

## **BOARD OF MAYOR AND ALDERMEN**

**November 16, 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, DeVries, Shaw, Greazzo, Ouellette, Arnold

### **CONSENT AGENDA**

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

### **Ratify and Confirm Poll Conducted**

- A. The Special Committee on Solid Waste Activities respectfully recommends, after due and careful consideration, that the City settle its contract rejection damages claim with Corcoran Environmental Services, Inc.

*(Unanimous vote conducted via phone poll on November 8, 2010)*

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

**B. Sidewalk Petitions:**

195 Linden Street  
35 West Rosemont Avenue  
1122 Belmont Street

**Information to be Received and Filed**

- C.** Approved minutes from the MTA Commission meeting held September 28, 2010, September 2010 Financial Report, and September 2010 Ridership Report submitted by Michael Whitten, Executive Director MTA.
- D.** Communication from Tom Arnold, Deputy City Solicitor, related to notification from Rick Brenner that the Fisher Cats intend to add additional signage to the MerchantsAuto.com Stadium.
- E.** Communication from the Highway Department regarding the Massabesic Traffic Circle Beautification Project.

**REFERRAL TO COMMITTEE**

**COMMITTEE ON FINANCE**

**F. Resolutions:**

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Thousand Two Hundred Seventy Five Dollars (\$8,275) for the FY 2011 CIP 214611 Safe Routes to Schools Travel Plan for Weston School Project.” [Health-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Seventy Five Dollars (\$4,075) for the FY 2011 CIP 214711 Safe Routes to Schools Start Up Funding for Weston School Project.” [Health-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Fifty Three Thousand and Seven Dollars (\$153,007) for the FY 2011 CIP 412011 Buffer Zone Protection Program.” [Police-new funds]

“Amending the FY 2011 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Ten Thousand Dollars (\$310,000) for the FY 2011 CIP 710711 Property Acquisition.” [Airport-new funds]

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Forty One Thousand Nine Hundred Eighty Eight Dollars (\$141,988) for the FY 2010 CIP 210110 Homeless Healthcare Program.” [Health-new funds]

“Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Eight Hundred Eighty Six Dollars (\$5,886) for the FY2009 CIP 710509 Infrastructure ADA Access Improvements Project.” [Highway-budgeted funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Seventy Eight Thousand Nine Hundred Seventy Six Dollars (\$178,976) for the FY 2011 CIP 412111 Radiological Emergency Response Plan.” [Fire-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Hundred Ninety Nine Thousand Eight Hundred Twenty Nine Dollars (\$999,829) for the FY 2011 CIP 714311 Elm St./Gaslight District Improvements.”  
[Highway-new funds]

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON COMMUNITY IMPROVEMENT**

- G.** Recommending that the agreement between the City and the NH Department of Transportation for funding for the Gaslight District project be approved subject to the review and approval of the City Solicitor.  
*(Unanimous vote)*

- H.** Advising that the communication from the Fire Chief regarding five grant requests approved by the State have been received and filed.  
*(Unanimous vote)*
- I.** Recommending that a request from the Fire Chief to accept funds in the amount of \$178,976 to be used to support the Radiological Emergency Response Plan (RERP) be approved.  
*(Unanimous vote)*
- J.** Recommending that a request from the Police Department to accept grant funds in the amount of \$153,007 from the United States Department of Homeland Security to purchase equipment for buffer zone protection be approved.  
*(Unanimous vote)*
- K.** Recommending that a request from the Airport to accept grant funds in the amount of \$310,000 from the State of New Hampshire to be used towards the financing of the MAA Property Acquisition be approved.  
*(Unanimous vote)*
- L.** Recommending that a request from the Highway Department to accept funds in the amount of \$5,886 to be added to the Infrastructure ADA Access Improvement Project be approved.  
*(Unanimous vote)*
- M.** Recommending that a request from the Health Department to accept grant funds in the amount of \$141,988 from the New Hampshire Department of Health and Human Services to be used towards the Homeless Healthcare Project be approved.  
*(Unanimous vote)*

#### **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

- Q.** Advising that it has received and filed a communication from the New Hampshire Alliance for Retired Americans regarding health insurance premiums for retirees.  
*(Unanimous vote)*

The Committee further advises that it has directed the Human Resources Department to compile a bulleted list of the necessary steps involved with implementing a new Position Classification Study and to report back to the Committee with the completed list.

*(Aldermen Ludwig, Ouellette, Arnold and Craig voted yea; Alderman Shea voted nay)*

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

- S. Recommending that the following regulations governing standing, stopping, parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that Chapter and Chapter 335 of the Sessions Laws of 1951.

<b>Section 70.36 Stopping, Standing, or Parking Prohibited</b>
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**HANDICAP PARKING:**

On Coolidge Avenue, west side, from a point 165 feet north of Bremer Street to a point 48 feet north

Alderman Ouellette

**CROSSWALK:**

On Candia Road, east of Proctor Road

Alderman Corriveau

**CROSSWALK (EMERGENCY ORDINANCE):**

On Belmont Street, north of Reservoir Avenue

Alderman Ludwig

**NO PARKING ANYTIME:**

On Maple Street, east side, from Prospect Street to a point 50 feet south  
Alderman Ludwig

On Ashland Street, west side, from Amherst Street to a point 175 feet north

Alderman Roy

On Proctor Road, both sides, from Candia Road to a point 200 feet south

Alderman Corriveau

**NO PARKING ANYTIME (EMERGENCY ORDINANCE):**

On Bartlett Street, west side, from Wayne Street to a point 50 feet north

On West Street, west side, from a point 86 feet south of Conant Street to a point 44 feet south

Alderman Ouellette

On Union Street, west side, from a point 135 feet south of Concord Street to a point 85 feet south

Alderman Long

On Union Street, west side, from a point 135 feet south of Concord Street to a point 85 feet south

Alderman Long

**RESCIND NO PARKING ANYTIME:**

On Sarto Street, east side, from Candia Road to a point 100 feet south  
(Ord. 6068)

Alderman Corriveau

**RESCIND NO PARKING ANYTIME (EMERGENCY ORDINANCE):**

On West Street, west side, from a point 95 feet south of Conant Street to a point 45 feet south

(Ord. 7946)

Alderman Ouellette

**RESCIND NO PARKING LOADING ZONE (EMERGENCY ORDINANCE):**

On Conant Street, south side, from West Street to a point 50 feet westerly  
(Ord. 8126)

On West Street, west side, from a point 20 feet south of Conant Street to a point 25 feet south

(Ord. 6291)

Alderman Ouellette

**NO PARKING LOADING ZONE (EMERGENCY ORDINANCE):**

On West Street, west side, from a point 130 feet south of Conant Street to a point 39 feet south

Alderman Ouellette

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

On Conant Street, south side, from a point 50 feet west of West Street to a point 20 feet westerly

(Ord. 8174)

Alderman Ouellette

**RESCIND 2 HOUR PARKING 8:00 AM – 6:00 PM (EMERGENCY ORDINANCE):**

On West Street, west side, from a point 45 feet south of Conant Street to a point 40 feet southerly

(Ord. 7889)

On West Street, west side, from Conant Street to a point 65 feet north of Douglas Street (Ord. 8132)  
Alderman Ouellette

**1 HOUR PARKING 11:00 AM – 10:00 PM (EMERGENCY ORDINANCE):**

On Conant Street, south side, from a point 20 feet west of West Street to a point 40 feet west  
On West Street, west side, from a point 20 feet south of Conant Street to a point 66 feet south  
Alderman Ouellette

**2 HOUR PARKING 8:00 AM – 6:00 PM - THURSDAY – 9:00PM (EMERGENCY ORDINANCE):**

On West Street, west side, from a point 169 feet south of Conant Street to a point 35 feet south  
Alderman Ouellette

**RESCIND ONE WAY STREET (EMERGENCY ORDINANCE):**

On Huntress Street, from Summerside Avenue to Prince Street Southbound (Ord. 9926)  
Alderman Greazzo

**ONE WAY STREET (EMERGENCY ORDINANCE):**

On Huntress Street, from Prince Street to Summerside Avenue Northbound  
Alderman Greazzo

**NO PARKING ANYTIME (EMERGENCY ORDINANCE):**

Union Street, west side from a point 135 feet south of Concord Street to a point 85 feet south  
Alderman Long

**NO PARKING LOADING ZONE 8:00 AM – 8:00 PM:**

W. Merrimack Street, north side, from a point 20 feet west of Elm Street to a point 20 feet east of Hampshire Lane  
Alderman Long

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

W. Merrimack Street, north side, from a point 20 feet west of Elm Street to a point 30 feet west  
(ORD 6556)  
Alderman Long

**RESCIND NO PARKING ANYTIME:**

W. Merrimack Street, north side, from a point 50 feet west of Elm Street to Hampshire Lane  
(ORD 6314)  
Alderman Long

**NO PARKING ANYTIME:**

Amherst Street, south side, from a point 244 feet east of Nutfield Lane to a point 117 feet easterly  
Alderman Long

**METERS – 2 HOURS:**

Amherst Street, south side, from a point 361 feet east of Nutfield Lane to a point 45 feet easterly  
Alderman Long

**RESCIND METERS – 2 HOURS:**

Amherst Street, south side, from a point 310 feet east of Nutfield Lane to a point 100 feet easterly  
(ORD 7608)  
Alderman Long

**STOP SIGN:**

On Kennedy Street at Brown Avenue – SWC  
Alderman Shaw

*(Unanimous vote)*

- T.** Recommending that the request from Intown Manchester for free on-street parking from Auburn Street north and all side streets north of Lake Avenue during the Moonlight Holiday Stoll event on Thursday, December 9, 2010, from 5:00 p.m. until 9:00 p.m. be approved.

*(Unanimous vote)*

- U.** Recommending that upon approval of the Board of Mayor and Aldermen, the Mayor be authorized to execute a lease agreement with Seacoast Career School for parking spaces in the Millyard, subject to the review and approval of the City Solicitor.

*(Unanimous vote)*

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

**N.** Recommending that a request from the Health Department to accept grant funds in the amount of \$8,275 from the New Hampshire Department of Transportation for planning activities associated with the Safe Routes to Schools Project at Weston School be approved.

*(Unanimous vote)*

**O.** Recommending that a request from the Health Department to accept grant funds in the amount of \$4,075 from the New Hampshire Department of Transportation for activities associated with the Safe Routes to Schools Project at Weston School be approved.

*(Unanimous vote)*

**Alderman Corriveau** stated the only reason I'm pulling these items at this time is just to get a little bit of information on what these planning activities in regards to the Safe Routes to Schools Project at Weston School are, what these grants are in regards to, specifically.

**Mr. Tim Soucy**, Public Health Director, stated this is actually the third grant we've received for Safe Routes to Schools. It comes in phases. The first phase enables us to do a traffic study of some of the problems associated with getting the kids in and out of the school. This grant has two parts. It has that component and it also has some money allocated for things like traffic vests for crossing guards and some safety equipment to help get the children to and from school. We primarily look at schools that are walking schools. The last one we did was Hallsville, and we ended up with almost \$190,000. That not only did the traffic study but then we got a second grant that helped do some reconstruction of sidewalks and streets in that area. So we're hoping to have a similar process for

Weston School. It's not going to solve the ultimate problem of the drop off, but it's money that will get a feasibility study done on how kids can more safely walk to that school.

**Alderman Corriveau** stated so if I understand correctly, this is going to be a project done in phases. This initial phase will be a feasibility study.

**Mr. Soucy** stated more of a traffic feasibility study, yes. Then we will apply for money for the second phase, which is the construction money.

*On motion of Alderman Corriveau, duly seconded by Alderman Roy, it was voted to approve items N and O.*

- P.** Recommending that a request from the Highway Department to utilize funds realized from sale of surplus property to fund vehicle replacements for Departments not recognized in the current multi-year plan.  
*(Unanimous vote)*

**Alderman Lopez** stated I pulled this off the agenda because I had some conversation with the CIP Chairman and the Highway Department, and I'm still a little bit confused as to how much money we received from selling the vehicles. Since there is no MER account in the budget, just what we are buying, whether we're buying new and for whom, and why the bonding is not taking care of this. So I need an explanation. I had some conversation with Kevin Sheppard today, and he spoke for himself in reference to the bonding, taking care of the priorities that we have. On these particular vehicles, as to whether they are going to be new vehicles or pick up trucks or used vehicles, I'm still a little confused as to whether or not we are utilizing the cash that we receive and where the cash goes, because there is no MER account. Maybe Mr. Sanders can weigh in on it first and then other people so that we understand exactly what we are doing here.

**Mayor Gatsas** stated we can hear from the Chairman, because I know it came in at the last CIP meeting, and I know that I have had some conversation.

**Alderman O'Neil** stated it may be helpful for Mr. Sanders and Mr. Sheppard to jump in, but the bottom line is when we put together the MER program, it only addressed Police, Fire, Public Works, and Parks & Recreation. We failed to designate funds on an annual basis for the smaller departments as part of the program. I don't know how many vehicles make up those smaller departments, a dozen or so. Maybe it's a little more than that. This is a way that Mr. Sheppard was going to try to get some funds to purchase new vehicles, smaller vehicles, for the departments and replace recycled Crown Victoria cars from the Police Department which in many cases have 100,000 miles on them and are not very fuel efficient. Mr. Sheppard may be able to confirm my comments, but I think we had some favorable bidding on some other items that were in the MER account, and it left a balance where he was going to be able to purchase two or three new vehicles for the smaller departments.

**Mr. Kevin Sheppard**, Public Works Director, stated Alderman O'Neil is correct. When this MER program was developed, I don't want to say the smaller departments were forgotten. I think they were discussed and we were hoping to come up with cash in the future to fund those. Every year we typically go to the State auction with our used vehicles, vehicles that are being salvaged by the City. We've talked in the past of utilizing some of that money for smaller departments. This year we took in approximately \$46,000, and with that we could buy three or four newer vehicles or potentially some used vehicles. I know the Mayor has talked to me about this in the past. The intent is to try to address some of the smaller departments that were not covered as part of the MER bond.

**Mayor Gatsas** stated I agree with Chairman O'Neil that it's important that we didn't have discussions as we were putting together that six year plan, but we assumed, because the Police Department was going to purchase 20 new vehicles in that time span, that we would take those vehicles rather than putting... what we've done continuously is to take departments and put them into vehicles that have over 100,000 miles on them. They are the big V-8's and they just eat up gas. They don't last the departments very long. The conversation that I had with Mr. Sheppard and also Chairman O'Neil awhile ago was that maybe it makes more sense for us to go down and buy two-year old Ford Focuses, where we might be able to get seven or eight of them, to bring them back in so that the smaller departments can participate. I noticed on the sheet that went out to the CIP Committee that the Building Department was requesting pick up trucks. I'm trying to understand why the Building Department needs pick up trucks. I can understand why IT might need a van to transport computers, but I would think it would be sufficient for the Building Department to have the small Ford Focuses. Maybe we can buy five or six of them that may be a year or two old and supply a lot more departments with those vehicles. I had a conversation with Mr. Sheppard today, and I also understand that in the bonding account there is roughly a balance of \$20,000 from last year and about \$33,000 this year. Highway, Police and Fire have bought all of the equipment that they need. The next one in line for next year's budgeting is Parks & Recreation. Maybe they can look at an item that might be \$53,000 on next year's list and maybe we can acquire it this year at a reduced amount, if it's something that they need and can use in the springtime, and we can get it delivered earlier. That just puts us that much farther ahead from where we are with the bonding that we have. That was merely a suggestion that I had today that maybe they can take a look and come back to CIP with some ideas on how many vehicles they can buy, or maybe the Chairman will tell them to go out and take a look and report back to the full Board. It's whatever the Chairman wants to do.

**Alderman O'Neil** stated we did not include the smaller departments in the MER plan. I also recall that we didn't include proper funding for maintenance in the budgets of the smaller departments, so they are really squeezed. I think the pick up trucks Mr. Sheppard is speaking about are actually the smaller, very fuel-efficient pick up trucks, so I don't have a position one way or the other, whether it's a fuel efficient pick up truck or a fuel efficient sedan. I think they have been heading in that direction, and we are getting away from the recycled police cruisers. It was just an effort by Mr. Sheppard to try to help out Information Systems, the Building Department, and I think Health was trying to get a vehicle, and possibly the City Clerk.

**Alderman Lopez** stated I want to check with Mr. Sanders in reference to the revenue coming in from surplus or selling vehicles. What category does that fall in?

**Mr. William Sanders**, Finance Officer, responded normally it would be General Fund revenue and it would just flow through the revenue account. What was done in this particular circumstance was to amend the CIP budget to incorporate this revenue as a funding source for an additional CIP project, the purchase of additional vehicles. If the CIP Committee approved it, and if the full Board approved it tonight, that would be an acceptable use of the money, but if it was not an amendment to CIP, it would be normal General Fund revenue, the \$46,000.

