from the Facilities Division recommending \$30,000 be used towards correcting certain deficiencies identified by the Fire Department in the district schools.

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

**Mayor Gatsas** stated I can tell you that the surplus is still \$20,000 but they found an additional \$20,000 in their budget. So the corrective actions would go to \$50,000 and they would still produce a \$20,000 surplus in their budget at Facilities.

**Alderman Corriveau** asked could we have a little bit of details on what these improvements at Smith, Gossler and Jewett are?

**Mayor Gatsas** replied sure. Mr. O'Maley, please come forward.

**Mr. Kevin O'Maley**, Chief Facilities Manager, stated good evening. Smith, Gossler and Jewett were working with the Fire Department. In the old sections of each one of those buildings we need to replace some fire doors and door closures. This would take care of the deficiencies at those three buildings.

**Alderman Lopez** asked were any of these items that you are speaking of ever brought before the Joint School Buildings Committee of the Aldermen and School Board?

**Mr. O'Maley** replied it was brought to the Building and Sites Committee.  
Actually we worked with the School administration and the Fire Department.

**Alderman Lopez** asked there was no money in any of those funds that were identified under the design/build?

**Mayor Gatsas** replied those were all used.

**Alderman Lopez** asked those were all used and you only have \$20,000 left in there?

**Mr. O'Maley** replied the \$20,000 was left in our operating budget, not in the design/build.

**Alderman Lopez** asked what do you have left in the design/build for safety?

**Mr. O'Maley** replied all the funds from the design/build project were moved to the School CIP projects for this upcoming fiscal year.

**Alderman Lopez** asked so those funds were diverted somewhere else other than safety?

**Mayor Gatsas** stated there were some funds that were taken from those funds and used in safety. There were safety measures that were used with the corrections that we had in those budgets on the School District side.

**Alderman Lopez** stated I just want to make sure that this doesn't become a habit that we are going to use City funds. Thank you.

**Mayor Gatsas** stated we are all one City, Alderman.

**Alderman Lopez** stated I realize that.

**Alderman Long** stated regarding the CIP appropriation, members of that Committee received a copy of the projects. Are any of these projects on that list?

**Mr. O'Maley** replied there was about \$200,000 for life safety projects but those were for other projects.

**Alderman Long** stated so they were not for these specific projects. Thank you.

**Alderman Ouellette** stated just as clarification for my colleague, these are projects that are going to be handled. Every year these are on lists of things that need to be done. Most of them I believe are fire issues but every year, Your Honor, things happen and these items continue to be pumped back and they never seem to be getting done. I am glad to see that there is some money this year to do some of those things. I am sure not all of them but this is an area where it has always been a great concern to the School District in terms of not being able to get these done. Thank you, Your Honor.

**Alderman Lopez** stated that is a very good point. I think as you go through this process, when we are spending \$200,000 on other projects, if the Fire Chief comes forward and talks about safety issues that is the number one priority and that should be brought to the attention of the Community Improvement Committee Chairman and the Joint School Buildings Committee so that we are taking care of those life safety issues before we are taking care of the other projects.

*On motion of Alderman Ouellette, duly seconded by Alderman Roy, it was voted to approve the request from the Facilities Division to use \$30,000 towards correcting certain deficiencies identified by the Fire Department in the district schools with an additional \$20,000 surplus.*

8. Communication from Alderman Ludwig requesting the Finance Officer be authorized to establish a separate fund to accept future contributions to purchase replacement trees for Wagner Park.

**Mayor Gatsas** stated I think there is also a fund to be set up for City Year.

**Mr. William Sanders**, Finance Officer, stated that was approved at the last Board meeting.

**Alderman Lopez** asked since I am a little bit familiar with it, how does the trust fund compare to this separate fund?

**Alderman Ludwig** stated I checked with the Trustees of the Trust Fund and I also checked with the attorney that the trust fund uses to handle the simple matters that it needs to. According to the State of New Hampshire Attorney General's Office the trust really can't accept donations and the best thing to do would be to set up a separate account to accept those contributions to keep it clean. That way the City Finance Officer would handle it. I don't think it will be huge but some of the neighbors did approach me about replacement of some of the larger trees that we lost in the windstorm and they are expensive. Also some of the trees over the years have been lost because of age. The trust can't accept contributions.

