

## **AGENDA**

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

**March 1, 2011**  
**Mayor and all Aldermen**

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

1. Mayor Gatsas calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation to Manchester Police Department retirees.

#### **CONSENT AGENDA (ITEMS 4-15)**

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

#### **Accept BMA Minutes**

5. Minutes of meetings held on December 7, 2010 (two meetings) and December 21, 2010 (two meetings).

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

6. Pole Petition:  
  
11-1294 (1) Pine Avenue

**Accept and Remand funds for the purpose intended**

7. Accept and remand funds in the amount of \$2,250 from Granite State Credit Union to be used by the Fire Department towards the purchase of supplies and equipment.

**REFERRAL TO COMMITTEE**

**COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

8. Proposed lease agreement of the McIninch Family Gallery submitted by the Arts Commission and the Manchester Art Association.

**REPORTS OF COMMITTEE**

**COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

9. Advising that the Innoprise Software update submitted by the Director of Information Services has been received and filed.  
*(Unanimous vote with the exception of Aldermen DeVries and Corriveau who were absent)*

10. Recommending that the City Clerk monitor the filing of the required landlord agent forms and report back to the Committee in April to discuss compliance.  
*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

11. Recommending that Ordinance Amendment:

“Amending the Code of Ordinances of the City of Manchester by amending Chapter 94 Noise Regulations thereby creating a new subsection which exempts City-sponsored fireworks displays or licensed fireworks displays emanating from City property.”

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

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

- 12.** Recommending that the request from the Fire Department to begin charging a \$25.00 fee for reviewing welding and/or hot work permit application requests be approved.

The Committee further recommends that the related Ordinance be referred to the Committee on Bills on Second Reading for technical review.  
*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

- 13.** Recommending that Ordinance Amendment:

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

be approved and referred to the Committee on Bills on Second Reading for technical review.  
*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

- 14.** Recommending that Ordinance Amendment:

“Amending Chapter 91 Health and Sanitation of the Code of Ordinances of the City of Manchester by Updating Technical Language and Increasing Fees for Health Department Inspection Services.”

be approved and referred to the Committee on Bills on Second Reading for technical review.  
*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

- 15.** Recommending that Ordinance Amendment:

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

be approved and referred to the Committee on Bills on Second Reading for technical review.  
*(Unanimous vote with the exception of Alderman Corriveau who was absent)*

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

**REGULAR BUSINESS**

16. Nomination(s) to be presented by Mayor Gatsas, if available.
17. Confirmation(s) to be presented by Mayor Gatsas:  
**Board of Adjustment**  
Kevin McCue to succeed Raymond Clement as a member, term to expire March 1, 2014.  
Michael Dupre to succeed Daniel Goonan as a member, term to expire March 1, 2014.  
Mike Leonard to succeed Kevin McCue as an alternate member, term to expire March 1, 2013.  
**Trustee of the Trust Fund**  
Heather Whitefield to succeed S. William Dahar, as a Trustee, term to expire January 1, 2014.  
**Ladies and Gentlemen, what is your pleasure?**
18. FY2011 budget projections submitted by William Sanders, Finance Officer, if available.  
**Ladies and Gentlemen, what is your pleasure?**
19. Communication from Kevin Sheppard, Public Works Director, regarding a sewer rate reduction review.  
*(Note: Tabled 1/25/11, Public Works Director to verify unaffected CIP projects. Referred by the Board of Mayor and Aldermen on 12/21/10. A petition by the Mayor to bring the Committee item forward is attached.)*  
**Ladies and Gentlemen, what is your pleasure?**
20. A motion is in order to recess the meeting to allow the Committee on Finance to meet.

21. Mayor Gatsas calls the meeting back to order.
22. Report(s) of the Committee on Finance, if available.  
**Ladies and Gentlemen, what is your pleasure?**
23. A motion is in order to enter non–public session under the provisions of RSA 91-A:2 I(b) to discuss strategy or negotiations with respect to collective bargaining.  
***A roll call vote is required on the motion.***
24. Mayor Gatsas calls the meeting back to order.