**Alderman Lopez** stated maybe CIP can address this at a later date. What authority does the Highway Department or the MER have over the department heads as to what vehicle they get? I think that is important for us to look at. As it is now, if they order a vehicle, the Highway Department, which runs MER, has no

say whatsoever, from what I understand; they can't say they are going to give you X vehicle versus this. Is that correct, Kevin?

**Mr. Sheppard** responded yes, that is correct. We oversee the MER funds but we feel it is the responsibility of the department head to let us know what vehicle they need. It's difficult for us to tell them what type of vehicle they need. It's best for them to be telling us. Quite honestly, some day we'd like to get into a fleet manager type of organization where we are overseeing the fleet and are much more knowledgeable on needs and wants.

**Alderman Lopez** asked do you know how many departments weren't included in the bonding need vehicles?

**Mr. Sheppard** responded off the top of my head, I'd say five or six.

**Alderman Lopez** stated maybe that's where I'm going. If we are going to buy two new vehicles versus buying three or four vehicles to help out the departments, I just wanted to bring that up to the Chairman of CIP and the rest of the Board. Do we want to proceed with this? It's revenue-producing. The Planning Department and the Building Departments need the vehicles to produce revenue. I understand that. If there are two or three other departments out there that need some vehicles, maybe a couple of used vehicles would be appropriate.

**Mayor Gatsas** stated I think that maybe we allow Kevin to move forward. If we need five vehicles to satisfy everybody, we probably can get some pretty decent used Ford Focuses that might be two years old, and maybe supply all five of those to the departments. Maybe what we can have him do is come back and Alderman O'Neil, report back to your Committee. I don't know when you meet again. Or, you can report back to the full Board. It's whatever the wish of this Board is. I

don't have a problem with either one. We can get an idea of how many people need a vehicle. I know that IT needs a van to deliver things. If we are into this carpooling method that we are now in, I would think that we would get everybody in a sedan, so whenever they are picking up a car, they are all picking up the same thing instead of designating pick up trucks. I know that is the item of choice today, but if we can get everybody in the same vehicle, that way they are going to understand what we are doing. If the CIP Chairman wants it to come back to the full Board, whatever the decision, maybe you can report it.

**Alderman O'Neil** stated the Committee will handle it, Your Honor, but the Committee will have to report back to the full Board.

**Mayor Gatsas** stated right. If we can just bring it out, and if we can do it in a timely way, that's great.

**Alderman O'Neil** stated we will coordinate with the Clerk in getting it to the full Board as early as possible in December.

**City Clerk Matt Normand** stated the next CIP meeting is December 6<sup>th</sup>, Your Honor.

**Mayor Gatsas** stated maybe we can report it right out for that next meeting on December 7<sup>th</sup>. That way it doesn't have to layover for one week, because we've had that discussion.

**Alderman O'Neil** stated that item we can move, Your Honor. Thank you.

*On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to refer this item to the December 6, 2010 CIP meeting and have the Committee report back after Mr. Sheppard talks to the Committee.*

- R.** Recommending that a request from the United Steel Workers the Board budget money for a Position Classification Study be referred to the budget process.

**Alderman Shea** stated this is an item that was brought up during the Human Resources/Insurance Committee meeting, and it recommends that a request from the United Steel Workers that the Board budget money for a Position Classification Study be referred to the budget process. If memory serves me correctly, the Yarger Decker study, which this particular reference has to do with, cost \$300,000. I know at the Committee meeting the person in charge of the Human Resources Department indicated to the Board members who were serving on that Committee that it would be very difficult for her department...and I don't want to speak for her because she can speak for herself. In order to compile what is listed here, a bulleted list of the necessary steps involved with implementing a new position classification study...In view of the fact that this is being referred to the budget process, to me it makes no sense, as far as the amount of expenditures that we are faced with. The Fire Department is coming in tonight over budget. We have other departments certainly that are going to have a difficult time handling the budget. That's why I voted in the negative, and therefore I feel this way about it.

**Alderman Ouellette** stated I supported the motion in Committee. This in no way, shape or form commits us to anything. It just puts this item into the budget process, Your Honor. I think that this Yarger Decker study is the driving force, and basically almost bankrupting this city. I wasn't for this when it was implemented back even before I was a member of the School Board. I mentioned

that at the Committee meeting as well. I think the scope of this classification study was too broad in terms of comparisons with different communities. I know they went as far south as Boston, and Manchester and Boston are just two different communities. I'm going to support this, Your Honor, because looking at a new classification may save the taxpayers some money in the long run. I don't see any rhyme or reason to giving cost of living increases when the cost of living has not risen in the last two years. I can tell you that as a letter carrier, we have cost of living adjustments and we have not seen that go up in the last two years. Those are the types of things that should be looked at and the City could be saving money on them. It's not to penalize any individuals or any employees or anything, but going forward if we are looking at requests by positions or getting things more in line with Manchester, I don't see a problem with that, Your Honor.

**Alderman Shea** stated all of that sounds well and good, but it doesn't come for nothing. It costs money to do that, and as a member of the Board of Mayor and Aldermen when Yarger Decker was involved, I testified against that because I reasoned that it made no sense at the time not to know the costs of the second and third years. There would be a time and place to discuss items such as this, certainly, but this is not the right time and place. Any effort that we make as a Board should be focused on certain concrete matters that really are relevant to what we are facing today in our economy. It's laudable for people to want a classification study. I don't know if the Human Resources Director wants to jump in here, but it costs a lot of money to do this. The last study cost \$300,000. I'm not sure if somebody would jump in and do it for less than that, but certainly nobody is going to do anything in that regard. We can kick it around all night, but basically that is my concern.

**Alderman Arnold** stated I supported this motion in Committee as well, and I respect a lot of the comments that Alderman Shea brought up tonight. It's worth pointing out that the recommendation of the Committee doesn't commit us to a study; it just asks for more information from HR as to what would be required for us to have a study conducted. It shouldn't be any surprise to the other members of this Board that I advocated for more information here, as most of the other members of the Committee did. I don't see anything wrong with doing that. I think it's worth pointing out that even if a study does have a cost associated with it, we are not committing to a study at this point.

**Alderman Lopez** stated I thought we were going to get a bullet point back of the Yarger Decker study from day one – what has transpired and what has changed, so that we can make an intelligent decision about moving forward. Was I mistaken on that?

**Alderman Shea** responded at the time the Human Resources Director indicated that her staff was limited as far as what type of involvement they have in matters that come up. She can speak to that particular issue, but my understanding was that she felt at the time that it would be an unjust burden on her staff to try to develop a particular bulleted list. Maybe she can come in and defend that position.

**Ms. Jane Gile**, Human Resources Director, stated at the time of the Committee meeting there were various routes that the discussion was taking. In the final analysis, what was recommended is that this be referred to the budget process. The addendum to that was that we prepare a bulleted list of what would be required in order for us to undertake a compensation study. As stated previously, it wasn't committing us to that compensation study at all, but it would be the steps that would be involved in that process. At the Committee level it was stated that

that would have to go to an RFP process, and if in that process we were to select a consultant to do the study, the next step would be the cost that would be involved in that study. Not only is there a financial cost of doing a compensation study, but there is a human cost in doing it as well. It would take the work of all of the departments in terms of job analysis, looking at job descriptions, filling out job inventories, and so forth. It's not something to be taken lightly, but if it is something that the Board wishes to pursue with the right information, we could provide that to the Board so that you would have the knowledge with which to make that decision as to whether or not to proceed.

**Alderman Lopez** stated there are a lot of people on the Board. From day one when Yarger Decker was put into place, it's not the same as it was when it was put in place. Many changes were made on aspects of it, and I want to make sure we all have the correct information; rather than assuming something happened, we'd have a bullet-point. In 1998 this is what happened and 2000 and so on down the line. So they changed the goals of the employees and all of the paperwork three years later. That's what I'm talking about so that the Aldermen understand the bullet points that transpired from 1998 to 2010 so they can make a logical decision.

**Alderman Ouellette** stated I'm not voting for this because I think we should be throwing a lot of money at a study. In voting for this I'm at least keeping the conversation on the table. I don't think that because the study may cost a significant amount of dollars and it may cost a few man hours, we should not discuss it. That's not good governance. We need to make sure. Maybe Yarger Decker is the greatest thing that we can do and it is working for us. But this has been in effect for 12 or 13 years, and we do need to relook at this. Sending it through the budget process is at least going to keep the conversations alive. If we don't do that, we'll never move forward with this.

**Alderman Shea** stated I'd like to vote no and I'd like a roll call vote on this so we will know where the people stand.

**Alderman O'Neil** stated as part of the information Alderman Lopez was looking for, what I recall is Yarger Decker came after six years of no pay increases for employees. Was it seven, Alderman Roy? Thank you. That's what led to Yarger Decker. That information needs to be included. The peak implementation of Yarger Decker was the first year. The theory is that every year more employees are supposed to max out on their thirteenth step. The only thing they get is their cost of living. Those are some of the basic principles. I agree that there have been modifications, especially early on. Alderman Ouellette's point I take very seriously, but I do have to agree with Alderman Shea that this would be a good thing to do, but I don't think it's a necessity based on what we have coming up. We're going to be talking about budget challenges this year. We're certainly going to have those challenges next year. I can't see putting this over a Police position or two or a Fire position or two or a Public Works position or two. If I have the opportunity to fund those, I'd rather fund those than this study. Trying to ask the HR staff to get heavily involved in this...they are limited now. Who knows with the budget discussions what they're going to have for staff, coming July 1<sup>st</sup>. They're not going to be exempt if there are major reductions that may be predicted; they are not exempt from them. I don't know who is going to do the work down there if that happens. I'm going to support Alderman Shea with this because the time is just not correct to fund this.

**Mayor Gatsas** stated Alderman O'Neil, there are two things that we all must consider. We just spent an awful lot of money to implement an IT system which is going require every employee in every department to put their best foot forward to do this. Some of us who sat on the Board in 2001 or 2002, there was not a

study done, but there was a consultant that we hired to come forward with positions at the public sector level versus what it compared to in the private sector. I think we spent \$25,000 to do that study. I know that times have changed since 2001 or 2002, but we spent that money and we didn't make a change on anything. Any of the recommendations that they came forward with, we did nothing. We took the study and sat on it. I can only tell you that the challenges that we have...and there's no reason why this discussion can't be brought up during the budget process. We're all here and it's an open thing. If discussions want to happen during the budget process, if this doesn't pass tonight, we can have those discussions, but I can tell you that it's going to be very difficult for members of the City departments to try to implement the IT program that we have in place for all of the changes that we are looking at. With that I just think that waiting and seeing where we are in the budget process may make sense.

**Alderman DeVries** stated I'm just clarifying because I read as Alderman Ouellette reads. This motion tonight that we are voting on is only a referral to budget. It is not saying that we are going to spend any amount of money. It's a referral to discussion during budget. Would you agree?

**Mayor Gatsas** responded I would agree, but I would say that it's important that we ask the HR Director to bring forward the information that was requested of her. That doesn't have anything to do with whether we move this process forward. We'll all be able to get this information and take a look at it. If she can dust off the other report that was done in 2001 or 2002 and get that to everybody, I know that those changes are radical over the last eight or nine years, but somebody should at least have the opportunity to take a look at it and see what those changes are. I don't disagree with you. Voting this forward doesn't stop anything, but if we get the information in the next three or four weeks and it sparks our interest, then we can have some discussion. If all of a sudden the predictions come true

that I'm hearing about getting an awful lot of money from the State, who knows, maybe we can use some of that money.

**Alderman DeVries** stated that's a long answer for a yes, but thank you.

**Alderman Craig** stated I did vote in favor of this in Committee and will vote in favor of it this evening as well. One of the pieces of information I was looking for was not only salary but to also look at insurance. So, it's the total compensation package, which I don't know that we've done in the past. That's very important to do today. The budget process is a perfect place for this because it's expense to contribution that we need to weigh during the budget process. That's why I'm in favor of it.

**Alderman Shea** stated I have a point of clarification. I don't think the study in any way had any indications of health benefits whatsoever. It had classification and compensation; it had nothing to do with health at all. That was entirely separate.

**Mayor Gatsas** stated but I think where Alderman Craig was going...

**Alderman Craig** interjected during the meeting I did request that insurance be included.

**Alderman Shea** stated that would be a separate issue though.

**Alderman Craig** stated if we're looking at total compensation, I don't know why it would be.

**Alderman Shea** stated I'm not sure if I'm following you correctly. When you do a study of reclassification, included in that study is nothing to do with health. If it's a separate issue that you are looking at, you can get that without necessarily supporting this because basically it has nothing to do with this particular study.

*A roll call vote was taken on the motion made by **Alderman Lopez**, duly seconded by **Alderman DeVries**, to accept the report of the Committee. Aldermen Shea, Greazzo, Osborne, Corriveau and O'Neil voted nay. Aldermen DeVries, Shaw, Ouellette, Arnold, Craig, Ludwig, Long, Roy, and Lopez voted yea. The motion carried.*

**4.** Nomination presented by Mayor Gatsas.

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

Vasillios Skouteris to succeed Joan Flurey (term limited) as a member of the Highway Commission, term to expire January 15, 2014;

Richard Rothwell (labor representative) to succeed William F. Houghton, Jr. (term limited) as a member of the Highway Commission, term to expire January 15, 2014;

Michael C. Walsh to succeed Richard Girard (resignation) as a member of the Revolving Loan Fund, term to expire June 1, 2012;

Nicole Lora to succeed Daniel T. Leach (term limited) as a member of the Office of Youth Services Advisory Board, term to expire January 1, 2014;

Thomas A. Ford to succeed Crystal Nadeau (term limited) as a member of the Arts Commission, term to expire December 1, 2013;

Michael J. Leonard to fill a vacancy as an alternate member of the Board of Adjustment, term to expire March 1, 2011.

These nominations will layover until the next meeting of the Board pursuant to Rule 20 of the Board of Mayor and Aldermen. Your consideration of these nominees is appreciated.

**Alderman DeVries** asked would you accept a motion to accept with regrets the resignation of Richard Girard?

**Mayor Gatsas** stated we certainly can do that. We can send a letter.

5. Confirmations to be presented by Mayor Gatsas.

**Board of Adjustment**

Craig Langton to succeed Michael Langton (resignation) as a member, term to expire March 1, 2011.

**Heritage Commission**

Michael Farley to fulfill a vacancy as a member, term to expire January 1, 2013.

**Office of Youth Services Advisory Board**

Sheryl Brodeur to succeed James Clinton Harris as a member, term to expire January 1, 2014.

**Water Commission**

Kimberly Griswold to succeed Louis D'Allesandro (term limited) as a member, term to expire January 2014.

*On motion of Alderman DeVries, duly seconded by Alderman Shea, it was voted to approve these confirmations.*

**Alderman Shea** stated Mr. Farley is in the audience so he should be recognized.

**Mayor Gatsas** stated Mr. Farley, congratulations.

**6.** Communication from Mayor Gatsas regarding the Hackett Hill Road Fire Station project budget.

**Mayor Gatsas** stated I thought it was important to get this information back to the Board because in the original discussion, when we had the \$2.8 million purchase price, we had talked about possibly completing the Fire Station at \$2.2 million. That number is a little bit higher. They have selected a contractor. I can tell you that I'm waiting for an agreement stating that all of the subcontractors will be New Hampshire employees on the project. I've been told that I should be in receipt of it. Everybody who is going to work on the Fire Station at Hackett Hill will be a New Hampshire employee. There are a couple of other things. You will notice an exit onto the turnpike. I've been in discussions with Commissioner Campbell to see if we can receive some federal or state funds to allow us to have that happen, which would reduce the budget that you see before you. So I certainly will work with him. He said he would get back to me this week. He was very gracious on the bridge over on Kelley Street. He found some money, and chances are he might come up with some financing to help us get that. Certainly from the conversations I've had with the Chief, that will be a big benefit, to be able to get the traffic on the turnpike in a very quick manner. I think that is an opportunity. I've also had conversations with an antenna company to install an antenna and maybe lease some space. We receive about \$135,000 a year now from the antennas that are on the water tower over at Hackett Hill. This is a pretty good location for another tower that we can put in and possibly generate some additional revenue at maybe no cost to the City. Those are things that are ongoing discussions. Certainly if someone comes forward and says they would be interested in an antenna, we should put it out to bid and find out who is going to give us the best deal. I think that's something we should consider. With that I

will open it up to questions and discussion. I know that Chief Burkush is here. He looked at all of the plans and the numbers and the design. Is there a budget?