**Alderman Shea** asked because it is a separate fund and because we are imposing on the City is there any way of... Can other people establish funds as well and put more of the burden on the Finance Officer or is this something we can do without

necessarily reimbursing the Finance Officer for their work? I'm not sure exactly... not that I am not in favor of this but I am just saying that maybe someone may decide to have another project and would like to have a fund set up so I am just wondering if we are establishing some sort of precedent here.

**Mayor Gatsas** stated I think everybody is going to be coming forward to this Board if they want to set up a fund and obviously we have to make sure it is a worthy reason for the Finance Officer to be involved in. I think there were some trees lost at Wagner Park. There were people who said they wanted to come forward to participate in putting some money in there so that trees could be bought. I think that is a worthy cause and I think that as long as we are not cutting checks for \$20. I am sure that the Finance Officer will let us know at some point if it becomes a burden.

*On motion of Alderman Ludwig, duly seconded by Alderman Osborne, it was voted to establish a separate fund to accept future contributions to purchase replacement trees for Wagner Park*

## **9. Reports of the Committee on Community Improvement**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a communication from Planning & Community Development requesting that the City acquire property located at 434 Lake Avenue for \$300,000 and at 203 Mammoth Road for \$46,900 using federal Neighborhood Stabilization Program Funds be approved.  
*(Unanimous vote)*

**Mayor Gatsas** asked Alderman O'Neil, did anybody give you...I think in that Neighborhood Stabilization account there is probably about another million dollars left. Certainly if there are projects out there that people know of.

Certainly this was designated for the Hollows district up in the Massabesic and Hall Street area but certainly if there are boarded up buildings that are in an Alderman's ward that have had fires or something like that we will certainly see if we can stretch that zone and have Sam talk with you folks.

**Alderman Lopez** stated maybe Planning, along with the Aldermen, could check with NeighborWorks. They might have some programs over there they could do, because that money has to be spent by December, is that correct?

**Alderman O'Neil** stated I just want to compliment Leon and his staff for reaching out. I think they have identified quite a few properties around the City beyond even the original scope of the project so if they are out there, please let Leon know about them and I am sure he will get his folks on it right away. They have done a good job. I think one in Ward 4 and one in Ward 7, is outside their original scope. So I think they have been reaching out and continue to do a good job with it. Thank you, Your Honor.

*On motion of Alderman O'Neil, duly seconded by Alderman Ludwig, it was voted to accept the report and adopt its recommendation.*

The Committee on Community Improvement respectfully recommends that Bond Resolutions:

“Authorizing Bonds, Notes, or Lease Purchases in the amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) for the 2010 CIP #310310 – School Administration Offices.”

“Authorizing Bonds, Notes, or Lease Purchases in the amount of One Million One Hundred Thirty Thousand Dollars (\$1,130,000) for the 2010 CIP # 310410 - School Building Energy Efficiency Project.”

“Authorizing Bonds, Notes, or Lease Purchases in the amount of Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000) for the 2010 CIP #310510 – School Facility Improvements.”

be approved.

*(Unanimous vote with the exception of Alderman Greazzo who voted in opposition.)*

*On motion of **Alderman O’Neil**, duly seconded by **Alderman Osborne**, it was voted to accept the report and adopt its recommendation.*

The Committee on Community Improvement respectfully recommends that an amending resolution providing for the appropriation of funds in the amount of Six Million Four Hundred Thousand Dollars (\$6,400,000) for CIP #310310 School Administration Offices, CIP #310410 School Building Energy Efficiency Project, and CIP #310510 School Facility Improvements be approved.

*(Unanimous vote with the exception of Alderman Greazzo who voted in opposition.)*

*On motion of **Alderman O’Neil**, duly seconded by **Alderman Lopez**, it was voted to accept the report and adopt its recommendation.*

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

Mayor Gatsas called the meeting back to order.