### **NEW BUSINESS**

25. A. Communications  
B. Aldermen

### **TABLED ITEMS**

***A motion is in order to remove any item from the table.***

26. Petition for discontinuance of a portion of Hayward Street.  
*(Note: Tabled 10/5/10; pending project completion)*
27. Petition for discontinuance of a portion of Lincoln Street.  
*(Note: Tabled 10/5/10; pending project completion)*

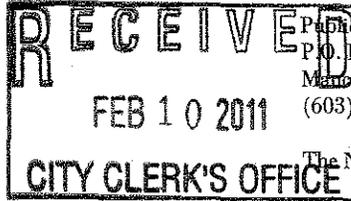
### **ADJOURNMENT**

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



**Public Service  
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101



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

February 8, 2011

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

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace poles located in the City of Manchester. Enclosed for your review is pole license petition 11-1294 for pole(s) located in the City of Manchester.

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

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

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

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

Respectfully,

*Jeana Delisle*

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

Enclosure(s)

# CITY OF MANCHESTER, NH PETITION FOR POLE LOCATION LICENSE

POLE LOCATION  
FORM NO. 1

January 17, 2011

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

**PUBLIC SERVICE OF NEW HAMPSHIRE  
&  
Northern New England Telephone Operations LLC  
d/b/a FairPoint Communications-NNE**

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

License one ( 1) pole(s), 1282/6 located on Pine Avenue in the City of Manchester.

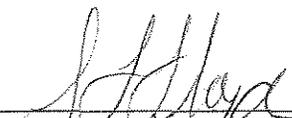
Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground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

Plan No. 11-1294  
Dated: 1/17/2011

**PUBLIC SERVICE OF NEW HAMPSHIRE**

BY:   
Jeanne Delisle, Licensing Specialist

**Northern New England Telephone Operations LLC  
d/b/a FairPoint Communications-NNE**

BY:   
Right of Way Department

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

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

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

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

# POLE LOCATION LICENSE

POLE LOCATION  
FORM NO. 2

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

## ORDERED

That PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary in the public way, or ways, hereinafter referred to as requested in the petition of said Companies dated the 17th day of January, 2011.

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

The maximum and minimum length of said poles shall be 60 feet and 25 feet; height of structures 52 feet and 20 feet. The approximate locations of poles and structures, including where applicable the approximate distance thereof from the edge of the traveled roadway, or of the side-walk, and of underground conduits and cables are designated or defined as shown upon a plan marked "POLE LOCATION PLAN - PUBLIC SERVICE OF NEW HAMPSHIRE AND Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE" No. 11-1294, dated 1/17/2011 attached to and made a part of this order. All of said wires and cables except such as are vertically attached to poles and structures shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

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

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

License one ( 1 ) pole(s), 1282/6 located on Pine Avenue in the City of Manchester.

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

Approved  
Dept. of Highways

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

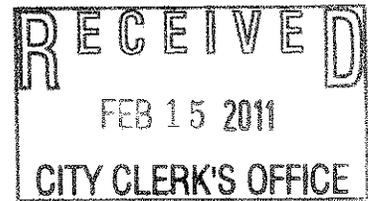
ATTEST \_\_\_\_\_  
Matthew Normand, City Clerk

Received \_\_\_\_\_ at **Manchester** and recorded in Records of Pole Location Licenses.  
Vol., \_\_\_\_\_, Page \_\_\_\_\_, filed and an attested copy delivered to the said Public Service of New  
Hampshire and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

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



James A. Burkush  
Chief of Department



**City of Manchester**  
*Fire Department*

TO: Board of Mayor and Aldermen  
FROM: Chief James A. Burkush *jab*  
DATE: February 15, 2011  
RE: Accelerant Detection Canine Sponsorship

I am seeking approval from the Board of Mayor and Aldermen to allow the Manchester Fire Department to accept a donation of \$2,250.00 from the Granite State Credit Union to purchase supplies and equipment.

THIS CHECK CONTAINS MULTIPLE SECURITY FEATURES DESIGNED TO DETECT DUPLICATION OR ALTERATION



Granite State  
Credit Union

P. O. Box 6420  
Manchester, NH 03108  
(603) 668-2221

54 0949  
2114

NO. 1296946

01/28/11

PAY TWO THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS

\$2,250.00

TELLER CHECK

TO  
THE  
ORDER  
OF

THE MANCHESTER FIRE DEPARTMENT



*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

Two Signatures Required if over \$10,000.00  
VOID AFTER SIX MONTHS

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑆ 1296946 ⑆ ⑆ 211489494 ⑆ 7351000 ⑆

## LEASE AGREEMENT

This lease agreement is entered into on \_\_\_\_\_, 2011 between the City of Manchester, with a principal business address of One City Hall Plaza, Manchester, New Hampshire (hereinafter, the "Lessor") and the Manchester Artist's Association, a non-profit organization with a principal address of P.O. Box 636, Manchester, New Hampshire 03105 (hereinafter, the "Lessee").