**Mr. Richard Danais**, Danais Realty, responded it's the last three pages of your agenda.

**Mayor Gatsas** stated Chief, I don't know if you want to comment. I know you've looked at these plans. The Fire Department has spent an awful lot of time. It's a three bay station. It gives us an opportunity if we look for it. I know that there are going to be discussions on what we do at the south end of Manchester. It certainly would give us a blueprint so that we could move forward and build another station as a cookie cutter, based on what we have for plans. Those plans will end up being the City's plans and we would own them so we could go out, seeing that we're paying the \$2.8 million for the project. They certainly would be the City's plans. I noticed that there was a lifting of eyebrows in the discussion room.

**Alderman DeVries** stated Chief Burkush, I notice on the plan we have, and I don't know how engaged you've been, but it looks like there is a proposal to break access directly onto the Everett Turnpike. Has that been discussed at the State?

**Mr. James Burkush**, Fire Chief, responded we've made a formal request to the State in writing and we'll be working to secure that.

**Mayor Gatsas** stated those discussions I've been having with Commissioner Campbell.

**Alderman DeVries** stated great. So you're going to try to work out any pitfalls that are there.

**Mayor Gatsas** stated I'm even trying to get some money from them.

**Alderman DeVries** stated you're going to try to get some money, excellent. Also, it looks like you are building this for five individuals, correct?

**Mr. Burkush** responded we've got room for seven in the building.

**Alderman DeVries** stated separate captain and lieutenant's rooms. Six at a time?

**Mr. Burkush** responded if we had to, we have seven, and we had one other room we could possibly convert to for future usage, which would be the other day room at the opposite end of the building.

**Alderman DeVries** stated maybe we could point that out up on the big screen. I see one day room about half way down.

**Mr. Burkush** stated it's the front opposite corner.

**Mayor Gatsas** stated it's right where your pen is. It says 'Quiet Day Room.'

**Alderman DeVries** stated it appears to be very dead in the water, but if there was ever any light to a joint project with Hooksett...

**Mr. Burkush** interjected we designed the facility for an engine and ladder for two four-person crews, if need be. The functionality that we're looking for and another major component that we were looking for are energy efficiency and building to green LEED standards. We understand that this building would qualify at least at the certification level. We are very happy about that. Energy

costs are very important to us. We kept working with the developer and that was one of our major goals, and we seem to have gotten to that goal.

**Alderman DeVries** stated that's extremely helpful because that is 24/7 living quarters, and they tend to be high energy use. That's a good place for us to have a LEED building.

**Alderman O'Neil** stated Chief, the probability of having a ladder truck up there in the next couple of years is slim, but this is planned out for ten or fifteen years down the road.

**Mr. Burkush** stated as you know, ISO comes through every two years, that's the Insurance Services Office. We know that area, growing as predicted, would require a ladder truck in the future.

**Alderman O'Neil** stated so the bottom line is this is designed for that whether it's next year or ten years from now.

**Mr. Burkush** stated that is correct. We are looking for at least a 50 year building.

**Mayor Gatsas** stated I would hope the other thing that we could add, Alderman, is that there is enough space right now so that maybe we can entice the ambulance service to lease some space from us to put an ambulance up there to generate some more revenue for us. There would be space and I think it would be appropriate that we would have an ambulance that far from the City to help our Fire Department move on.

**Alderman O'Neil** asked how many calls are they going to answer from there, Your Honor? There aren't that many up there. I applaud you for your efforts, but I don't think it's the best place to put an ambulance.

**Mayor Gatsas** stated I hear you, and I don't disagree with you. I'm just saying that the opportunity is there if somebody asks because we do have the space.

**Alderman Arnold** stated Chief, you and I have had some conversations about this off line. Are you satisfied with the plan in its entirety?

**Mr. Burkush** responded we're very satisfied. It has been a pleasure working with the developer.

**Alderman Arnold** stated I thank you for that, and Your Honor, I thank you for your work on this. I can't wait to see it get built. This is a major improvement and badly needed.

**Alderman Shea** asked when do you anticipate that this would be on line?

**Mr. Michael Castagna**, Castagna Consulting Group, responded we are anticipating breaking ground right after Thanksgiving. This would be on line at the end of May or beginning of June next year.

**Mayor Gatsas** stated let me just tell everyone that I have been aggressively working with the abutter and their attorneys to see if we can come to a resolution so that this project can move forward. From the discussions that I've had, we've gone back and forth with contracts that I don't think really are going to be something that the City needs to weigh in on, but it's things the developer has to agree to as far as rights of way and easements and selling a portion of lot 12,

which I know was part of the discussion. I hope that by the end of this week we will have something in hand that we can move this project forward on, because I think it is in the best interest of the community and certainly that's important. We have a fire station right now that is in deplorable condition. I don't know how a good wind hasn't blown it over. Maybe it's the pine trees that are around it that have saved it. For the best interest of the community, it is a project that should move forward.

**Alderman DeVries** stated I just wanted to touch on the roof scenario since we had problems at Station 8. Chief, are you satisfied? Mike, do you want to weigh in for us that we won't have the same condensation issues that we had at Station 8?

**Mr. Castagna** responded the roof is a flat roof structure. With the energy efficient model we are using for this building, the roof cavity will not have that problem. The finished roof is going to be a white TPO roof, which is part of the LEED certification process.

**Alderman DeVries** stated we learned a lot about the white roofs last week.  
Thank you.

**Alderman Roy** asked is there radiant heat in the floor so you can keep it a few degrees cooler? You don't have the stratification if you're not going to have the problem Alderman DeVries was talking about.

**Mr. Castagna** responded the entire facility has radiant heat in the concrete. Actually, because the building is so tight, there is a system to ventilate the building as well every two hours. In addition, there is a carbon monoxide system as well as noxic.

**Alderman Roy** asked are the boilers gas-fired, condensating?

**Mr. Castagna** responded yes.

**Alderman Greazzo** asked did you mentioned that this is over the budget that we estimated originally?

**Mayor Gatsas** responded I think the discussions we had, I would say to you that it was me who threw out the number of \$2.2 million to keep everybody within a scope of where we were going. I can tell you that I shaved those numbers pretty hard when we first came forward with that. They are now at about \$2.389 million. I don't think I anticipated in that building equipment and furniture in the kitchen, which is part of the scope of this design along with living quarters. This now includes top to bottom, everything in.

**Alderman O'Neil** asked so is the net, after all of this is done, about \$400,000?

**Mayor Gatsas** responded yes. I would say that coming back to the City is probably \$400,000.

**Alderman O'Neil** asked and is the almost \$2.4 million all project costs? Those calls I've been getting with references for you being an estimator, I'd say we have to get you over project cost versus construction cost.

**Mayor Gatsas** stated it gives them a bar to leap at. If we put the bar too high, we would have had nothing left of the \$2.8 million.

**Alderman O'Neil** stated that's fine. I'm very satisfied. I congratulate the Fire Department and the developer.

**Alderman Long** asked are we going to have a clerk of the works who is going to be overseeing this? Is there a department that will have a clerk of the works looking out for the City's interest in this building?

**Mayor Gatsas** responded I would tell you that we are going to be looking at an awful lot of guarantees for a long time. I'm sure that the Chief is going to be there on a pretty regular basis. We have a contract that is going to move forward and there is no contingency for anybody else, other than the project. I think that contingency number is about one hundred and some odd thousand dollars.

**Mr. Danais** stated it is zero, Mr. Mayor.

**Mayor Gatsas** stated I know it started up there, but we reduced it to zero.

**Alderman Long** asked could I get an explanation as to a change order? How would that come forward? Who at the City would authorize a change order?

**Mr. Castagna** responded all through this process, we have been working with Facilities. They will be overseeing this project. They will be at every weekly meeting, as far as I know. There will be City participation in this. From a change order standpoint, if in fact there are any, we've been told that it goes right to the Mayor.

**Alderman Long** asked so your office, Your Honor, would authorize a change order?

**Mayor Gatsas** responded I think you heard what he said. There are no change orders. This building is going to be built as we see it today with the dollars that we have before us.

**Alderman Long** stated but if there is a change order, your office is going to...

**Mayor Gatsas** interjected it's a guaranteed price. If there is a change order that somebody wants a bigger stove or bigger refrigerator, it will be a discussion I will have with the Chief.

**Alderman Long** asked but if there is a change order due to design flaw or unanticipated...excavating issue...

**Mayor Gatsas** interjected they own it.

**Alderman Long** stated so there aren't going to be any change orders. So, why do we have, 'subject only to change orders'? Why don't we just get rid of that?

**Mayor Gatsas** responded we certainly can, but if the Chief comes in and says he would rather have red carpeting than blue carpeting, and there's no disadvantage in price, I'm not too sure that that is a change order that needs to come back. That is something that we would leave to the Chief, to make that sort of decision.

**Alderman Long** stated so there could be a possibility of a change order that the City is looking for the change.

**Mayor Gatsas** stated correct, but within the scope that we have on paper, and not changing price.

**Alderman Long** stated but that would change price. Mr. Danais or Mike, if we want two inch shag rug and it's going to cost \$10 per square foot more, are you going to swallow that?

**Mr. Castagna** responded no. If you come back and request something and it's outside of the budget, that's a negotiation that we're going to have to deal with. Basically the way we set it up, and the documents are pretty tight, if the contractor comes back and proposes a change beyond the scope, that's something we're going to have to talk about. As long as it's within the scope, he owns it.

**Mayor Gatsas** stated any change that's over one dollar, I will bring to this Board.

**Alderman Long** stated it's a pretty basic building. It's not specialty per se. You did all the land drilling for what have you, so you don't really see any difficulty.

**Mr. Castagna** stated we've done the borings; there is no ledge. There are no unsuitable materials on the site, so we won't run into any of that. We've done a pretty thorough investigation as far as the site goes. We felt that if there were going to be any issues, they were going to be a site-related. We feel pretty comfortable. We've investigated that and have a handle on it.

***Alderman Arnold** moved to approve the Fire Station project and budget for Hackett Hill. The motion was duly seconded by **Alderman Roy**.*

**Alderman O'Neil** asked what happens if that other part of the deal with that third party doesn't get resolved. What happens to the deal?

**Mayor Gatsas** responded that's a good question, Alderman, and I would prefer to give you my comment off the record.

**Alderman Arnold** called the question.

*Mayor Gatsas called for a vote on the motion to approve the Fire Station project and budget for Hackett Hill. There being none opposed, the motion carried.*

7. Selection of lobbyist for state legislative tracking.

**Mayor Gatsas** stated I was ready to present to you somebody who had come forward since the selection process last week. We got a letter yesterday that said they would like to withdraw, so I would tell you that we're back to the drawing board because we only had two people submitting. We're back to one, so now that things are a little bit busier in Concord, we'll maybe send out another RFP with a shortened time frame so that maybe we'll have more than one choice to at least track legislation in Concord.

*On motion of Alderman Long, duly seconded by Alderman Ludwig, it was voted to remove this item.*

8. Communication from James Burkush, Fire Chief, regarding the Department's FY2011 budget shortfall.

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

**Alderman O'Neil** stated Chief, I obviously take your letter very seriously and with great concern. My recollection is that when we approved the FY 2011 budget a number of departments indicated that there were shortfalls in their salary line items, with your department indicating the largest shortfall. What I have recalled, not only in the approval of the budget for this year but also in past budgets, is we have told departments that we had their backs covered, and to do the best you can, but if there is a shortfall, we're going to cover your backs. Do you recall that during the budget discussions?

**Mr. Burkush** responded that's correct.

**Alderman O'Neil** asked has that happened in prior years?

**Mr. Burkush** responded in prior years we've been able to produce a surplus.

**Alderman O'Neil** asked can you talk a little bit about reduction in salaries not realized by historical retirements? If I recall...and I'm sure we can dig up the minutes to confirm this, on average the expectation is that we would have about six retirements in the Fire Department.

**Mr. Burkush** stated usually we average six to eight annually. In that time period we usually will hold vacancies during the slow vacation months and apply that to our salary account. It's interesting to note that for the past three years we've been basically level funded as a department, while between the COLAs and the steps, we've experienced a 15.5% increase in the cost of our salary line. That the challenge that we've been faced with going through this budget year. We felt that it was necessary to come to the Board early rather than later to give you our predictions.

**Alderman O'Neil** stated I think it's important for my colleagues to note, those of us who were at the Accounts Committee meeting last night were presented some information by the Police Department, who were tracking with a deficit as well, though not as large of an amount as the Fire Department. They were able to make up to the net side a little over \$5,000, so it's about a \$134,000 swing on those retirements. It was explained to us by Mr. Sanders, and he can jump in at any time, that those savings in the Police salary lines are actually due costs to severance. It's the Jim Roy line item, as I like to call it, the non-departmental severance line item, to date about \$88,000, and it's expected that of the \$552,000, Police will probably use up about \$462,000 by the end of the year. So that's where we are seeing those savings, and if we did see those savings, you believe that number equates to about \$270,000, Chief?

**Mr. Burkush** responded yes, that is correct. Another interesting point is that when we were given this budget, another \$100,000 was taken out of our account and placed into City contingency funds, from what we understand. What we were forced to do as we filled our line items, is we filled our operating budget and also our salary account first, and that left us with only \$325,000 in the overtime account, which has traditionally been at least \$500,000. When we're talking about on overtime line item shortage, it's not because of usage; it's because of lack of funding.

**Alderman O'Neil** asked what was the budgeted amount for this year?

**Mr. Burkush** responded \$324,900 was our overtime item. We've actually been able to reduce overtime by 15% this year, due in part to low sick-time usage. It's the lowest it has been in ten years by the department members. I want to make sure I get that on the record. The overtime is not short because of usage or abuse.

It's a shortage due to funding. That was a choice that we had to make. A lot of our operating expenses are fixed. For example, fuel, electricity, and service agreements for radio systems. A lot of these are items that are beyond our control.

**Alderman O'Neil** stated let's stay on the salary number. If we fail to say we're going to cover your back or make you whole at the end of the fiscal year, you'll have to make a decision sooner rather than later, correct?

**Mr. Burkush** responded that's correct. That's the purpose of writing the letter to you sooner. As it goes on, the problem only gets worse.

**Alderman O'Neil** asked what happens if we don't say we're going to support covering you at that \$270,000? Will there have to be layoffs?

**Mr. Burkush** responded \$270,000 is the number that we had predicted, but we will also again experience an additional \$100,000 being taken out of our budget, and also additional \$73,000 pressure on our salary account due to arbitration resolution.

**Alderman O'Neil** stated okay. Let's stay on the \$270,000 because we knew that number. We didn't know the arbitration number. We knew it but it was not part of the budget discussion at the time that the budget was approved.

**Mayor Gatsas** stated I think the true number was \$370,000 because during the budget process we assumed there would be six to eight retirements, and then there was an additional \$100,000 that we took from the three bigger departments and put into contingency, so if they couldn't make their number during the course of the year, we had the opportunity to have some money in contingency to help them out.

**Alderman O'Neil** asked what happens, Chief, if that \$370,000, if that's the number we are working with, if there isn't a commitment tonight or soon by this Board that we're going to cover your back throughout the budget process? Will there be layoffs?

**Mr. Burkush** responded we would experience layoffs because of the shortage in our salary account.

**Alderman O'Neil** asked how many would that be, based on \$370,000?

**Mr. Burkush** responded you are looking at about fourteen.

**Alderman O'Neil** asked and what is the impact to the department of 14 layoffs?

**Mr. Burkush** responded fourteen layoffs would be a fire station closed on a permanent basis for the rest of the fiscal year.

**Alderman O'Neil** stated just so that I, my colleagues and everybody else is clear, if we don't address this issue, there will have to be a closure. There will be 14 layoffs and there will be a closure of a fire station in the City.

**Mr. Burkush** stated that is correct. The way we are staffed our budget is basically 95% salary. There is no other way to deal with a salary shortfall.

**Alderman O'Neil** stated certainly to me that is unacceptable, closing a fire house at this time. What about the issue of overtime as well?

**Mr. Burkush** responded the issue of overtime is separate. The shortfall we are predicting of about \$123,000 is more fluid and would require weekly and daily adjustments to apparatus being placed out of service and/or stations closings also. To give you an example, looking at next week, which is a high vacation period, Thanksgiving week, 25% of the time, the work group that works on Thanksgiving is group four. For those two 24-hour periods in that week, we would have three ladder trucks out of service, and on Thanksgiving Webster Street Station would be closed.

**Alderman O'Neil** stated I want to make sure I understand this. Based on vacation, which the firefighters rightly have coming to them if they chose to take that week, we would have three ladder trucks out of service out of how many?