## **12. Reports of the Committee on Finance**

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

“Authorizing the Finance Officer to effect a transfer of Three Hundred Ninety One Thousand Eighty Two Dollars and One Cent (\$391,082.01) for the 2010 CIP 713510, Annual ROW Improvements.”

“Authorizing the Finance Officer to effect a transfer of Eight Hundred One Thousand Fifty Seven Dollars and Sixty Eight Cents (\$801,057.68) for the 2010 CIP 310210, School Improvement Project.”

“Amending the FY1998, 2002, 2003, 2005, 2007 & 2010 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Million One Hundred Forty One Thousand Eighty Two Dollars and One Cent (\$1,141,082.01) for the CIP 713510, Annual ROW Improvements.”

“Amending the FY2001, 2002, 2003, 2005, 2007, 2009 & 2010 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eight Hundred One Thousand Two Hundred Fifty Five Dollars and Twenty Six Cents (\$801,255.26) for the CIP 310210, School Improvement Project.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Six Million Four Hundred Thousand Dollars (\$6,400,000) for certain CIP Projects.”

ought to pass and be Enrolled.

*(Unanimous vote with the exception of Alderman DeVries who was absent.)*

*On motion of Alderman O’Neil, duly seconded by Alderman Ludwig, it was voted to accept the report and adopt its recommendation.*

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

“Authorizing Bonds, Notes, or Lease Purchases in the amount of Two Million Four Hundred Thousand Dollars (\$2,400,000) for the 2010 CIP #310310 – School Administration Offices.”

“Authorizing Bonds, Notes, or Lease Purchases in the amount of One Million One Hundred Thirty Thousand Dollars (\$1,130,000) for the 2010 CIP # 310410 - School Building Energy Efficiency Project.”

“Authorizing Bonds, Notes, or Lease Purchases in the amount of Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000) for the 2010 CIP #310510 – School Facility Improvements.”

ought to pass and layover.

*(Unanimous vote with the exception of Alderman DeVries who was absent.)*

*On motion of **Alderman O’Neil**, duly seconded by **Alderman Ludwig**, it was voted to accept the report and adopt its recommendations.*

**13. Resolutions:**

“Authorizing the Finance Officer to effect a transfer of Three Hundred Ninety One Thousand Eighty Two Dollars and One Cent (\$391,082.01) for the 2010 CIP 713510, Annual ROW Improvements.”

“Authorizing the Finance Officer to effect a transfer of Eight Hundred One Thousand Fifty Seven Dollars and Sixty Eight Cents (\$801,057.68) for the 2010 CIP 310210, School Improvement Project.”

“Amending the FY1998, 2002, 2003, 2005, 2007 & 2010 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Million One Hundred Forty One Thousand Eighty Two Dollars and One Cent (\$1,141,082.01) for the CIP 713510, Annual ROW Improvements.”

“Amending the FY2001, 2002, 2003, 2005, 2007, 2009 & 2010 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Eight Hundred One Thousand Two Hundred Fifty Five Dollars and Twenty Six Cents (\$801,255.26) for the CIP 310210, School Improvement Project.”

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of Six Million Four Hundred Thousand Dollars (\$6,400,000) for certain CIP Projects.”

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

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

**14. Report(s) of the Committee on Human Resources/Insurance**

There were no reports.

**15. Reports of the Committee on Lands and Buildings**

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that a proposal from the Danais Realty Group to enter into a Purchase and Sale agreement with the City of Manchester for the acquisition and development of the Northwest Business Park at Hackett Hill be accepted subject to the review and approval of the City Solicitor, Economic Development Director, and the attorney for the Manchester Housing and Redevelopment Authority.

*(Unanimous vote with the exception of Alderman Osborne who voted in opposition.)*

**Alderman O'Neil** stated just for clarification, this is the point to ask some questions about the Purchase and Sale, correct? The next report is about zoning?

**Alderman Roy** replied yes.

**Alderman O'Neil** stated thank you. Just to clarify, is it 11 lots or 12 lots? There is a reference that says lots 1-10 and then lot 12. I thought that there were 12 lots.