### RECITALS

The Lessor is the owner of real property located at 1528 Elm Street, Manchester, New Hampshire, which includes the McIninch Family Gallery.

The Lessee desires to lease the McIninch Family Gallery located at 1528 Elm Street, Manchester, New Hampshire for the purposes of displaying art therein.

In consideration of the matters described above, and of the mutual benefits and obligations set forth in this agreement, the parties agree as follows:

### SUBJECT OF LEASE; INGRESS AND EGRESS; PURPOSE

The Lessor leases to the Lessee the portion of the building located at 1528 Elm Street, Manchester, New Hampshire known as the McIninch Family Gallery (hereinafter, the "Premises"). The Lessee shall also have the right of ingress and egress through the entrance located on Elm Street and halls and corridors connecting said entrance and the Premises. The Lessee shall have the same rights as any member of the public to use the common areas of the building located at 1528 Elm Street and of land upon which it is situated, including any parking spaces located thereon. The Lessee shall use the Premises only for the purpose of an art gallery.

### RENT; TERM OF LEASE

For the payment of one dollar (\$1) by the Lessee to the Lessor upon the effective date of this lease agreement and other valuable consideration, the Lessor agrees to lease to the Lessee the Premises for the period of three years from March 1, 2011 to February 28, 2014.

### DONATION TO ART FUND

The Lessee shall make a donation to the Lessor in the sum of three hundred fifty dollars (\$350) for the Manchester Art Fund at the City of Manchester Finance Department, care of Kim Leblanc, One City Hall Plaza, Manchester, New Hampshire on or before March 1, 2011. Subsequent donations by the Lessee shall be made on the 1st of each month for the term of this lease and shall be in the sum as follows: three hundred and fifty dollars (\$350) for April and May 2011; four hundred dollars (\$400) for June, July, and August 2011; four hundred and fifty dollars (\$450) for September, October, and

November 2011, and five hundred dollars (\$500) for each month for the remaining term of this lease. Payments shall be made at the same place as identified above. All donations shall be subject to the requirements of Code of Ordinances for the City of Manchester, N.H., §32.034 for the acceptance of donations.

#### TAXES, UTILITIES, AND REPAIRS

The Lessor shall be liable for any taxes assessed against the Premises and for payment of all utility services, save telephone, internet, cable, or similar communication utilities which shall be the responsibility of the Lessee.

The Lessee shall, at its own expense, maintain the Premises in good condition and keep the Premises clean. The Lessor shall not be responsible for furnishing janitorial or cleaning services to the Premises. The Lessee shall be liable for all repairs to the Premises which may arise from its use, possession, or operation of the Premises. Assuming that the repair is not necessitated by the Lessee's conduct, the Lessor shall otherwise be liable for repairs to the Premises, including, but not limited to, the repair to systems, like HVAC, which serve the entirety of the building at 1528 Elm Street and to structural elements and the exterior of the building at 1528 Elm Street.

#### IMPROVEMENTS; SIGNS

With the exception of unattached movable fixtures, the Lessee shall obtain the written consent of the Lessor prior to making any alterations, additions, or improvements to the Premises. With the exception of unattached movable fixtures, any such alterations, additions, or improvements shall become the property of the Lessor upon the termination or expiration of this agreement.

Except on the Premises, the Lessee shall not post or exhibit or allow to be posted or exhibited signs, advertisements, posters, or the like in any portion of the building at 1528 Elm Street or on the Lessor's property without the prior written consent of the Lessor.

#### RULES AND REGULATIONS

The Lessee agrees to abide by the rules and regulations of the building in which the Premises is located, as they may be amended from time to time. The Lessee shall comply with all laws of the United States, the State of New Hampshire, and the City of Manchester which may be applicable to the Premises.

#### SUBLEASES

The Lessee is prohibited from subletting any or all of the Premises without the prior written consent of the Lessor.

## INDEMNIFICATION

The Lessee agrees that the Lessor, its employees, agents, officers, and servants shall not be liable for any loss, damage, injuries, or other casualty of whatsoever kind and by whomsoever caused, to the person or property of anyone, including the Lessee, arising out of or resulting from the Lessee's use, possession, or operation of the Premises, or from the installation, existence, use, maintenance, condition, repair, alteration, or removal of any equipment thereon. Lessee hereby agrees to indemnify and hold harmless the Lessor, its employees, agents, officer, and servants from and against all claims for such loss, damage, injury, or other casualty to the extent of the insurance that the Lessee may carry or is required to carry under the "Insurance" provision of this Agreement.