**Mr. Burkush** responded five.

**Alderman O'Neil** stated so that would leave the City with two ladder trucks? Is that weekly?

**Mr. Burkush** responded that would be for two 24-hour periods in that week, which would be Thursday, Thanksgiving Day and the Sunday of that weekend.

**Alderman O'Neil** asked did I also hear you say on Thanksgiving itself it would require...

**Mr. Burkush** interjected on Thanksgiving itself we experience what they call single-shift vacations, which are daily vacancies allowed in collective bargaining agreements. At that time, Station Five opted for that, and that station would be closed for 24 hours.

**Alderman O'Neil** stated this is over and above the potential 14 layoffs and one fire station closing. Without addressing the overtime part of it, we will see these weekly and daily adjustments for the rest of the year, over and above the closing of a fire station.

**Mr. Burkush** stated that is correct. The next crucial time would be Christmas week and the week of New Year's.

**Alderman O'Neil** asked have you projected out what stations would close, based on scheduled vacations?

**Mr. Burkush** responded we don't see the single shift till the week before; those vacancies haven't been looked at yet, but that traditionally is a much higher vacation week.

**Mayor Gatsas** stated Chief, let me just make sure I understand. Alderman O'Neil used a number of \$370,000, and you stated that if it was a number of \$370,00 – and correct me if I'm wrong – my belief is that the 14 layoffs would come if you couldn't reach the \$645,000 that you're showing for a shortfall here, not \$370,000. So, the \$370,000 would not be 14 firefighters; it would be fewer. Am I correct or incorrect?

**Mr. Burkush** responded for the salary account to be fully funded at \$524,000, with vacation buybacks, it would be 19 layoffs.

**Mayor Gatsas** stated so the \$645,000 that you're showing as a shortfall is projecting vacation buybacks to be about \$600,000 by the end of the year.

**Mr. Burkush** stated it's about \$762,000. We do have a sheet that we can give the audience.

**Mayor Gatsas** stated so if nobody at the Fire Department bought another vacation buyback, you would have \$500,000 in your budget to move forward, and you'd have no layoffs.

**Mr. Burkush** stated that is correct. We take a look at what it has been costing per week and we average it out for the year. We've expended \$270,000 to date and we're projecting a possibility of \$762,000 in vacation buybacks, not \$500,000. You are correct. If there were no more vacation buybacks, we would have \$500,000 to put into the salary account.

**Alderman O'Neil** stated am I correct to say that if there were no vacation buybacks, it would mean that the firefighters would take their vacations and we'd probably be short by an equivalent amount in overtime. Am I correct? Alderman Roy is telling me more, probably. I know that the track is that the vacation buybacks are costing us money, but in some ways it is actually saving us overtime money. Am I correct that the city of Nashua has an overtime budget of well over \$1 million? Do you happen to know what that number is?

**Mr. Burkush** responded \$1.7 million.

**Alderman O'Neil** asked what's our number in overtime?

**Mr. Burkush** responded \$324,000.

**Alderman O'Neil** stated whether it is vacation buybacks or overtime, that number is going to equate. Even if there were no vacation buybacks, we'd still have to up the overtime number by \$500,000 or \$600,000. Maybe Alderman Roy or Alderman DeVries has a better feel.

**Mr. Burkush** stated prior to the vacation buybacks, the overtime budget was \$975,000 in fiscal year 2007.

**Alderman DeVries** stated I just want to cover a little bit more because at the Committee on Accounts last evening, you had representation there, and we were given the projections for our budget, assuming the \$645,000 shortfall and shortfalls in other departments. All of that averaged out, potentially leaves us with a net surplus of \$300,000 at the end of the year. Definitely, we are counting on certain assumptions. We'll have to watch this during the year. Snowplowing at Highway is always an unknown for us, but assuming the shortfall in your department and other shortfalls, we can still get there in the budget. It's important for us to understand that the priority is public safety. We as a Board need to carry forward this evening. It's the same directive that you were given earlier in the budget season. Your directive was not to lay off and not to close stations.

**Mr. Burkush** stated and to maintain all apparatus in service, was the directive we were given at the budget. We had concerns back then, as you will remember, with the funding that we were given.

**Alderman DeVries** stated so when we say that we have your back, we are once again reaffirming that we don't want to see Station Five or other stations closing, that we do not want to see layoffs that cause the stations to close. We can still get there. The map has been drawn for us. With a stroke of luck or good management

by all of our departments, we can still get there and reaffirm that directive to you this evening.

**Alderman Greazzo** stated your questioning, Your Honor, was actually what I was looking to follow up on and Alderman O'Neil's questioning, as well as the vacation buybacks. That's something above and beyond the firefighters' pay?

**Mr. Burkush** responded it was placed in the collective bargaining agreement around 2004 as a cost saving measure, to pay firefighters in lieu of taking their vacation and us incurring time and a half. The concept was to let them buy back vacation time in straight time. It does save a significant amount of money for that reason. When they work their 48 hour weeks, it would be considerably more money at time and a half than for 42 hours of straight time. So the concept works well as long as it's used for what it's intended for.

**Alderman Greazzo** asked is that something unique to the Fire Department?

**Mr. Burkush** responded to my knowledge it is unique to the Fire Department.

**Alderman Shea** asked Chief, in years passed, different departments have come before the Board at different times of the year. They have indicated that they can go along with their budgetary expenditures up to a certain point. My concern is this: Are you asking us tonight for money or are you just giving us background materials because within the next six months or three months you will need the money definitely, or do you need the money definitely tonight? You're saying that problems can get worse.

**Mr. Burkush** responded as you know, the projections were requested by the Finance Officer. Being so large of a deficit, I have had conversations with City Solicitor about my fiscal responsibilities as a department head. These are projections that are done early and they can change. There are things that can change. We can get retirements like the Police Department and turn this around significantly, but the thing that sticks out is the shortfall in the salary account, which is of concern to us.

**Alderman Shea** stated right. What I'm asking though is usually the department heads come in and they say they can run their departments with the money that has been appropriated up to a certain period of time. What I'm asking you is this: Are you saying to us tonight that you cannot run your budget now because you do not have any money in your salary account, or are you saying that within the next three or four months you will not have any money in your salary account and therefore you will need money in order to pay the employees, or pay the firefighters? That is my question to you.

**Mr. Burkush** responded I don't think we have as much flexibility...not speaking for other department heads, but we don't have the flexibility. We can't make it up by cutting down on staffing. I wasn't comfortable telling you that we might be closing stations and putting pieces out of service. I thought you needed to know. From the projections that we have now, we would be looking for a commitment from the Board.

**Alderman Shea** stated in other words, you are looking for a commitment from the Board so that you will not have to close stations, but do you have enough money in order to not have to close stations at this time?

**Mr. Burkush** responded no.

**Alderman Shea** stated in other words, you will operate at a deficit because you don't have enough money in the salary account.

**Mr. Burkush** stated we have nobody in line for retirement, but that's not saying that that couldn't change, so we've cut our operating expenses by 10% and the overtime account is so low that it's not feasible to keep running without a commitment from the Board. Last year the average was about \$10,000 a week for overtime, with \$520,000 the total spent. This year we've got left an average of \$2,500 per week to go forward. It's just not enough to keep going without a commitment from the Board.

**Alderman DeVries** stated I just want to ask the Chief, because you only have certain high overtime points of the year – Thanksgiving a little bit, Christmas a lot, summer vacation a lot. That is when you have opportunities to save, by closing a station, if you consider that saving. Those are your opportunities, and once Christmas vacation goes by, you won't have the opportunity to make up the \$600,000 shortfall by closing stations.

**Mr. Burkush** stated or by retirements. You are correct because also retirements coming later in the year give you less opportunity to make it up.

**Alderman Shea** stated it's confusing to me. We're now about five months into the budget, and you're saying that if the Board does not allocate a certain amount of money or pledge to allocate it...I don't know which of the two you want. Your particular position would be that you would have to close, either at Thanksgiving or at Christmas time, a station or two, whatever you mentioned. Is that correct?

**Mr. Burkush** responded and lay off people.

**Alderman Shea** stated what's to say that the situation won't be the same in seven or eight more months? In other words, is this preliminary to another situation that you're going to encounter in February or March?

**Mr. Burkush** responded we think it's prudent taking action early rather than later. If the problem goes on, it will be a worse deficit.

**Alderman Shea** asked why?

**Mr. Burkush** responded because the opportunities to make up salary when retirements come in April, you are only saving three or four months of the person's salary. When retirements come earlier in the fiscal year, you can save the salary account six or eight months of their salary.

**Alderman Shea** stated if the Aldermen agree that, whatever problems you encounter, we will back you up, guaranteed, what difference does it make whether you get the money now or later? You're going to get it either way.

**Mr. Burkush** stated that would be fine.

**Alderman Shea** stated if in February or March you say that you need \$500,000 for salaries, and the Board guarantees to cover you, you're saying that's fine. What you're saying now is your concern is that the Board of Mayor and Aldermen will not support because you are worried about the word of the Aldermen in supporting you because you are figuring that if you can get the money now, you are guaranteed that you won't have as much of a problem in February or March.

**Mr. Burkush** stated it's important that I brought this issue to you for you to at least be notified that I'm going to lay people off or shut fire stations, or as the directive was at the beginning of the budget, keep all of the fire stations open and keep all of the staff intact and run the department fully staffed. That's the direction I was given. If that has changed, I at least want to give you the opportunity to change it, not for me to come to you in March and tell you I have an \$800,000 deficit or a \$500,000 deficit. I didn't think it was prudent not to advise the Board.

**Alderman Shea** stated in years passed, if in fact you or any department had a problem, they came before the Board of Mayor and Aldermen and we said that we would support them in making up the deficit. I'm sure you've heard that. Has the Board ever reneged on that?

**Mr. Burkush** responded not to my knowledge.

**Alderman Roy** stated Chief, thanks for bringing this to our attention. You're looking for a commitment tonight, is what you said, but I think we already gave you a commitment. My own personal viewpoint is we gave you a commitment when we went through the budget process and we gave the Police Department a commitment. I'm going to stand by my word. I'm going to try to explain the vacation buybacks a little bit for some of the members of the Board who don't understand it. I may have a little bit of an edge on it because I was involved in it. First of all I'm going to tell you that when it came up on our contract I voted against it. I didn't like the idea for two reasons, and I am sure the Chief has heard me expound on this before. Number one, it is a stressful job. You get vacation for a reason, to recharge your batteries. When you have individuals who think they can make a little extra money, even though it is straight time, and don't worry about their mental health, I don't think it is a good thing. Maybe even more

important is the fact that when I did a vacation buyback my partner right here could have been up for overtime. The City is saving money. Let's not make any mistake about it. They are paying me straight time instead of paying my partner time and a half to cover my position. So I was taking money away from my partner. It passed anyway. If, in fact, we had no vacation buybacks, people would be taking their vacations because they are going to max out. You can only accrue a certain number of vacation days and then you start to lose them. I was thirty years in the department, and I don't know one individual who ever lost any time. They made sure they took their vacations when they were going to max out. Am I correct, Chief?

**Mayor Gatsas** stated or they bought them back.

**Alderman Roy** stated let's talk about no vacation buybacks, okay? You got maxed out and everybody was taking a vacation. In fact, it got so bad that there weren't enough weeks in the year to give everybody their vacation. We had to start designate weeks when two people could be out in one company at the same time. Is that correct, Chief?

**Mr. Burkush** responded correct.

**Alderman Roy** stated that's why the budget was over one million dollars. You can only save so many vacation days and then you're going to lose them, and I don't know anybody who is going to throw their vacation away. And, when you take your vacation, you take it on a 48-hour week because you get charged the days. You get charged five days for your vacation. Are you going to take it on a 48-hour week or a 24-hour week? I know I took a couple of 24 hour weeks when I was traveling around...a wedding or something and I had to do it. It killed me. I got one day off and I got five days taken out of my vacation. The only fair way to

do that is by hours. You and other firefighters have heard me say it before, and not everybody agrees with me, and that's okay. Not only vacation but sick leave should all be done by hours. You wouldn't have this problem with firefighters, and I was one of them, who never took a vacation on the week when they only worked on Wednesday, the one 24-hour shift. The reality is that we are saving a lot of money with these vacation buybacks, even though this paper says it has gone up quite a bit, and it has. The City is still saving quite a bit of money on vacation buybacks. I hope that explained it a little more for you. If you need more information, I'll be glad to answer any questions that you have.

**Alderman Lopez** stated I don't know if I can match that. There have been a lot of conversations all week long, and I've had my conversations with many people, some Aldermen, and the Chief. Understanding what has transpired here, I think \$645,900 is the number from the projection report for 2011 which the Finance Officer gave us, was already indicated by one Alderman. Of course, \$305,000 is not a very large surplus, but we said we've got your back. We've got your back as far as I'm concerned. To my fellow colleagues, I want the Chief to run the Fire Department. If he decides he wants to pull a ladder truck down, and many chiefs have done that before, with vacation coming up, whatever he has to do, I don't believe we are here to micromanage what he wants to do in order to save money. Whether it is \$100,000 or \$50,000, in the end, come June 30<sup>th</sup> when Mr. Sanders makes the final analysis of the entire City, that's where it counts. As the Mayor has agreed, December, January, February and March are the crucial months. This is my eleventh year. Come January or February there will be a freeze sometime. We'll save \$50,000 or \$100,000 by putting a freeze on spending. The Fire Department and the Police Department don't have that much money to solve this. The \$382,000 vacation buybacks...the \$162,000 added to the \$600,000 if you budget it in your original budget, you already used that \$162,000, I think it was indicated, \$382,000 for vacation buybacks. So we do have more in vacation

buybacks than is in the budget. Is that correct? If somebody buys back their vacation, how much money do you have left in your budget?

**Mayor Gatsas** responded I think there is about \$184,000 left in vacation buyback opportunities.

**Alderman Lopez** stated you anticipated \$600,000. Did you budget \$600,000?

**Mr. Burkush** responded we budgeted for \$600,000.

**Alderman Lopez** stated you budgeted \$600,000. You're anticipating another \$162,000. Is that correct?

**Mr. Burkush** responded we've spent \$277,000 in vacation buybacks to date.

**Alderman Lopez** stated I had \$382,000.

**Mr. Burkush** stated \$762,000 is what we are anticipating.

**Alderman Lopez** stated according to the last document I received, it was \$382,000. Is that incorrect?

**Mr. Burkush** responded we show \$277,000 to date.

**Alderman Lopez** asked vacation buybacks, were those anticipated at \$382,000 in the budget shortfall you gave us a couple of weeks ago? You said vacation buybacks were \$382,927. Does that ring a bell?

**Mayor Gatsas** responded I think that was the last projection. I think you've grown on that projection since then.

**Alderman Lopez** stated I would suggest that we refer this letter to the Finance Officer. You've got the money to move forward with the condition that you run the department. What you told us during the budget process has changed in five months. It's your decision as to what you do, as far as I'm concerned, in order to try to save some money. I'd like to make that motion, Your Honor.

**Alderman Greazzo** stated I'm wondering what the increase in salary and benefits is for the Fire Department from last fiscal year to this fiscal year. I'm not singling them out; they just happen to be in front of us.

**Mr. William Sanders**, Finance Officer, responded I think it's about 7.5% .

**Alderman Greazzo** stated I think one of the things we're going to have to deal with, Your Honor, is Yarger Decker. We can't be giving automatic pay raises and step increases and all these things in times when we just can't afford to do that. I think that is the real problem here. Chief, I think you're running your department great, and I think everybody else is too, but there are times when you just can't get a raise every year. You can't get a bonus just for showing up to work. I know people don't want to hear that because they want to make more money every year. Everybody does, but there are times when you have to look at just keeping your job. Until we start looking at that, we're going to have some serious problems. We're looking at the projections for next year and we're seriously in the hole because of automatic increases in budget that nobody has control over because they are contractual. Until we address that issue, this city is going to be in this situation year after year.

**Alderman Roy** stated I just want to make a comment on that. I agree with you, by the way. You can't expect a raise every year. However, I want you to understand that the Board before you were on here, the previous Board, we are the ones who agreed to extend those contracts for two more years. We kicked the can down the road, and we're the ones who told them they were going to have 2.5% and 2.5%. That's on us.

**Alderman Greazzo** stated I completely agree with that, but unless we address it moving forward for future contract negotiations, everybody is going to be kicking the can down the road every year.

**Mayor Gatsas** stated you came to me in February because you were running high, and that was last year's budget, not this one. You came to me to hire 16 people to reduce overtime. Let me ask you a question. Right now you're saying that we are running overtime at a really high number. Let's assume for a second that this Board told you to go hire five new firefighters, because I know I had this discussion many times with Chief Kane. With five new firefighters at full time instead of time and a half, would that save you money in your overtime budget?