**Mayor Gatsas** asked there are 12 lots but we are retaining one of the lots; that is where the fire station will be built. So one of those lots in the subdivision, there are actually 12 lots but the City is going to retain one of them.

**Alderman O'Neil** asked what happens to the lot where the fire station is now?

**Mayor Gatsas** replied that would be then transferred over.

**Alderman O'Neil** asked that is one of the 11 lots then?

**Mayor Gatsas** replied no, that is not one of the 11 lots. That is 14-D.

**Alderman O'Neil** stated throughout the document, it references "the seller". The reference to "the seller" is the City of Manchester, correct?

**Mr. Clark** replied the City and the Housing Authority.

**Alderman O'Neil** stated it appears that different people in City government have responsibility for various parts. How do we clarify what that is? Some examples: We talk about construction of the fire station. There are certain things that the seller will have the right to do. Then if we move along to financing, Mr. Danais and his partners need to provide written notice or written evidence to the seller. I think that there was one other one. My point is that the seller can be different people in City government or is there one point person for this whole thing?

**Mr. Clark** replied for the actually construction the point person will be Kevin Sheppard, I believe, unless he designates someone else in his office. There are other things and Attorney Craven and I had a brief conversation earlier to day. We are going to clean up some of that language about the seller because the Housing

Authority is also a seller and they had a few concerns as to what their role is going to be.

**Alderman O'Neil** asked is it typical that we are generic with the word seller and in the case of the financing, that should be Mr. Sanders' approval or in the case of the construction related items that should be Mr. Sheppard?

**Mr. Clark** responded generally we keep it generalized and the department that has jurisdiction over the particular items is the one that does it.

**Alderman O'Neil** stated I don't know that there is a need to reference the Fire Chief; I guess through Mr. Sheppard, Chief Burkush would be involved, correct?

**Mr. Clark** replied yes, he will be.

**Alderman O'Neil** stated even though he seemed to have taken over this whole document. It is all about the Fire Department, which is not a bad thing, Alderman Roy. So you will clean this up?

**Mr. Clark** replied yes, we will clean this up and we will let you know how it looks after it is clean.

**Alderman O'Neil** stated just a point for me. Mr. O'Maley, in a brief discussion out back, you pointed out that they will be reviewing everything related to the construction. Your Honor, I guess my only concern is that what if \$2 million dollars is not the right number to do the fire station right. What if it is \$2.3 million?

**Mayor Gatsas** stated the additional \$300,000 would be borne by the developer without cuts. If that's what that number comes in at, he owns it and we still get out \$800,000.

**Alderman O'Neil** stated okay so we are going to get an award winning fire station for \$2 million. Mr. Danais is going to deliver that. He is going to guarantee that to us.

**Mayor Gatsas** stated I am sure Alderman that you, myself and probably a lot of members of this Board will be watching every moment that something is moving up there. We will be there to pay attention.

**Alderman O'Neil** stated thank you, Your Honor.

**Alderman Arnold** stated first, I would like to thank the members of the Lands and Buildings Committee, which had opportunity to vet this proposal twice in Committee and I thank them for that. They also allowed me to hold a public forum, which I did last week, to solicit feedback from Ward 12 residents and other stakeholders and that wouldn't have been possible without support of members of this Board so I thank them for that. I just want to say a couple weeks ago I went on record and said that I felt this proposal had tremendous potential for the City and for any members of this Board who are not aware of me saying that, I reiterate it tonight. I think that it offers several opportunities to be a benefit to the City. I think it also offers opportunities to benefit the ward, in addition to giving the City much needed tax revenue, and I don't need to explain to the members of this Board how difficult it is to find additional revenue and make City government work in the most efficient way possible. This is an opportunity for that. As Alderman O'Neil referenced, we do get a new fire station out of it, which I think the residents of Ward 12 certainly will benefit from as well as other residents on

the west side and other parts of the City. I just wanted to go on record, Your Honor, and say that I do believe this proposal is a good proposal and as Attorney Clark mentioned it is subject to final approval by his office as well as a couple other City departments so I thank everyone who had a hand in this and I ask the Board for its support.