## INSURANCE

The Lessor agrees to maintain property insurance with respect to the Premises, at such levels it deems appropriate, for the term of the lease; provided however, such insurance shall not cover any personal property of the Lessee or of third party who displays his or her work or otherwise stores personal property on the Premises.

The Lessee agrees to carry and maintain the following insurance for the term of this lease:

A. Comprehensive general liability insurance written on occurrence form, including completed operations coverage, personal injury liability coverage and products liability coverage. The minimum limits of liability carried on such insurance shall be \$1,000,000 each occurrence, \$2,000,000 in the aggregate combined single limit for bodily injury and property damage liability, and \$1,000,000 annual aggregate personal injury liability.

B. Liquor liability insurance, if applicable, with a minimum limit of \$1,000,000 each claim.

C. Automobile liability insurance, if applicable, for owned, non-owned, and hired vehicles with limits of \$1,000,000 each accident, combined single limit for bodily injury and property damage.

D. Workers' compensation insurance, if applicable, with statutory coverage, including employer's liability insurance.

Insurance companies utilized must be admitted to do business in the State of New Hampshire or be on the State of New Hampshire Insurance Commissioner's list of approved non-admitted companies and shall have a rating of "A" or better in the current edition of Best's Key Rating Guide. Lessee shall furnish certificate(s) of the above-referenced insurance to the City of Manchester within fourteen (14) days from the date of this agreement and, with respect to renewals of current insurance policies, at least thirty (30) days in advance of each renewal date. Such certificates shall name the City of

Manchester as an additional insured, except in the case of workers' compensation insurance.

In addition, the Lessee shall be responsible to obtain any insurance covering its property on the Premises. The Lessee also agrees that it shall advise any third party displaying works or otherwise storing personal property on the Premises in writing that he or she is responsible for procuring insurance for his or her property or otherwise assumes the risk in displaying his or her works on the Premises.

#### EMPLOYEES OR VOLUNTEERS OF LESSEE

Nothing in this agreement shall be construed to render employees or volunteers of the Lessee agents or employees of the Lessor. Nothing in this agreement shall be construed to make the Lessor liable for any obligation of the Lessee to its employees or volunteers.

The Lessee understands that the Lessor shall not furnish employees or staff unless otherwise provided for in this agreement.

#### GALLERY CONTENTS

The Lessee is solely responsible for the content of the artwork displayed on the Premises during the term of this agreement. Furthermore, the Lessee agrees to indemnify and hold the Lessor, its employees, officers, agents, and servants harmless with respect to any claim arising from the content of the artwork displayed on the Premises.

#### TERMINATION; WAIVER

Either party may terminate this Agreement with at least thirty (30) days written notice to the other party during the term of the agreement. In addition, the Lessor may terminate this agreement for failure to timely pay rent or other breach of the covenants and agreements set forth herein. In the event of a breach, the Lessor shall provide the Lessee with written notice of the breach and allow the Lessee ten (10) days to cure the same, unless the breach endangers the public health or safety or the Lessor's property, in which case, the Lessor may take immediate action to mitigate or eliminate the risk to the health, safety, or property.

The Lessor's pursuit of any of the remedies provided herein shall not constitute a waiver of any other remedy available to the Lessor under this agreement, the law, or equity. The Lessor's waiver of any breach in one instance shall not constitute a waiver of any other breach, including a subsequent breach of the same covenant or duty. Forbearance or omission by the Lessor in enforcing any of its remedies upon the Lessee's breach shall not constitute a waiver of any of its remedies.

GOVERNING LAW

This agreement is governed by the laws of the State of New Hampshire

ENTIRE AGREEMENT; MODIFICATION

This agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this agreement shall not be binding upon either party except to the extent such are incorporated herein.

Any modification of this agreement or additional obligation assumed by either party in connection with this agreement shall be in writing and signed by both parties.

IN WITNESS WHEREOF, the City of Manchester has caused this lease to be executed in its name and on its behalf by Theodore L. Gatsas, its Mayor, this \_\_\_\_ day of \_\_\_\_\_, 2011.

Signed  
in the presence of:

CITY OF MANCHESTER

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Theodore L. Gatsas,  
Its Mayor

IN WITNESS WHEREOF, the Manchester Artist's Association has caused this lease to be executed in its name and on its behalf by Virginia Barrett Leach, its President, this \_\_\_\_ day of \_\_\_\_\_, 2011.