**Mr. Burkush** responded there isn't an easy answer to that, and I'll illustrate that. There was an internal article that was done by the City in 2004 on Fire Department overtime, and it does talk about extra personnel and overtime. I read this a few times. Kevin Buckley did the report. Our overtime is significantly down because of the six personnel we were given, and it could continue to go down with additional personnel.

**Mayor Gatsas** stated so your answer to me is if the overtime number in your budget...let's assume \$100,000 would go back in and we were talking about \$400,000 in overtime, because that's basically where we took that \$100,000 from,

when we said we were going to cover you. First let me tell you, I applaud you for bringing this forward, because it is not an easy thing for a department head to do. I understand that you work as a department head. You've been in the Fire Department for an awful lot of years. You've gained an awful lot of respect, not only from your fellow firefighters but also this community. Let's get back to this question of overtime. How do we reduce overtime to zero? How many more bodies do I need to give you? When you look at the private sector, when you look at efficiencies and you say we are running X amount of people, how do we reduce overtime? If I gave you five people or six people...I know that we reduced overtime by almost \$400,000 in a very short time starting in February when you hired the new firefighters.

**Mr. Burkush** stated that is correct. The way we are structured we would never get to zero overtime because we have ancillary members that we need. Mechanics need to be on call and stand by. Fire investigators and communications technicians don't work 24/7, so we could probably never get below \$100,000 in overtime. We still have eight vacancies in the budget. Hiring people would reduce overtime.

**Alderman DeVries** stated I agree that it is fine to refer this on to the Finance Department and for us to continue to monitor this scenario at the Committee on Accounts, as we will all of the City budget. I also think it's important that we reaffirm our commitment to you that several of us have expressed that we will continue to have your back, and we do not want, by directive, for you to close stations, lay off firefighters, or jeopardize the public safety of the City. I would ask that that be part of the motion so that there is a clear understanding and we don't look at you, come April, if something else happens in the City, and ask you why you didn't close a station back in December when you could have saved some money. I would ask for that amendment.

**Mayor Gatsas** stated I hear you Alderman, and I certainly think Alderman Lopez made a reference to it. If we assume the number we saw in October, and nothing changes during the course of the rest of the year, we have a \$305,000 surplus. I understand that we all want to say that public safety is very important. I certainly don't disagree with any of those discussions. We also said that we would have the backs of the Police and Highway Departments. I don't have to tell you that if for some reason, next week Chief Burkush has eight retirees, take a look at the severance line that we have in place, which will be gone, not just about gone, but it will be gone. Let's just assume at that point he can get back to some sort of number, and we have to remove that \$145,000 along with Chief Mara went through \$450,000 in that account, and that was with seven retirees. If Chief Burkush hits that same \$450,000, \$145,000 is gone and \$300,000 out of contingency is gone. God forbid, if Kevin Sheppard has 15 storms. I know we are saying that we are covering everybody's back, but I would say at that point we have a problem. So I would say that the Chief should be congratulated for coming forward, but the next two months we don't know where we are liable to be. I don't think we should falsely say to the Chief, or not reaffirm where we are with Police and the Highway Department because they are liable to have the same problem. At that point, we've only created a larger problem,

**Alderman DeVries** stated thank you, Your Honor. I understand that, and I'm not looking to falsely reaffirm anything with the Fire Department. I look at this as a black and white choice. We are either telling the Chief that in order to maximize his savings, close stations, lay off employees, limit the fire protection of the City in order to save money and close that budget hole. We are either saying that is what we want the Chief to do, or we want you to maintain the complement, the apparatus, and the stations available to cover the City, especially in the winter when we are more likely to have fires when everybody is heating their homes with

woodstoves and the like. I look at this as a black and white scenario. When we say we have your back, we have your back, and we tell you as a clear directive not to close stations. It's important for the City, and don't do it. I want that to be clear that that is the motion we are voting on this evening.

**Alderman Lopez** stated that's not the motion that I presented, Alderman. I think the situation has changed. Chief, did you have any trucks out since July? Did you have any trucks down?

**Mr. Burkush** responded we had mechanical issues. We had some apparatus out of service.

**Alderman Lopez** asked you didn't tell anybody, did you?

**Mr. Burkush** responded no, but we did not cut staffing. We maintained the staffing level, maybe one or two people.

**Alderman Lopez** stated I think it's fine to give a directive like we did in the budget process, but I truly believe the time has come to let the Chief run his department. If we are going to give directives, we'd better come up with another \$500,000, and not have the Chief try to save any money. That's the bottom line. I don't think the Chief is going to have safety an issue in the City of Manchester. He and his firefighters are going to do everything for safety. There was a fire up on 101 today. Did you go up there?

**Mr. Burkush** responded we had two pieces up there.

**Alderman Lopez** stated let's have the Chief run the Fire Department. Let's send the letter to the Finance Officer and let's let the Chief run the Fire Department.

**Alderman DeVries** stated if Alderman Lopez doesn't want to accept the amendment to the motion, that's fine. We can vote on his motion and then I will make a second motion afterwards, so we know that this is on this Board and not on the Chief. That's the only difference between what we are saying, Alderman Lopez.

**Alderman O'Neil** stated to the best of my knowledge, Chief Burkush, since he has become Chief, has taken advantage whenever he could of opportunities to save money. He has reorganized the department. When ladder trucks have been put out, he has utilized the firefighters from those ladder trucks, when they were out for mechanical reasons, to fill slots that he would normally have to hire overtime for. So, he has been making those decisions. I'm not really sure what referring the letter to the Finance Officer and letting the Chief run his department means, because what he is telling us in this letter is that if this Board doesn't take some action to cover his back and continue to do what he can, he is going to lay off firefighters, permanently close fire stations and temporarily close other fire stations. That's clear. In my opinion we need to make a strong stand on that. Your Honor, I agree that we have some challenges ahead of us, but I can tell you that Fire, Police and Highway are on the top of my priority list, and I don't want to hear talk about laying off cops and firefighters and public works people who plow roads and pick up garbage. As far as I'm concerned, it's going to include everyone in city government, everyone. And the last people it's going to happen to are police and fire, as far as I'm concerned. It's great I'm sitting here tonight as a resident of Ward 1, to hear that on Thanksgiving Day, when I have family at my house and some probably staying over, that the fire house closest to me is going to be closed because we didn't give the Fire Department enough money. That's very reassuring. I got a letter this week that says we got a four cent reduction in the tax rate. What the heck is my money going for in taxes? To close fire houses? This

is crazy that we are having this discussion. We didn't give him enough money. I pulled the minutes from a meeting; I think it was March 24<sup>th</sup>. Chief, did you return \$300,000 in fiscal year 2010 or 2009?

**Mr. Burkush** responded it was 2010.

**Alderman O'Neil** asked how many retirements did you have that year?

**Mr. Burkush** responded six.

**Alderman O'Neil** stated there is a magical number. Your Honor, I asked a question regarding this year's budget. What happens if those retirements come to fruition? This is quoting you, Your Honor: "I told the Chief that it looks like there might be a shortfall if those five retirements don't come in. I had the confidence that if he was short this Board was going to protect him." That's what we said. Not only did you say that, but I would guess the majority of this Board said that. Alderman Roy is quoted in here. He said, "Correct me if I'm wrong, but I think the Board directed him to have 50 per shift at all times. I believe that means 50 firefighters per shift. Knowing that we told him that, 50 per shift, as we go forward, I've got a real concern. Yes, we will stand up and protect him, but where is the money going to come from?" The Mayor responded, "It's a great question and if you will just let me get there you will see that in the non-departmental section, if you go down to the line that says Contingency Salary Adjustment, you will see that last year we put \$400,000 in there. This year we have \$700,000. So we've taken precautionary measures to make sure we protect him." These are the discussions that this Board had less than a year ago in March. We give our word; we had discussions here about grants. We didn't get the grants. We're not a diversified department, am I correct? That's why we were told we didn't get the

grants. We made a commitment that we were going to maintain fire services in this city, and I hope we keep our word on that. Thank you, Your Honor.

**Mayor Gatsas** stated regarding the remarks that I made, we did put \$300,000 in that contingency line item to make sure that we protected him. That discussion was there. You all understood that. Those retirements haven't come. We need to be prepared for what might happen, because if the State of New Hampshire passes legislation and there is a mass exodus, we don't have enough in this budget. I don't care...

**Alderman O'Neil** interjected we talked about this last night. It could cost us \$5, \$6, \$7 or \$10 million in severance because 80 firefighters and at least 35 police officers...if we don't stay on top of that legislation, it's going to bankrupt the City of Manchester. We cannot afford a mass exodus of retirees. I made this statement last night. I had a police officer tell me he has 19 years of service and he will retire one year early and take his one year penalty because it will take him six or seven years to make up that difference if they make that change in the retirement system. We have to be on top of this. It will bankrupt the City of Manchester if the legislature goes crazy on the retirement system. It will bankrupt us. I don't know where we are coming up with \$10 million.

**Alderman Lopez** stated when I said to refer to the letter, that's \$645,900. That's what we're telling the Chief he has. The Finance Officer will take care of the financial aspects of that in accordance with the surplus. That's the clarification I'm making. You have the money, as far as the motion is concerned, if it passes. The only difference is I'm saying that the Chief runs the Fire Department and we are out. If the Board says they want to direct the Chief to keep everything open and not to put anything out, that's a different issue. My motion is that the

\$645,900 is covered, the Finance Officer will make the notations, and the Chief will run the Fire Department.

**Mayor Gatsas** stated I know Alderman O'Neil quoted me well from those minutes, but I think that at the time we were having those discussions, we were talking about \$370,000. We are now looking at a number that is \$275,000 higher than that number. I would hope that we are not just saying that it's an open checkbook and the Chief can do what he needs to do, and if he spends another \$300,000 we are going to cover his back on that also. There are other departments in this city, as we all recognize and we've talked about. I have no problem talking about the \$370,000, when we had those discussions during the budget time. But this \$645,900 is another \$275,000 that is before us. I come back to the situation that if there wasn't \$305,000 in surplus after the Chief did what he had to do because there is another six retirements in Police, what do we tell him? What are we as a Board prepared to do?

**Alderman O'Neil** responded I'm going to speak for myself. I'm going to keep fire houses open in this city. I can tell you that.

**Mayor Gatsas** stated maybe I wasn't clear about what I said. Let's assume that the Police Department has another six retirements, and the \$305,000 that we thought we had for a surplus to take care of the Chief's, there is another \$450,000, and then we are in a deficit, because not only is the reserve account gone, but also part of contingency. Let's not use the Police Department. Let's talk about Highway. Let's talk about any other department.

**Alderman O'Neil** stated let's talk about Police because we were told last night they've taken \$88,000 to date out of the severance account to handle retirements to date, and they are projected to take a total of \$462,000. That's within the

\$552,000 budgeted. Highway has a number in there as does the Tax Collector. You can't say it's \$462,000 plus, plus, plus. This is the projection from Police. They are at zero for the Fire Department. But Your Honor, those health insurance increases couldn't have come at a worst time, because it is my belief there were four or five with a foot out the door, and when they saw what the retirees got hit with, they closed the door and walked back in. I'm absolutely convinced of that.

**Mayor Gatsas** stated I think you would agree that you and I have had discussions on how we can change that process. There is a plan in place right now that is going to be beneficial to retirees. There is no question; that is on the table. You and I have had that discussion. The rate has gone from \$747 to \$512. We've had that discussion. I've been working with the insurance companies to see what we could do to offer those people a different alternative. There are only so many things you can do for alternatives.

**Alderman O'Neil** stated I agree, but we shouldn't be sitting here tonight thinking that those six that are budgeted are all of a sudden in the next month going to go. They were going this fall, many of them, weren't they? There is nothing right now that's going to change their minds.

**Mayor Gatsas** stated I didn't say that, but I'm looking for an answer from the Finance Officer. If there is a \$305,000 surplus today and if throughout the City there are another eight retirees that come in as the Police Department did with an additional \$462,000, that is going to reduce us to a minus. At that point, what would your recommendation be to this Board?

**Alderman O'Neil** stated Your Honor, that \$462,000 is in the budget. It's not additional. You are making it sound like they are adding \$462,000 to their budget. It's already in the severance line item.

**Mayor Gatsas** stated let me see if I can be a little clearer. Right now the bottom line says, taking into consideration the retirees from the Police Department, we have about \$305,000 in surplus. If throughout this city there are another five retirements that cost us an additional \$450,000, we would then be at a minus. What would be the recommendation from the Finance Officer be at that time? I know we are talking about hypotheticals.

**Mr. Sanders** responded I understand. The number to focus on is the expenditure surplus that is left. Revenue surpluses we can't spend. The expenditure surplus, based on the forecast I handed out last night, is \$285,000, and that's after accounting for the severance for Police and the \$645,900 for Fire. We are left on the expenditure side with \$285,000. If we had ten more retirements and they each got \$40,000, which is \$400,000, if it were later in the year, we would be in a deficit. As a department head, under the laws of the State of New Hampshire, we can't overspend our expenditure budget. That is the law. The Chief is doing absolutely the right thing in projecting that he is going to overspend his budget. If we don't have money in contingency to cover him, we have to do something. Now, we do have money in contingency this evening. I would ask Alderman Lopez that if his motion...I didn't follow it entirely...but if you're expecting me to cover the Chief, then I need contingency to be allocated by the Aldermen. I need to know that for the notations that I am making. The long and short of it is that if we get into a deficit, we cannot write anymore checks for anything – for bonds, for salary. We only have \$285,000, it's projected, but we have a \$130 million budget in the City, and we only have \$285,000 today that the department heads, who run the departments and know just about everything in their departments, that's what we are saying we have left, in excess.

**Mayor Gatsas** asked as the Finance Officer of the City, what would your recommendation be? I'm not looking at you to set policy. I don't want you to set policy, but I know that all of the time we ask department heads for their opinion, and we move forward. So I'm asking you what your recommendation would be to this Board.

**Mr. Sanders** responded I need to say one thing before I say what I recommend. The Chief touched on it earlier, but it's very important. We're not out of money this evening. The Chief still has unexpended balances in his budget, which he should; he has eight months left to go. But if we wait three or four months, and the forecast could move up or down a little bit, and he comes back and says it is \$600,000 in March, we have three months left in the year. We would only have three months to save this money back. If the snow is bad and if Kevin Sheppard is coming in here needing a little bit of money, we need to give ourselves time to find the savings. I think that a modest layoff is necessary soon. It would be much better to be in January or February and the Chief was wrong and I am wrong and we call those employees back straight away. If we get into the early part of 2011 and this isn't working, and the Chief isn't finding the savings, we are only going to have a short period of time to make the savings, and the laws of the State of New Hampshire are not going to permit us to cover every back, or there is going to be another finance officer writing the checks, because I'm not going to do it. I don't mean to paint it dark, but this issue is not going to go away, I don't think.

**Alderman DeVries** stated I have a couple more questions for the Finance Officer. If we are talking layoffs, we haven't funded in the unemployment line either have we?

**Mr. Sanders** responded that is correct.

**Alderman DeVries** stated and because we do not pay unemployment on our employees, aren't we responsible for 100% of that obligation?

**Mr. Sanders** responded yes. Just a rough estimate would be that for every person we lay off, they would get 26 weeks of pay, I believe, and it would probably be \$12,000, \$13,000 or \$14,000 per person.

**Alderman DeVries** stated so we still have a hole with that. As another alternative though, and it's not one that anyone of us ever wants to have to go to, there is a pot of monies that ten Aldermen can access, if they need to for urgent situations. The Mayor, I'm sure, knows where I am going, and that would be the one-time monies that have been accumulating in our reserve account. Ten Aldermen could, in an emergency, allocate that to make the City whole, could they not?

**Mr. Sanders** responded the Solicitor and I talked about that today, actually. It's not entirely clear that it can be used for operating expenses. The actual ordinance, to be honest, is awkward, and has been interpreted in different ways, unfortunately, over time. But obviously if we are in a situation where we can't write checks, something would have to be done and we would exhaust every option.

**Alderman DeVries** stated there could be items like the purchase of salt that today might be part of Highway's operation which could be paid for with one-time funds, thus creating a surplus that would make us at the end of the day come in. There are other ways that we could look at the budget if we need to, come January or February.

**Mr. Sanders** stated those are not ideal, Alderman. I'm not saying that layoffs are either, but the use of the one-time money is only going to defer the decision. Activity is not changed. Use of the one-time money is going to be burned off and we're still going to be left with the same un-right on how we are spending money. In my three and a half years here, this is as close as we've been so early in the year. No department is coming forward with any significant surplus on the expenditure side. Fire has been that department, actually, for a couple of years. Early they were projecting surpluses. It made it easier to use contingency to do this, that and the other. But I don't know what the winter brings, and I don't know what Mr. Sheppard is going to do. It's early in the year.