**Alderman Shaw** stated yes, thank you, Your Honor. It is my understanding that the developer will take into consideration the environmental aspects of this area and endangered species and protecting the nature as it is in that area.

**Mayor Gatsas** stated my understanding is that all the protective covenants that are in place will stay in place. The buildings will be made sure that they are modified to adjust to those conditions. I think that the developer understands what the preserve is up there and what it means to the City of Manchester. I know that was vetted at the meeting. I happened to get there a few minutes late the other night but I know that Alderman Arnold had a meeting there that people probably would have loved to see us turn it all into conservation. I don't think that is possible. I think that is the last large piece that we have for tax base improvement in the City and we must work feverishly to get it done.

**Alderman Arnold** stated as a result of the public forum we had in Ward 12, it was brought to my attention that there might be some confusion as to what this project means. The nature preserve will of course remain and individuals in the City can certainly continue to take advantage of that. I imagine there are a number of people in the City who don't even know it is there. This project doesn't change any of that. I just wanted to make sure that clarification is made.

**Alderman Roy** stated just to try to help Alderman Shaw a little bit, at that meeting it was discussed that the buffers that have already been developed by MHRA are

going to remain. They are not going to change in any way. The vernal pools that have been delineated on the map are going to be protected as well. The plan that MHRA has developed is one that they are going to use and then they are going to develop the sites according to that.

**Alderman O'Neil** asked Tom, does the cleaned up language have to come back here or are we approving it tonight subject to...

**Mr. Clark** interjected tonight you are approving it subject to our final review.

**Alderman O'Neil** asked we will see the document at some point?

**Mr. Clark** replied yes, we will get you copies of it but the clean up language won't be substantive in changes. If anything substantive came up we would get it back to you for a further vote.

**Mayor Gatsas** stated Alderman O'Neil, I will make sure that before I sign it every Alderman gets a copy of it so if there is something they want to voice their opinion on, they can.

**Alderman O'Neil** stated my only concern was who on our side was responsible for what within the contract. It was somewhat confusing to me.

**Mayor Gatsas** stated I think it will be clarified. Let me just first take a second because I think that all of you that served with me when I was an Alderman knew how I felt about Hackett Hill and that we needed to get it developed. I certainly applaud the person who came forward to make this happen. First, I want to tell you that the staff went the extra mile on this one. They worked very hard to make sure this could happen. They worked very hard to make sure we were in a time

frame that could get things done. We are now in the process as a city of making sure that when developers come to this community that we are opening up the door, laying out the red carpet and making sure that we can address the problems that we have, whether it is a big project like Hackett Hill or a small project. I can tell you that I am very pleased with the Planning and Community Development that has come forward with Economic Development because they were involved. The Fire Department was in the middle of it; Facilities and Highway were in the middle of it also. I think the only one that wasn't in the middle of it was the Police Chief. I want to commend you all because you all worked very hard and should be proud of the effort that you put forward.

**Alderman Arnold** interjected you are forgetting the City Solicitor, Your Honor.

**Mayor Gatsas** stated oh, yes, the City Solicitor and the Finance Officer were also involved too. Again, there were a lot of departments that stepped up and did the work and certainly I applaud them for that and I thank them for that.

**Alderman Lopez** stated and the City Clerk for keeping us straight.

*On motion of Alderman Lopez, duly seconded by Alderman Shea, with Alderman Osborne being recorded in opposition, it was voted to accept the report and adopt its recommendation.*

The Committee on Lands and Buildings respectfully recommending, after due and careful consideration, that the City Clerk be directed to hold a public hearing at the earliest possible date related to the request for approval and adoption of proposed Zoning Map and Zoning Ordinance amendments (attached) required in conjunction with the proposed redevelopment project at the Northwest Business Park at Hackett Hill submitted on behalf of the Danais Realty Group, Inc. *(Unanimous vote)*

*On motion of Alderman Arnold, duly seconded by Alderman Lopez, it was voted to accept the report and adopt its recommendation.*

### **NEW BUSINESS**

**Mayor Gatsas** stated as you can see in your packet, we have already done the nominations. The second one is the non-profits that have applied and I think there might have been a couple others that we may be waiting for submission on. We will get a clean copy and get that out to everyone sometime in the middle of the week. You can see that there are an awful lot of non-profits that want to participate in this program. I can tell you that with the contribution that we got tonight from the visitors center, we are now off and running. Again, I want to thank everyone and certainly this will go to the Board for selection of the non-profits by June 11, 2010. The next item I have is the ambulance contract which will be referred to the Committee on Administration/Information Systems. The contract went out to bid. We had a couple of different bidders who came in and certainly it is imperative that we make sure whenever we are talking about ambulance contracts that the first thing on the table is the safety of the people of in Manchester. I think the contract that is being awarded certainly takes that into consideration. Again, that is going to the Administration/Information Systems Committee. We will vet that out at the next meeting and report that out. Usually we let them layover but I think that because this contract goes into effect July 1, 2010, it should come out of that meeting by June 22, 2010, if I can get the Chairman to get it out of his Committee before the full Board meeting on June 22, 2010. Is there any other business to come before us?

**Alderman O'Neil** stated I have a letter that I think will be passed out. I know, Your Honor, that you spent a great deal of time at the School Board level talking about conduct in our schools but this was a chance for me to vent a little bit about

my belief that student conduct in the schools is not exclusively a School District responsibility; it is a community responsibility and I can tell you that teachers and other staff in the schools are greatly concerned about student conduct and I think the community as a whole is and I think we need to step it up. I know Chief Mara is working on a plan from his end but we need to do better. We need to really have zero tolerance for student misconduct. I am told other communities have tried to move forward in a similar manner and it is almost becoming an unsafe situation for faculty and students there. The conduct is out of control. I applaud your efforts. I would like the School Board to take this to a little higher level, but as I said, I don't think this is exclusively their responsibility. I think it is community responsibility. I don't know that there is any action needed on this but I wanted to get it out publicly.

**Mayor Gatsas** stated Alderman O'Neil, I can't agree with you more, what is stated in your letter. I think you know what my position has been and I can tell you that the School Board right now is taking up the code of conduct. I think it is important that it is as tough a code of conduct as we can find. I think the message has to be strong. I think that you will all remember that there has been some discussion in the last couple of weeks that we passed for teachers. I can tell you that just yesterday I was in conversation with some teachers and they were saying to me, Your Honor, why does it have to be that difficult? I said that the only attire that I think is something that is acceptable is the attire that you went in when you went for that job interview. You didn't come in with dungarees. You didn't come in with flip-flops. You went in in a professional manner to look for a job. I think that is the same manner we should be looking for when we have you in schools. My message has been clear on that. My message is very clear to the School Board about my position on what the dress code should be for students in the City. I think we need to make that as tough as we did for the teachers. I think that the code of conduct that you will find is going to be something that is going to stand

out because of consequences for decisions that people make. We aren't punishing anybody. Those are consequences that students make. I stood here and I asked you for \$3.2 million to move education forward in the School District to provide students with books and computers. We all stood here shoulder to shoulder and said we were going to fight that fight. I think the School Board was right there with us. I think the message here is that whatever they need, to make sure classrooms are safe not only for the students but for the teacher, that this Board is willing to take that action along with them. I appreciate the letter and I think it is meant in good spirit and I think that certainly this Board is prepared to do whatever it needs to do to make sure classrooms are safe.