**Alderman DeVries** stated it's also early in the year for us to be saying that we are closing stations. I don't disagree with Alderman Lopez that this needs to be a continued discussion. It needs to go to the Committee on Accounts for us to continue to thoroughly evaluate options that we have. As Alderman O'Neil said, and I also say, I am not prepared tonight to say that we are closing stations, not going into the time of the year when our citizens are most vulnerable. It's not an action I'm taking.

**Alderman O'Neil** stated I don't think the Finance Officer said this, and I don't even need to ask Bill this, if there have to be staff reductions, nothing says they have to be in the Fire Department, correct? If we are looking to save money, we could lay off employees in any department.

**Mayor Gatsas** stated I agree with you, but if there is a department that only has two people, you're going to have a tough time. We wouldn't get any productivity out of that department.

**Alderman Ouellette** stated there is nobody I respect more in the City than the Finance Officer. He and I worked together for a number of years, back when he was at the School Department. So, I take what he says to heart. I take what he says to be reality. I also feel that we do not have a crystal ball. We can talk all night about what if this or that happened; what if this department has so many layoffs. Those are all discussions that we need to have going forward. In the winter we are going to plow the roads, and I know that we are also going to have police officers on our street. I know that during the winter months, especially after this year, with so many arson fires, the department has just been so busy. I'm sorry. This is not the time to be closing fire stations and laying off firemen. I'm not about to play Russian roulette with one neighborhood over another one. I agree with Alderman Lopez. Chief, you should run the department. The Mayor brought up a great point, that it is not a blank check. You need to commit to me, anyway, that you are going to continue to do everything you can to cut costs at the department. I've known you for a long time, so I already know what the answer is going to be, and I take you at your word that you're going to tell me the truth, and I trust that. I know you are going to continue to do everything you can to continue to find cost saving measures throughout the year. Is that true?

**Mr. Burkush** responded that's true. The department as a whole, from the junior firefighters all the way up to the senior guys, believes that. We are working at that every day. You can only shut the lights off so much. We've cut operating costs. We've cut fixed costs.

**Alderman Ouellette** stated if you need to put a truck out of service, that is your decision to make. You should have the authority and the ability to do that to save money in your budget, just like any other department would be looking to cut costs as well. This should be a wake up call to all of the other departments, and not just your department, to be saving money. In years past, when other

departments were in trouble, you did everything you could to help out those departments. I appreciate that. I have faith in you, I have faith in the City, and I have faith in this Board that at the end of the day, what is the risk that I am willing to take? It's certainly not with public safety. In the end, as Alderman DeVries said, there may be a safety net. Hopefully this Board will be creative enough to protect you. I'm willing to do what Alderman Lopez suggests, let you run your department and continue to monitor the situation either in the Committee on Accounts or in Finance as a whole. That is probably where it should be, in Finance as a whole, being a major budget issue. The Finance Officer and you will keep this Board informed, as well as other departments. I support you, I support your men, and I support the City as a whole. I do agree with Alderman O'Neil that it shouldn't be just from one department. If the City is hurting, we are all one city, and I agree with you, Your Honor, every time you say that. We are one city, and I trust that you are going to do everything you can to get that number down as much as you can, and I support you.

**Alderman Arnold** stated my first remark I hadn't intended upon making, but following the comments from the Finance Officer, I think it is appropriate. The Finance Officer referenced a conversation he had with the City Solicitor about the interpretation of an ordinance regarding our authority to access city monies. He suggested that there is ambiguity and varying interpretations. I find that troubling, that ambiguity exists in such a significant ordinance that affects this Board's ability to access city money. That's all I have to say about that. We can address that some other time. About a month and a half ago many members of this Board expressed an opinion to the Police Chief as to when the hours for Halloween should be set. I didn't weigh in on it because, quite frankly, I didn't care about the issue. I don't believe that any of the members of this Board who weighed in with their preference to the Chief of Police were in any way trying to infringe upon the Chief's ability to do his job. I think we all trust the Police Chief, as we all trust

the Fire Chief, to do his job. Given the fact that this Board has weighed in on issues, in my opinion, as trivial as the hours for Halloween, I certainly don't see any problem with this Board weighing in as a matter of policy to convey to the Chief that it is unacceptable to close fire stations. I realize that I'm not speaking for the entire Board when I say that. I'm speaking for myself when I say that I consider it unacceptable for fire stations to be closed. I do think the Chief will continue to find savings where he can. A lot of the discussions tonight involved presumptions that in some ways might mitigate themselves, but that's my opinion on the closing of fire stations. We had a presentation earlier this evening up in my area of the City. It is badly needed, and I think it is horrible to follow that presentation, which we all expect will be a great asset to the City and to the people on the west side, with this conversation and the prospect of closing fire stations or cutting services that our Fire Department offers the City. I will leave it at that, Your Honor. Thank you very much.

**Alderman Shea** stated I want to mention that tonight we found out how important the Fire Department is, the Police Department, and the Highway Department. One of the most important departments is the School Department. Maybe that's not germane, but my point is that every firefighter has to be educated, and they begin by being educated with our public or parochial schools. I don't want anyone in this listening audience to think that the educational system is in any way, shape or form less important than the Fire Department, the Police Department or the Highway Department. The second point that I want to make...and we've discussed this, and obviously we can keep going on and on, but in a few minutes we have to draw this to a vote. Alderman Lopez made a motion. I'm not sure if anyone seconded it, but if no one did, I will second it so that we can move along and people can vote whatever way they want so that we can then go on to other items. Otherwise we will be here until the Chief won't have any means of doing anything. He will simply be sitting in the Chambers with the rest of us.

**Alderman O'Neil** stated this is a clarification for Alderman Lopez. I want to make sure I have the words correct. In your motion 'Allow the Chief to do his job,' is that what you said?

**Alderman Lopez** responded yes.

**Alderman O'Neil** asked is your point in making that motion that he should continue to strive to do what he can to save money? Or are you suggesting within that motion he is allowed to close fire houses and lay off firefighters?

**Alderman Lopez** responded no, not to lay off firefighters.

**Alderman O'Neil** asked what about closing fire houses?

**Alderman Lopez** responded that is his choice as the Fire Chief. If we are going to cover his \$645,900, he knows he has that \$645,900 to move forward and doesn't have to lay off firefighters. But, if he has to put a truck out, and the directive from this Board from the budget process...and that's why I told him he had to come back here, because he was directed by this Board not to do those things. Let him run the Fire Department. If he has to close a fire station or put down a truck, that is his decision, whatever way he can save. If he can work with the union for an example and not get vacation buybacks, that is going to save him money. Let him do everything that I'm sure he will do without us putting a directive on him. If we put a directive on him to move forward, with nothing, in my opinion he is going to have another \$500,000 shortfall.

**Alderman O'Neil** stated I support your motion in the sense of the Chief doing whatever he can to make up whatever funds he can. I do not support your motion if it includes lay offs of firefighters or the closing of fire stations. On occasion he is going to have opportunities for mechanical reasons that we will have fewer ladder trucks because we don't have a spare ladder truck. I'm fine with that. The department has operated that way for many years. I will not support your motion if it includes that he can close a fire station. I don't support that at all.

**Alderman Lopez** stated the Chief could probably answer this better than I could, but did you have a couple of periods of times that there was a possibility that you would have to close a fire station in the past?

**Mr. Burkush** responded only during construction of a new station. Not for budgetary reasons.

**Alderman Lopez** asked not for Thanksgiving or Christmas?

**Mr. Burkush** responded no. I'm not comfortable closing fire stations.

**Alderman O'Neil** asked just for clarification, during your time as Chief you have never closed a fire station?

**Mr. Burkush** responded no.

**Alderman O'Neil** stated ten or twelve years ago there were some temporary closings of fire stations. That greatly predated you being Chief.

**Alderman Lopez** asked could I yield to an Alderman who is a former firefighter? He has raised his hand three times.

**Alderman Roy** stated I just want to point out that in the past, there have been situations beyond the control of the administration of the Fire Department when stations had to be closed because we couldn't hire anybody to work Christmas Eve. Everybody said no. New Year's Eve, New Year's Day – everybody said no. We had to close fire stations because we didn't have enough men. It happens because it is beyond our control. You can't grab somebody and tell them they are working. He may have to do that if enough people don't want to work.

**Alderman O'Neil** stated that's a great example, but I don't want him intentionally going out and closing fire stations. If he has to react to unique situations, as you just pointed out, Alderman Roy, I will fully support the Chief on that. It's the intentional closing of fire stations, planned closing, that I do not support. Again, Your Honor, I'm looking for clarification in the motion. Does it allow him to plan closing of fire stations?

**Alderman Lopez** responded anything the Chief has to do to save money is his decision.

**Alderman O'Neil** asked so do you support the planned closing of fire stations then?

**Alderman Lopez** responded if he makes that determination, I'm not going to overrule it.

**Alderman O'Neil** stated then I can tell you that I'm going to vote against that motion then.

**Alderman Greazzo** stated as Alderman Ouellette said, we could debate this all night. I'd like to call the question, please.

**City Clerk Normand** stated Alderman Lopez's motion is to refer this matter to the Finance Officer and to allow the Fire Chief to manage his budget, with the understanding that \$645,900 will be set aside from contingency for the department. The motion was duly seconded by Alderman Shea.

**Alderman Lopez** asked may I ask the Finance Officer if he is satisfied with that?

**Mr. Sanders** responded yes, I am satisfied with that.

*Alderman DeVries requested a roll call vote on the motion to refer this matter to the Finance Officer and to allow the Fire Chief to manage his budget, with the understanding that \$645,900 will be set aside from contingency for the department. Aldermen DeVries, Arnold, Craig, Ludwig, Long, Roy, Corriveau, and O'Neil voted nay. Aldermen Shaw, Greazzo, Ouellette, Osborne, Lopez and Shea voted yea. The motion failed.*

**Alderman O'Neil** stated Your Honor, Alderman Lopez is on the right track. I think you can get rid of the part about closing of fire stations except for emergency situations; I think we can get a unanimous vote on the motion.

**Alderman Lopez** stated I'll compromise...

**Mayor Gatsas** interjected can I offer a suggestion? We're talking about November. Can we at least come back with some forecasts for November and December? I don't think that puts us out of the realm of where we're at. The

holiday season is coming before us. Let's move in a direction of the first meeting in January. We can take a look at where we are, and see if the Finance Officer still has that tone in his voice that we heard tonight, which I don't think any of us who have ever served with him have heard. That's a tone that we are all going to leave here tonight understanding where he is at. The discussion should be that the Finance Officer and the Solicitor will come up with something, because Alderman DeVries asked the question, because she's talking about the one-time account, and I understand that every time you talk about the one-time account, the Finance Officer shakes. They need to come forward with a very clear answer as to whether that fund is available for a shortfall in the budget, or it's not, so that we know as policymakers where we are going. We don't need to make any drastic decisions today. The drastic decisions have to be looked at if the peril continues throughout the entire City. I agree with Alderman O'Neil. Nobody should be left in harms way, if we continue in this direction. That means if we have got to lay off two people in departments that only have three or four, then I guess we do that. I don't disagree with you, but I think that we should at least look forward and send this to the Finance Officer and let him sit with it. Let's come forward in January with another forecast. We're going to have to work much harder because we are in the middle of the month. If we're looking for this in the first meeting of January, the departments are going to have to work to bring something forward. We've always told Highway that it is their budget. We give them \$19 million and if they want to move \$200,000 from this line to the salary line, we let them do it. We've done the same thing with Fire. The Fire Department has been authorized to move items within the line items to salary. If the Chief decides he's not going to buy periodicals, he can move that line item up to the salary account. Chief, is that right or not? So, if you have the ability as you are looking to see that you can reduce some costs, you can move those items into the salary line. When we come to January, it's going to give us a clear idea where the entire City is at, not that I hope that Kevin Sheppard sees 20 storms in December. I hope he sees none. You

are right, Alderman. If it is an opportunity to buy to defray that \$400,000 from his account, and the Finance Officer and the City Solicitor come back and say we can do it, that's fine. It gives us a better idea, as Alderman Shea said. Maybe the School District is running a surplus. I apologize for pontificating.

**Alderman DeVries** stated Your Honor, I think we are all so close to being on the same page. I am just looking for clarity for our Chief. I agree with you. Let us reexamine this come the first quarter of next year, whenever that is, with the Finance Officer and the Fire Department and any other department budget because there could be others. With the holiday season upon us, Thanksgiving and Christmas, I would like to make a motion that we reaffirm the directive to the Fire Department that they maintain their personnel and do not close stations, understanding that that takes away an opportunity for them to close part of that deficit. I still think public safety is that important. As you are suggesting, Your Honor, we should continue to scrutinize and reexamine this and continue this discussion come the beginning of the year.

*Alderman DeVries moved to reaffirm the directive to the Fire Department made in the budget season. The motion was duly seconded by Alderman Corriveau.*

**Alderman Ouellette** stated I'm a little bit disappointed in how that last vote went. If the whole thing is predicated on closing a fire station and this Board for a minute thought that was a good idea, we would have received and filed that letter. To say that voting for the motion had anything to do with closing a fire station is wrong. The motion had to do with letting the Chief run his department. I'm sure if I ask the Chief if he is in favor of closing a fire station, he's going to say no. That's the only thing the motion was about. I think the rest of this is his grandstanding. I would say I'm against closing fire stations, but please don't take my last vote and say we didn't guarantee fire stations were being closed. I'm

supporting the \$645,900. That to me is a commitment to the Chief that I don't want layoffs and I don't want fire stations closed. That's all we were saying, so I'm a little bit disappointed that it went that way. To me we are pretty much voting on the same thing.

**Alderman Shea** stated I reinforce what he is saying. We appoint department heads to run their departments the way they think the departments should be run. Should we start micromanaging and telling a department head what he should or should not do, we are saying to the Chief that we don't have enough confidence in him to make a decision that is going to be in the best interest of his department. We are saying to him as a person voting against whatever we were in favor of that we don't have enough confidence in him as a Chief, that he's not going to do the right thing to protect the citizens of Manchester. I think that's a slap on the Chief, Your Honor. Any department that comes before us and we begin to micromanage their department, we're saying in essence that we don't have enough confidence in them to do the right thing. We know more about how they should run their departments than they do, so that you are not, in this instance, because of this vote, we did not give you the confidence that you need to be the Fire Chief. That's my interpretation of the vote.

**Alderman Arnold** stated I guess now it's my turn to take exception and express my disappointment.

**Alderman Shea** asked may I make a point of order? He disagrees with me most of the time, so I accept that, and I'm proud that I disagree with him.

**Alderman Arnold** stated I have complete confidence in the Fire Chief. The Aldermen who voted down the last motion have complete confidence in the Fire Chief. I trust the Chief to make the decisions as a manager that we pay him to

make. It is unacceptable for me, as the representative of my Ward, for a fire station to be closed. The Chief could make a decision as a manager that he simply does not have the funds to keep a station open or keep it staffed at the level that he believes it needs to be staffed at. It is unacceptable to me as the representative of the people I represent on this Board, to allow a fire station...and I apologize. It's quite personal. I'm not as concerned about fire stations closing in other parts of the City as much as I am in my own area of town. Many of us feel mercenary on issues like that. I don't think that suggests that I don't have confidence in the Chief. It simply is pointing out and saying in a clear statement that it is unacceptable to me personally if we close fire stations.

**Alderman Shea** stated in response to that, I want to mention that there was no mention in the proposal that a fire station would be closed. Somebody interpreting that is obviously using their own interpretive skills to interpret that, because basically there was no indication that the Chief is going to close the station. Alderman Lopez made it plain and clear that it was up to him, but when he was questioned by Alderman Ouellette, he indicated that he would not be in favor of closing a station. I don't know how people can interpret something that the Chief has indicated he is not going to do in a different light.

**Mayor Gatsas** asked can I just say one thing? We all understand that the Chief came forward very honestly saying that he was short \$645,900. We have all looked at this from every which way possible. We've heard the Finance Officer. I will ask the Board to just leave everything the way it is. Without making any motions, let him come back at the end of November, and again at the end of December, with an analysis so that we have something for the first meeting in January. So, we have two more months of where we think we are in the City. At that point we are halfway through the budget year.

**Alderman Lopez** stated the Chief mentioned in the beginning the money that he needed to move forward. We all said we had his back. We all agreed to that. We all went through the numbers. If we do that, and as you indicate, and the Chief doesn't put down a ladder, for an example, and keeps 50 firefighters, moves them around in order to save on overtime, it's just going to escalate on and on. In January it's not going to be any better.