**Alderman O'Neil** asked Your Honor, would you allow me two minutes to read it into the record? It is not very long.

**Mayor Gatsas** replied sure.

**Alderman O'Neil** stated the following letter is addressed to the Board of Mayor and Aldermen:

*I am writing to the Board regarding the continued decline of student behavior in our schools. This is a community issue and is not the sole responsibility of the Manchester School District.*

*Our students have the right to a quality education in a safe, respectful and non-threatening environment. Our teachers have the right to educate our students in a safe, respectful and non-threatening environment. Our school administrative and support staff have the right to work in a safe, respectful and non-threatening environment.*

*We need to become a community of zero tolerance with student issues of unacceptable language, defiance and bullying.*

*We need to use the full extent of state law and need to start prosecuting students for disorderly conduct, disturbing the peace and/or harassment.*

*We need to clearly define the role of our school resource officers in our high schools and middle schools.*

*Finally, we need to hold school administrators, teachers, aides, support staff and police officers accountable for failure to act when a student fails to conduct themselves in a respectful or safe manner.*

*cc: Board of School Committee  
Dr. Thomas Brennan, Superintendent of Schools  
David Mara, Chief of Police*

**Alderman Shea** stated I would be interested to find out where the level of this situation is. Is it at the K-5 or is it at the 6-8 or is it 9-12? I know that, Your Honor, you have been going around and talking to different principals and seeing what the quality of education is in various schools. I am just speaking for Hallsville School and I think that the administration and staff there, in my judgment, and I have been over visiting and so forth, do a very good job. I am not sure whether it is dependent upon the number of students in a class or whether or not there are coded children that the definition of how to deal with these particular issues within the framework within the school environment is fully understood. I think that certain issues that you are addressing obviously have input but I would be interested to find out where the focus should be in terms of inconsistency in philosophies and so forth. I am not sure if as the head of the School Board, you are in a position to give us some help in that regard.

**Mayor Gatsas** stated I think that is a very important question, Alderman Shea. I think that consistency in every school needs to be the same. I can tell you that some schools are different than others. I think though, that consistency is the most important issue.

**Alderman Shea** stated that is the one word I wrote here.

**Mayor Gatsas** stated that is important because I think we sometimes work as 24 silos in this city and not a single school district. I think it is important... Right now I have been working with the Highway Department to develop drug free zone maps so the first thing you see when you walk into the building of a school is that this is a drug free zone. That is a serious offense. I don't think there has ever been one produced and we are going to start producing those for every school. I think that it is important that we are consistent throughout the schools. The bullying situation is something that needs to be addressed. I can tell you that there is in the Committee of Conference a piece of legislation. We waited at the School District level to see what was going to happen with that legislation at the State level to make sure we are consistent. I can tell you that there has been some serious discussions about what we are going to do and how we are going to do it in the School District. It is serious enough that the code of conduct is going to be refined to a very short number of pages. There were 72 before. I am not too sure that any parent or student ever read it. We are going to make sure that the things that we expect from students we send home two or three times a year on a short, single page document so that parents see it and students see it. Again, consistency is the most important thing to make sure each school is dictating to the same rules of what they believe is a bullying situation in one school is the same thing in the next school. I think those are the important issues that we are addressing. Right now we are in the process of interviewing for an assistant superintendent, which I think will be in place...that's going to talk about curriculum and other things that allows the superintendent outside of his purview right now to follow up on. I hope that answered your question.

**Alderman Ouellette** stated as somebody who has toured every school in the City, I can tell you that these issues exist in each and every school in the City. There is no school that is immune to these issues that Aldermen O'Neil brought up. However, the thing that most consistently has come down in terms of why these

things persist, I think that you hit on it very well, Your Honor, is not only inconsistencies throughout our school district in terms of the different schools but there are also inconsistencies inside our school buildings. I think that enforcement is going to be the key. It is always the key. You can have stringent martial law but if you are not going to enforce it, it is not going to work. The other thing is the dress code. We have addressed this issue many times and again, it goes back to enforcement. If you are not going to send the students home for wearing improper attire, then you might as well take that dress code, Your Honor and including the one you just passed with the teachers, and throw it in the garbage because it is just another piece of paper that is going to be ignored. I am glad that these issues and I applaud my colleague, Alderman O'Neil, for not just bringing it to the School District's attention but you are right this is a citywide issue and we need to take responsibility for it because it has gotten the worst I have seen. We have all read the emails. We all get emails from constituents about discipline in our schools and the same theme is that something happens to the child and the child is sent to the office and then back in the same class. Those types of things need to stop. I think that once the state passed down the bullying law, Your Honor, I don't think there was enough training that came down with that law to help the teachers in the School District properly enforce that. Bullying is against the law. It is illegal. It is a crime. It consistently happens. We are not unique. Manchester, New Hampshire is not unique. It happens in every school district. It happens in Bedford. It happens in Amherst. It happens everywhere. It again goes back to enforcement and training teachers how to correctly enforce the rules and administrators holding teachers responsible and accountable for enforcing the rules like you said earlier, Your Honor. Thank you.

**Alderman Osborne** stated Your Honor, I go along with no bullying, that is for sure. A couple of my daughters went through that when they were youngsters. I know what it is like. They wouldn't tell me until months later. I don't want to get

into it but I know what bullying is. I know where you are coming from with that. Outside of that, as far as dress codes for kids, what is the dress code going to be? I know that pajamas I don't go for at all. I think that is the worst thing. I know when I went to Lincoln School here in Manchester, back in the 40's, we wore Levi's though. That was all we could afford. We couldn't afford a suit and tie. We couldn't afford that. I think Levi's are going to be here to stay but as far as pajamas and the thong flip-flops, I can't go along with that one. That is the way I feel about it. Thank you.

**Alderman Lopez** stated after reviewing from the last meeting, about dates of meetings, we have determined that July 6, 2010, will be the regular meeting date for July instead of July 13, 2010, that we talked about. It is right after the Fourth of July so I am asking all Chairmen of all committee to try not to have any meetings in July. If it is necessary, naturally you have to do it, but try to cooperate with the City Clerk because people are going to be on vacation and such and as far as I am concerned they have really worked hard. Back to the question of a meeting on June 22, 2010, the reason we picked June 22, 2010, just so that you are all aware, was in the event that we couldn't get some of these items through, like Hackett Hill and MCTV, in case we had to carry over into the 22<sup>nd</sup>. Your Honor, you mentioned the ambulance service but I want to find out what the Board wishes to do. Do we still want a meeting on the 22<sup>nd</sup> of June?

**Mayor Gatsas** stated yes.

**Alderman Lopez** stated okay, then we will still have a meeting on June 22<sup>nd</sup> and one on July 6<sup>th</sup>. Hopefully in the month of July people can have a little time off for vacation.

**Alderman Arnold** stated I certainly share Alderman O'Neil's views on doing better for our schools. We do have a great school district but we certainly can do better in terms of making the environments for teachers and students safer. On a better note, this past Friday, I had the opportunity to go to West High School to attend an event hosted by the Navy Junior ROTC program. At this event cadets in that program were given awards for academic achievement, good citizenship and a host of other areas in which these individuals excel. Not only for the individuals who received awards but all together they are a very impressive group of young people who are very committed to their community. I extend my thanks for the invitation. I extend my appreciation to them for all they do and to the individuals who organize and participate in that program.

**Mayor Gatsas** stated Alderman Arnold, you are absolutely right. There are a lot of things that happen in our school district that are great things and we really don't toot our horn enough about it because people are more interested in trying to tell us what is wrong with our district. Again, I went to that same rally that morning and I also went over to Central High School later with you to attend an etiquette class where all the young men and women were dressed in ties and dresses and were very well attired. I can tell you that I was pretty impressed being in that room. Certainly, again, it is about our great school district. We have great administrators. We just must make sure that we have a zero tolerance as Alderman O'Neil is talking about. We must be there as Aldermen and the Mayor to support the School District because I can tell you again this is going to be a fight that we all must stand shoulder to shoulder and show that it is unanimous both from this Board and the School Board. So, I applaud you and thank you for that. I noticed that Alderman O'Neil sent it; I will make sure that that is followed up to all the members of the School Board so that they understand that we are there to help them out to achieve whatever they need to achieve.

**Alderman Shea** stated there will be a neighborhood watch meeting for the residents of Ward 7 on June 16, 2010 at 6:30 p.m. We will be discussing issues relating to Ward concerns. Again, this will be held at Engine 7, June 16, 2010 beginning at 6:30 p.m.

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

*A True Record. Attest.*

*City Clerk*