**Mayor Gatsas** stated just to correct you, Alderman, I believe what he has given us is a 12-month forecast. Anything could happen in between that, but if everything stays as it is today, that 12-month forecast is for \$645,900 as a shortfall. That's what he is saying to us.

**Alderman Lopez** stated that is correct.

**Mayor Gatsas** stated Chief, I think you were clear that there are mechanical reasons that a ladder is down. How many other vehicles were down?

**Mr. Burkush** responded we've had quite a few vehicles down.

**Mayor Gatsas** asked were there some in Ward 12?

**Mr. Burkush** responded stations were never closed.

**Mayor Gatsas** stated I didn't say they were closed, but there were pieces of equipment that were down. I as the Mayor didn't know that there was any equipment down. If we have five ladder trucks and three of them are down, that's two. And I guess I would ask the next question, and I would look at Alderman O'Neil because I live in Ward 2 also. Was one of the ladder trucks in Ward 2? If three of them were Ward 2 and the other one was at the Derryfield, it would take a

long time to get a ladder truck to our side of the City. At least I didn't know, if that's where it was.

**Alderman Craig** stated one was out at Ward 1, and I did know about it. I had many conversations about it.

**Mayor Gatsas** stated but that was at Webster. Well, I can tell you that you knew about it. I live in Ward 2, and it's probably closer to my house than it is yours, and I as the Mayor didn't know that there was a ladder truck out. But that is allowing the Chief to run his department. We shouldn't be sitting here scrutinizing, 'Not my ladder truck; take his ladder truck.' Alderman Shea was a year and a half without a fire station on Wilson Street.

**Alderman Shea** stated no, on Somerville.

**Mayor Gatsas** stated Alderman Smith in Ward 10 was without a fire station for a year and a half. All I am saying is the Chief is here. We all understand where we are at.

**Alderman Osborne** stated I don't even have a fire station in my Ward.

**Mayor Gatsas** stated maybe we can build you one!

**Alderman Lopez** stated if it's the will of the Board to bring this back in January and let the Chief...not close fire stations; you said you are not going to close any fire stations. If you can save any money any way that you can, keeping the 50 firefighters on, if we can all agree to that; we can end this tonight.

**Alderman O'Neil** stated we've just got to be clear on some of this history that's being visited here. When they did Somerville Street, the engine company was put up in full service to Mammoth Road and the ladder truck was housed with people on it at Harvey Road. Even though the station was closed, all of the personnel were still on duty and those companies were still in existence. That has been common when these construction projects are going on. The impression left here was that there was no fire protection in Ward 7. That is absolutely wrong.

**Mayor Gatsas** stated hold on. Response time from Derryfield is much different than response time from Somerville.

**Alderman O'Neil** stated right, but they adjust it on the fire houses responding in that same area of the City. I'm not going to say I take some exception with Alderman Shea, but Chief Burkush has my full confidence, and I don't agree that it was a slap in the face tonight. He needs to know that he can make those decisions to keep fire stations open and this Board is going to support him, because if he closes a fire house, the first person he is going to hear from is the Alderman representing that Ward. He has my full confidence and I don't think it was a slap in his face, and I don't think he took it that way. He did say earlier, when I asked him a question, if he doesn't get that \$370,000, he is going to lay off 14 firefighters and he's going to close an engine company in the City for the remainder of the fiscal year. So he was closing a fire house if those funds were not there.

**Alderman Ouellette** stated Your Honor, we told him he had \$645,900. That's more than \$305,000.

**Alderman Long** stated I see two points: the obvious budget shortfall and public safety. From what I heard, the Chief has to do due diligence in making sure his budget works. From what I heard November and December is the best time to recoup some of that money, to recoup most of that money. Is that not what I heard?

**Mr. Burkush** stated we need time. Right now is the best time.

**Alderman Long** stated the best time to be recouping this shortfall is November and December.

**Mr. Burkush** stated in this case.

**Alderman Long** stated that's why I voted no. It made sense that he was talking about Thanksgiving and the Christmas holiday because it's the highest vacation time, and that's where he could recoup most of this money. That was my vote of no. Chief, is there any time when you see that safety is not compromised at a closing of a station for any reason?

**Mr. Burkush** responded last year we commissioned a station location study which reaffirmed and looked at all of our stations. They are all vitally important.

**Alderman Long** asked is there no time ever that the closing of a fire station wouldn't compromise safety via response time or whatever?

**Mr. Burkush** responded there is no time.

**Alderman Lopez** asked the letter that the Chief gave us, is it out the window?

**Mayor Gatsas** responded it isn't out the window. It's a pertinent document. The motion has been made.

**Alderman Lopez** stated he's indicating here that on December 1, 2010, he will have to lay off 19 firefighters. But they're not laying anybody off, so everybody understands that this letter is not here really.

**Mayor Gatsas** stated I understand what you're saying, Alderman, but in January if we are still in the same position or worse, that means we are laying off across the entire City. If it gets worse and Fire comes in with a bigger problem, and Highway comes in with a bigger problem, then we are laying off across the City. Every department is going to feel it.

**Alderman DeVries** stated we can have the Clerk reiterate the motion for us.

**City Clerk Normand** stated the motion on the floor is to maintain the existing personnel and all station openings.

*Alderman DeVries called for a roll call vote on the motion to maintain the existing personnel and all station openings. Aldermen DeVries, Shaw, Greazzo, Ouellette, Arnold, Craig, Ludwig, Long, Roy, Osborne, Corriveau, O'Neil, Lopez, and Shea voted yea. The motion carried unanimously.*

**Mayor Gatsas** stated I would ask the Solicitor and the Finance Officer to explore the discussions about the one time account. Please bring back answers.

9. Communication from William Sanders, Finance Officer, regarding the FY 2011 tax rate, if available.

*On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to receive and file this item.*

10. Notice of Reconsideration given by Alderman Lopez on the failed motion to accept the report of the Committee on Lands and Buildings recommending that the City pursue the sale of City-owned property on Wellington Hill.

The Clerk further notes that the Board deemed this property surplus to City needs on March 6, 2007. However, the ordinance authorizing conveyance of the property expired on March 20, 2009. Therefore, if the Board wishes to pursue the sale of this property, the attached ordinance (if available) must be ordained under separate action.

*(At a Special Meeting held on November 1, 2010, the motion failed with Aldermen Long, Roy, Lopez, Greazzo, Ouellette and Arnold voting yea and Alderman Craig, Ludwig, Osborne, Corriveau, O'Neil, Shea, and Shaw voting nay. Alderman DeVries was absent.)*

*Alderman Lopez moved to reconsider this item. The motion was duly seconded by Alderman Greazzo.*

*Alderman O'Neil requested a roll call vote on the motion. Aldermen O'Neil, Shea, Craig, Ludwig, Osborne and Corriveau voted nay; Aldermen Lopez, DeVries, Shaw, Greazzo, Ouellette, Arnold, Long, and Roy voted yea. The motion carried.*

*Alderman Lopez moved to accept the report of the Committee on Lands & Buildings, recommending that the City pursue the sale of City-owned property on Wellington Hill. Alderman Ouellette duly seconded the motion.*

**Alderman Ludwig** stated I'm not sure that this is the appropriate time to say what I need to say, or if this vote is the vote that authorizes you to sell the property. First of all I'd like to thank the members of the Board of Mayor and Aldermen. They allowed me back on July 6<sup>th</sup> to take a look at this property because on July 6<sup>th</sup> when it came in front of us, I really didn't know that it was in my Ward. There was a push to push this through that night, if you will remember, Your Honor. Some of the members of the Board here felt that there was no problem in signing on to allow you to authorize the sale of this property. I've learned a lot since then. I've walked the property and had public meetings. The public had an opportunity to weigh in on this and I hope the public is listening loud and clear tonight and are watching when this vote takes place. I can't speak for my colleagues, but the calls that I received were mostly in support. Maybe that's what you get when you're on that side of the fence. Regardless, that's what I saw. Most of the people who contacted me or showed up at the public hearing were definitely for retaining the property. I'm okay with the process because we followed the process, Your Honor and I'm comfortable with that. Regardless of how the vote comes out...we all know how we are going to vote. Again, I totally understand the opinion and the right of the Aldermen to vote their own conscience. I respect that and I always will. There are a few things that I learned from constituents who confronted me as we went through this process. I'm not sure how they got the information, but I never got the information. For example, the site wasn't suitable to build on, as far as the City was concerned. I never had a report from any of our City departments – Highway, Planning or anyone – who told me that this was an unsuitable site, yet that seemed to be floating around. I don't know where it came from. I also heard from people that I spoke with that there was an extremely high cost for bringing water and sewer to this site. I had a discussion with Kevin Sheppard, who didn't do an analysis of whether that was so or not, but he told me he doubted that would be true. So, I don't know how that got out there. I also did hear and I understand

that we were going to receive a portion of this property back, which the developer doesn't even have to do. I don't believe he is committed. He may or may not be committed to do that, but he doesn't have to do it. I guess that would be a good thing. The only thing is, if you are using that as a point to leverage your position, then it does make a difference. I would ask for someone to come and tell me before we vote what portion of the property we would be receiving and how much. I don't know if this is the right time to bring it up or not. The plan to donate a portion of the property back to the City, I've seen this done many times. Usually we get the environmentally protected sections; I'm not sure why we would even accept that anyway, other than that it takes it off the tax role for the developer. I've checked out properties in my life with the City before which developers have given us, and you really couldn't put two dogs on the property, quite frankly, in some of the places I looked at. This goes back to the days of Mayor Ray Wieczorek. I hate to bring these points up, but I only argued from the facts all the way through this. That's all I ever did. I talked to schools and I talked to people. That's the way I approached it. Do I think we need the \$650,000? I think we do need it, but we can't use it from the one time account anyway, from the discussions I listened to tonight. We do need the \$650,000, I would suspect. It's short sighted, what the School is doing now. Maybe I woke up a sleeping giant and the School is now going to undertake a process to go out and do an independent study of whether the enrollment in the City is going up and what sections of the City could possibly need a school going forward. You and I have talked about the State funding. There isn't any. Where are we going to get the money? There isn't any. Maybe we are never going to build another school in the City of Manchester. I'm not sure. I'm never said we should retain Weston School. Maybe that is a school that could be sold someday because the place where it lies on Hanover Street is becoming a whole different Hanover Street. The school is a good building. I've said it before. It's just on too small a site. Tonight we heard from Tim Soucy who said that at least we are commissioning a study and

at least we have some grant money to look at the footprint and the traffic situation around that school. I don't think we got that grant because traffic is flowing smoothly around that facility. I go there. I've seen it. Alderman Roy, Alderman Corriveau and others have been there. I've said my peace. I'm at ease with whatever the vote is tonight on this subject. I just hope for the listening audience they all understand and if they look around in a few years and say that we needed that piece of property and we could have used it. For the million dollars that it is costing us to retain it, I hope the public is listening.

**Alderman Osborne** stated I'm not going to say much here this evening. I said enough throughout the time with this in Committee. My big thing here is I wasn't in it for simply schools, schools, schools. I just thought it would be good green space to have and it is a good investment. I don't feel that we need 85 new homes. We are struggling now with a budget. Bringing in 85 new homes is certainly not going to lower your budget, that's for sure. This is the main thing at this time. The economy is off, and 85 new homes are not going to produce enough tax revenue to pay for it. I think it's a wrong move. I think we should lay low here for a while. We're going too fast, too quickly. We just take it from there. Whatever it is, it is. I sleep nights anyway. When I vote I sleep nights. So it doesn't matter; whichever way you'd like to go.

**Alderman Shea** stated I don't know what his formula is for sleeping nights, but anyway, you can pass it on to the rest of us.

**Alderman Osborne** stated all you do is vote your conscience.

**Alderman Shea** stated I compliment the Aldermen of Wards 2 and 6 because they were interested in their Wards. They were interested in their constituents. They followed their constituents as far as their constituents' concerns led them to this decision that they decided to make. I support them because I think it's important that we support other Aldermen in their Wards, not our own Wards, but their Wards as well. So basically I do want to compliment them. We all know how the vote is going to go, obviously. It didn't go to well the last time, but now it's going to go very well for those that are in favor of this. So basically, I want to compliment Alderman Osborne because he was instrumental in bringing forth a discussion about how his property at one time, belonging to his family, was used for other than what it should have been used for, because that would be an ideal place for the Senior Center. Alderman Corriveau had meetings and tried to bring to the discussion certain points. Therefore, thank you very much, Aldermen Ludwig, Osborne and Corriveau.

*Alderman Lopez requested a roll call vote on the motion to accept the report of the Committee on Lands and Buildings, recommending that the City pursue the sale of City-owned property on Wellington Hill.*

**Alderman Corriveau** stated on a personal level, I absolutely know how Alderman Ludwig feels. When you're an Alderman who has been on the job ten months, you learn on an issue like this. You get a whole ten months' more of new learning crammed into a couple of weeks, it seems like. You start to learn the operations of the inner workings of City Hall. It's not a pretty picture. It's not Picasso. This has been a learning experience; Alderman Ludwig and I have gained some great insights about how certain Aldermen feel about their own Wards and Wards that aren't their own. That's something I can take to the bank, and I will keep it in mind on future votes, for certain. I have never had a constituent communicate to

me his or her desire to sell City land to build 85 new homes. The people in Manchester instead have expressed their desire to study the issues, the needs and the capabilities of schools serving northeastern Manchester, particularly at a time when City land is scarce, the housing market is depressed, and students in schools of northeast Manchester go to class in trailers. Given this state of affairs, the Board of School Committee responded and asked this Board for our consideration to conduct an audit. Alderman Ludwig is correct. If it is determined in the near the future, whether it's three, five or ten years from now, that the City needs land, that our children need a new school, that the residents of Wellington are being underserved, then tonight would be regarded as a lost opportunity. People will look at this Board as one that squandered this opportunity, that didn't do its homework, that didn't conduct its audit, didn't operate with a vision or a united approach, but ignored the Board of School Committee, saying it is not in my neighborhood, not in my back yard, not my problem, and sold City land for development for \$650,000 of one time money in a depressed real estate market. That's all I have to say. I respect everyone voting their conscience.

**Alderman O'Neil** asked can you just clarify for me if \$650,000 is the proceeds to the City? Is that the right number?

**Mayor Gatsas** responded I don't have those numbers, Alderman.

**Alderman O'Neil** asked does anybody have those numbers? I know the last time we met there were numbers out there. I'm just curious.

**Mayor Gatsas** stated I think it's \$650,000 and some change.

**Alderman O'Neil** asked is there any idea what the proceeds to the Diocese is?

**Mayor Gatsas** responded a little bit less than that.

**Alderman O'Neil** asked what is a little bit less? Less can be \$550,000; it can be \$649,000.

**Mr. Dan Callaghan**, Attorney for the Diocese of Manchester and St. Joseph Cathedral, stated St. Joseph is not only my client but my parish as well. The City's percentage of the acreage is 38.4%. If you multiply that times \$1.7 million, that is the City's gross amount.

**Alderman Shea** stated that is \$652,800.

**Mr. Callaghan** stated the Diocese's portion, which would all go to St. Joseph Cathedral, is a gross amount based on 37.8%.

**Alderman Shea** stated \$642,600.

**Mayor Gatsas** stated so the balance would be toward the other...

**Alderman Shea** stated \$317,000.

**Mr. Callaghan** stated the Weilbrenner-Kirk family, there are three of them, own 21.9%.

**Mayor Gatsas** stated I'm just saying that overall, the rest of the entities would be about 25% roughly.

**Alderman Shea** stated 23.5%, I think.

**Alderman O'Neil** stated I fully support Alderman Ludwig and Alderman Corriveau, and more importantly, the people they represent in Ward 2 and Ward 6 in opposition to selling this property. I got some calls and some emails, but I'm standing behind my colleagues. Can I ask Father Joe Cooper to come up? It's very important, Father Joe, because I've had parishioners of St. Joe's Cathedral ask me this question. Is it your full expectation, based on the number that was just mentioned here, that the parishioners of St. Joe's, the parish that you lead, are going to get \$642,600?

**Father Joe Cooper**, St. Joseph Cathedral, responded that is correct. That is my understanding.

**Alderman O'Neil** stated Attorney Callaghan, you are shaking your head no now. This has been asked by me.

**Mr. Callaghan** stated, unlike the City, the Diocese has to pay real estate transfer tax. All of us have to pay a brokerage commission of 3%. There are expenses incurred by the parish in regard to appraisals and other expenses which have to be shared by all of the owners. So, the gross amount is \$642,000. There will be some reduction.

**Alderman O'Neil** asked what is the expected net?

**Mr. Callaghan** responded I don't have that number at this point.

**Mayor Gatsas** stated I think, Alderman, what you are trying to get to is the net proceeds, versus what those expenditures would be for normal transaction fees, whether it's \$10,000 or \$25,000.

**Alderman O'Neil** stated Your Honor, I've been asked this question by parishioners of St. Joe's. What is St. Joe's parish getting?

**Mr. Callaghan** responded all of the net proceeds that are allocated to the parish.

**Alderman O'Neil** stated that could be \$600,000; it could be \$300,000.

**Mr. Callaghan** stated 3% of \$642,000 is about \$18,000. That is one deduction. The transfer tax of 0.75% of \$642,000 is another cost that is associated with that. Those are the two costs that I can see right now that are there.

**Mayor Gatsas** stated plus appraisal. So when you are done, Alderman, you are probably going to see a number somewhere around \$600,000 that goes to the parish, or maybe more. I don't think it's going to be less than that. It could be more than that.

**Alderman O'Neil** asked would you agree, Attorney Callaghan, it should be about \$600,000 or a little more?

**Mr. Callaghan** responded it should be at least \$600,000, but to be clear, and the record should be clear, with any of the parishioners who are at our parish, Alderman O'Neil, you should make sure they understand that all of the net proceeds from the sale that are allocated to the Roman Catholic Bishop of Manchester will go to St. Joseph Cathedral.

**Alderman O'Neil** stated thank you for that. Your Honor, the reason I have to go down this route is because it's not only a feeling that I have, but it's a feeling that many others have. I have become very, very cautious over the years with deals involving the Diocese of Manchester. I'll make it clear and up front. I am a

practicing Roman Catholic. I was at 7:30 mass this weekend at St. Raphael Parish. This does not involve the Martel family. I know Bob Martel is very active in St. Pius Parish because I've seen him out there. And it doesn't involve the parishioners of St. Joe's. But there is a real doubt about the Diocese and their real estate deals. I have witnessed how the Diocese conducts business, whether it was their direct involvement with the Wal-Mart project, Alderman Shaw, or their efforts on behalf of St. Anne's/St. Augustine's parish, and the tens of thousands of dollars they cost that parish with the sale of St. Anne's Church and Rectory. Just simply stated here tonight for the record, I don't trust the business entity known as the Diocese of Manchester. I need to make that clear. There is a difference between the great work done in our parishes and the business entity known as the Diocese of Manchester.

**Alderman Lopez** stated the comment about how City Hall operates...City Hall operates by 14 Aldermen and the Mayor. I would hope that we don't take things personally along that line.

*A roll call vote was taken on the motion to accept the report of the Committee on Lands & Buildings, recommending that the City pursue the sale of City-owned property on Wellington Hill.. Aldermen Lopez, DeVries, Shaw, Greazzo, Ouellette, Arnold, Long, and Roy voted yea. Aldermen Shea, Craig, Ludwig, Osborne, Corriveau and O'Neil voted nay. The motion carried.*

**City Clerk Normand** stated Your Honor, there are ordinances attached to this. They can be found in your agenda, pages 10-6 through 10-11. We would need a motion to suspend the rules and place the ordinances on their third and final reading.

*Alderman Ouellette moved to suspend the rules and place the ordinances on their third and final reading. The motion was duly seconded by Alderman Greazzo.*

*Alderman O'Neil requested a roll call vote on the motion. Aldermen O'Neil, Shea, Craig, Ludwig, Osborne, and Corriveau voted nay. Aldermen Lopez, DeVries, Shaw, Greazzo, Ouellette, Arnold, Long, and Roy voted yea. The motion failed.*

**City Clerk Normand** stated it will follow the normal process of going to the Committee on Accounts.

**Mayor Gatsas** stated let me understand the process.

**City Clerk Normand** stated the ordinance will now go to Bills on Second Reading for technical review. Then it will be referred out to the Board, and then passed on the Committee on Accounts for enrollment and then brought back to the Board for final Ordainment.

**Mayor Gatsas** stated so we are looking at a two-month process.

**Alderman Ouellette** stated Your Honor, I would certainly be in favor of holding a special meeting of the Committee on Accounts if there could be a special meeting of the Committee on Bills on Second Reading called.

**Mayor Gatsas** stated we need ten votes to suspend the rules.

**Alderman DeVries** stated we aren't likely to get the ten votes so we'll have to have a special meeting.

**Alderman Lopez** asked could the City Clerk explain this and make sure that everyone understands?

**City Clerk Normand** stated there are ordinances that need to be passed and ordained to deem this property surplus. For that to happen you could have either suspended the rules tonight and placed the ordinances on their third and final reading and ordained them, or they pass through the normal committee process, which is the Bills on Second Reading for technical review, as every ordinance does, and then on to the Committee on Accounts for enrollment and then back to the Board for final ordainment.

**Alderman Greazzo** stated I have a point of order. This was already deemed surplus in 2007.

**City Clerk Normand** stated that ordinance expired on March 20, 2009.

**Mayor Gatsas** stated I'm sure we can attempt to set up the committees on the same evening with the two chairmen.

**Alderman Ouellette** stated Bills on Second Reading could go before us, Your Honor. That would be fine by me.

**Mayor Gatsas** stated we've gone through the process; we've waited. I have no problem if you want to wait longer. That's fine.

**Alderman Lopez** stated I'm not going to get a reconsideration, I'm sure. Let's go through the process.

**Mayor Gatsas** stated maybe what we can do is call a special meeting right after that on that same night. We can do all three on the same evening.

**Alderman O'Neil** stated Your Honor, with all due respect, this item does not belong at a special Board meeting. We have not called special meetings for items a lot more serious than this. Let it go through its course. It's going to pass. It has the votes to pass. Let's not make a mockery of this by calling a special meeting.

**Mayor Gatsas** stated all I'm looking at, Alderman O'Neil, is that you've got two committees meeting that night...

**Alderman O'Neil** interjected that's fine. You have the votes for the first meeting in December. Let it go then.

**Alderman Lopez** stated we could reconsider and suspend the rules tonight.

**City Clerk Normand** stated Bills on Second Reading will meet on the Board night, December 7, 2010. That's their next regularly scheduled meeting. We have had a recess of the Board to have the Committee on Accounts enroll ordinances. That was a frequent occurrence in the past, so that's something that could all happen on December 7<sup>th</sup> if the Board wishes.

**Alderman Shea** stated if the minority tonight really sticks to their convictions, I can see why they should be respected. Basically, if people give their word to support a particular project and then at the last minute decide not to, they are not true to their word. But if the people decide to stay with their particular decision, out of respect to the Board itself, as Alderman O'Neil has said, there shouldn't be some sort of a maneuver so that obviously the respect due to the minority people isn't shown to them. That's really why, when he mentioned that...

**Mayor Gatsas** interjected that's fine. We are moving through the normal channels. I hear you and I agree with you.

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

**Mayor Gatsas** called the meeting back to order.

### **13. Report of the Committee on Finance**

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

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Thousand Two Hundred Seventy Five Dollars (\$8,275) for the FY 2011 CIP 214611 Safe Routes to Schools Travel Plan for Weston School Project.” [Health-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Seventy Five Dollars (\$4,075) for the FY 2011 CIP 214711 Safe Routes to Schools Start Up Funding for Weston School Project.” [Health-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Fifty Three Thousand and Seven Dollars (\$153,007) for the FY 2011 CIP 412011 Buffer Zone Protection Program.” [Police-new funds]

“Amending the FY 2011 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Three Hundred Ten Thousand Dollars (\$310,000) for the FY 2011 CIP 710711 Property Acquisition.” [Airport-new funds]

“Amending the FY 2010 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Forty One Thousand Nine Hundred Eighty Eight Dollars (\$141,988) for the FY 2010 CIP 210110 Homeless Healthcare Program.”  
[Health-new funds]

“Amending the FY 2009 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Eight Hundred Eighty Six Dollars (\$5,886) for the FY2009 CIP 710509 Infrastructure ADA Access Improvements Project.”  
[Highway-budgeted funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Seventy Eight Thousand Nine Hundred Seventy Six Dollars (\$178,976) for the FY 2011 CIP 412111 Radiological Emergency Response Plan.” [Fire-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Hundred Ninety Nine Thousand Eight Hundred Twenty Nine Dollars (\$999,829) for the FY 2011 CIP 714311 Elm St./Gaslight District Improvements.”  
[Highway-new funds]

ought to pass and be enrolled.

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

*On motion of Alderman Long, duly seconded by Alderman Roy, it was voted to accept the report and adopt its recommendations.*

**14. Report of the Special Committee on Solid Waste Activities**

The Special Committee on Solid Waste Activities respectfully recommends, after due and careful consideration, that the Public Works Director be instructed not to send out an RFP for recycling and yard waste services. The Committee further notes that Pinard Waste Systems shall be allowed to submit a proposal for these services, as soon as possible, for review by the City.

**Alderman Craig** stated I'm not sure if anyone saw the Committee meeting, but we went back and forth on this item, and we feel very comfortable. The RFP has not gone out yet, and in the meantime Pinard Waste has come forward and suggested providing a proposal. They've done very good work for the City. They stepped forward when we were in a mess with Corcoran, and just continued to provide a service without any hiccups. We appreciate that business, so what the Committee is asking is that we put on hold the RFP process and allow Pinard to provide a proposal to continue doing the service that they are doing.

**Mayor Gatsas** asked could I ask the Chairman of the Committee if she would hold a meeting so we could get it forward in the December meeting? I think there were some time constraints for January.

**Alderman Craig** responded absolutely. That's one of the reasons why we are doing this. We want to get moving as soon as possible so the City can realize savings.

**Mr. Thomas Clark**, City Solicitor, stated I just want to make the Board aware that if you are going to deal directly with Pinard, which is allowable, we will have to pass an ordinance exempting this from the procurement code process.

*On motion of Alderman Craig, duly seconded by Alderman Ludwig, it was voted to accept this report and adopt its recommendations.*

**Alderman Arnold** stated it's worth pointing out the individuals representing Pinard waited patiently in the gallery this evening, so I thank them for that.

**Mayor Gatsas** stated I'm sure they are waiting patiently, and it will be an interesting discussion in the next couple of weeks.

**Alderman Arnold** stated indeed, Your Honor. Thank you.

**15. Reports of the Special Committee on Alcohol, Other Drugs and Youth Services**

There were no reports.

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

There were no reports.

**17. Reports of the Committee on Accounts, Enrollment & Revenue Administration**

There were no reports.

**18. Reports of the Committee on Administration/Information Systems**

There were no reports.

**19. Resolutions:**

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Eight Thousand Two Hundred Seventy Five Dollars (\$8,275) for the FY 2011 CIP 214611 Safe Routes to Schools Travel Plan for Weston School Project.” [Health-new funds]

“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Seventy Five Dollars (\$4,075) for the FY 2011 CIP 214711 Safe Routes to Schools Start Up Funding for Weston School Project.” [Health-new funds]

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“Amending the FY 2011 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Hundred Ninety Nine Thousand Eight Hundred Twenty Nine Dollars (\$999,829) for the FY 2011 CIP 714311 Elm St./Gaslight District Improvements.”  
[Highway-new funds]

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

*On motion of Alderman DeVries, duly seconded by Alderman Shaw, it was voted that the resolutions ought to pass and be enrolled.*

### **TABLED ITEMS**

- 20. Report of the Committee on Community Improvement**  
Recommending that the request from the Planning & Community Development Director to rescind \$590,000 of the Bond Resolution for Annual ROW Reconstruction Program, CIP 711209 be approved.  
*(Unanimous vote)*  
*(Note: Tabled 9/21/10)*

This item remained on the table.

**21. Referral to Committee on Finance**

Resolution:

A Resolution “Rescinding \$590,000 of Bonds, Notes or Lease Purchases of a Bond Resolution for 2009 CIP 711209 which authorized \$3,211,500 of Bonds, Notes or Lease Purchases, so as to endorse the issuance of a bond authorization in the amount of \$2,621,500.”

*(Note: Tabled 9/21/10)*

This item remained on the table.

**22. Petition for discontinuance of a portion of Hayward Street.**

*(Note: Tabled 10/5/10; pending project completion)*

This item remained on the table.

**23. Petition for discontinuance of a portion of Lincoln Street.**

*(Note: Tabled 10/5/10; pending project completion)*

This item remained on the table.

**Alderman Arnold** asked regarding the timeframe on Hayward and Lincoln, are we waiting for the project to be fully completed or are we waiting until all of the documents are signed?

**Mayor Gatsas** responded we are waiting for you to receive a copy of the agreement.

**Alderman Arnold** stated excellent. As always, Your Honor, I appreciate the accommodation.

### **NEW BUSINESS**

**Mayor Gatsas** stated let me just go through my sheet that I passed out to everybody. December 1<sup>st</sup> is the date Kevin Sheppard has set for odd/even parking on the streets. I asked Mr. Sheppard to give me a list of what he thought it cost the City to pick up political signs when they are left in right of ways. This report that is \$1,272 is only for the General Election. He's still trying to put something together for the Primary Election, and there are still signs up. When we start looking at a cost to the taxpayers of \$1,272, there needs to be something done, and I'm not sure where we would send this letter so we could have some discussion as a Board, what we need to do and how we can appropriately find a way to keep signs from the right of way, either that or people collecting them and not the City employees.

**Alderman Osborne** asked couldn't you send it to Lands & Buildings since the signs are on the land?

**Mayor Gatsas** responded we can certainly send it to Lands & Buildings if that is what this Board wants to do. There certainly should be some discussion about it.

**Alderman Lopez** asked to save some time, why don't we refer it to the City Solicitor?

**Mayor Gatsas** asked and have him make the selection? I have no problem with that.

**Alderman Lopez** stated he can come up with an ordinance.

**Mr. Clark** stated we will work with the Committee on Administration.

**Mayor Gatsas** stated we had some constituents in here talking about bedbugs. This is a letter that needs to go to the Committee on Administration to take a look at ordinances, because certainly we've heard the concerns. I know they spent the better part of a half hour with me on Mayor's Night In. As a matter of fact, they were so kind that they came into that meeting with bedbugs in a plastic bag so you could see them. It seems as though every time somebody mentions that, I start getting itchy. We can take care of this and move it forward into the Committee on Administration to see what changes we've got to make with ordinances, so that it's not the third report of infestation or the third apartment reporting a problem before action is taken. We need to find some reasonable approach.

**Alderman O'Neil** asked has that been referred to our resident expert, Alderman Long? I don't believe he is on the Committee on Administration. He has spent a lot of time on this problem.

**Alderman Long** stated I'm not a resident expert. In all seriousness, this Board passed the resolution in March and we've been working with some department heads that have been doing a great job and looking to take this under control. We are expecting in March to come back with a...

**Mayor Gatsas** interjected and I hope the reporter sitting in the front row decides that she might want to do a bedbug story. What I would suggest is that maybe the Committee can come up with an idea. I think what needs to happen is we need to have the public aware of this problem. One of two ways is using the tax bills that

are going out very shortly to landlords, telling them that there is a problem, or we could send letters through the students to their parents at home. One of the things I've heard is people see a mattress or a couch that someone has thrown out and they look at it and think it's better than their couch or mattress. They go out and get it and bring it into their home, not understanding that they are going to have an infestation of bedbugs. I understand that it's not a health problem because the bite is just a bite. Alderman Long told me that they do bite. When you talk about it, there is no question that we need to take a serious look at what we do and how we move forward.

**Alderman Shaw** stated if you read that letter it says that it can lead to health problems. The most frustrating thing is that that law says you have to have three reports before you can force the landlord to do something about it. Then you have to find the landlord. The woman who was here called me first, and I referred her to Pat Long. She has to knock on a green door in the back alley once a week to pay the rent. How can you get in touch with landlords that way?

**Mayor Gatsas** stated I don't disagree. It's going to go to the Committee on Administration and we're going to put some teeth into an ordinance to see what we can get done. The final piece is refugee relocation. We keep getting refugees on a regular basis. It's important that we as a Board understand that they are coming in. We've asked for some different things from the School District. And I know this Board agreed that we should be getting a waiver for testing these students. We've gotten no response back from either the Federal Department of Education or the State Department of Education. It puts a very bad strain on our educational system. This is here, and every time we get one, I will make sure that the Board gets copies so that they know they are coming in.

**Alderman O'Neil** asked how did Tim Soucy come about generating the report?  
We've been looking for numbers for a while.

**Mayor Gatsas** responded we had been asking for numbers from the State.

**Mr. Tim Soucy**, Health Director, stated these are people who actually come to our office.

**Alderman O'Neil** stated so they may not fully reflect the numbers; it's only people going to the Health Department, which is a good barometer of things.

**Mayor Gatsas** stated and also the Institute is sending us, at least my office, notification, of when people are coming in.

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

A True Record. Attest.

City Clerk