Signed  
In the presence of:

MANCHESTER ARTIST'S  
ASSOCIATION

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Virginia Barrett Leach,  
Its President

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully advises, after due and careful consideration, that the Innoprise Software update submitted by the Director of Information Services has been received and filed.

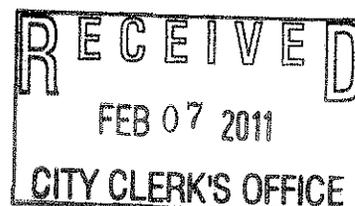
*(Unanimous vote with the exception of Aldermen DeVries and Corriveau who were absent)*

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Matthew Normand".

Clerk of Committee

*Jennie Angell*  
Director, Information Services



**CITY OF MANCHESTER**  
*Information Systems Department*

February 7, 2011

Alderman Mike Lopez, Chairman  
Committee on Administration and Information Systems  
One City Hall Plaza  
Manchester, NH 03104

Re: Innoprise Update

Dear Alderman Lopez;

Attached, please find a copy of the signed Statement-of-Work (SOW) for the migration of Planning and Community Development to the new Innoprise software. The modules to be migrated include Building Permits, Code Enforcement and Planning and Zoning. The specific items listed in the SOW are those items that require program modifications to fulfill the needs of the City. As part of our "Strategic Cities Partnership", functionality that we require that is not already part of the base software package will be added to the package at no additional charge. The enhancements that we requested will be ready at go-live which is scheduled to be done by August 30<sup>th</sup>. During the time between now and August 30<sup>th</sup>, Planning will be very busy with Innoprise and Information Systems doing the setup and configuration, conversion, and training.

Now that Planning and Community Development is moving to the next phase, Information Systems will be working with Water and EPD to develop their SOW and any enhancements they might need. They have already provided responses to questionnaires to Innoprise.

We will also be talking with Innoprise about starting the Citizen Request module at the same time we are working with the Utilities. Since these are very different processes, we don't feel there would be a conflict. The Citizen Request module is the base for the Neighborhood Enhancement Team functionality.

I will be at the Committee on Administration and Information Systems meeting if you have any questions.

Sincerely,

Jennie Angell  
Director of Information Services

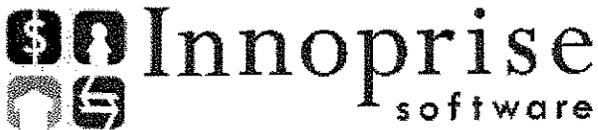
100 Merrimack Street • Manchester, New Hampshire 03101 • (603) 624-6577 • FAX: (603) 624-6320  
E-mail: [MIS@manchesternh.gov](mailto:MIS@manchesternh.gov) • Website: [www.manchesternh.gov](http://www.manchesternh.gov)

City of Manchester, NH

# Statement of Work to Implement the Innoprise Software Application Suites

*The Innablement Methodology*

January 14, 2010



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## Executive Summary

The Innabement methodology uses a “partnership” model between Innoprise and CITY OF MANCHESTER, NH, such that the Innoprise team primarily serves as an enabler for CITY OF MANCHESTER, NH staff to implement the solution. This client-enabled approach achieves a balance of speed and cost, while taking advantage of available capacity of client staff. More importantly, the continuous knowledge transfer that occurs throughout the entire project timeframe creates proficient, skilled users.

There are two equally important stages of the project; planning and implementation. The first stage “Innitiate” is the planning stage; the scope of the project is defined, the methodology for implementation is determined and the project plan is created with a task listing, timelines and resource assignments.

The Statement of Work (SOW) is collaboratively developed from information collected in the “Innitiate” stage and describes the activities, roles and responsibilities for both parties for the implementation of the application suites.

Additional information describing the phases, activities and deliverables about the Innabement methodology may be found in the “Innoprise Innabement Methodology” white paper (attached).

The activities and responsibilities are described in the “Project Phases” section and the additional functional requirements are listed in Appendix “A”. At this time some activities have been completed or are in progress. They are identified as such in the Project Phases section.

Once the scope of the project, as defined in this SOW, is finalized and agreed, Innoprise will collaborate with the CITY OF MANCHESTER, NH Project Manager, to prepare the detailed project plans including the task lists, timelines and resource assignments for the projects as herein defined. The target completion time frames in the following chart are estimations based on the requirements lists. Confirmation and scheduling of the enhancements has not been completed for the ComDev project. Target dates will be confirmed as requirements are confirmed and finalized by the Product Managers.

<u>Project Areas</u>	<u>Targeted Completion Time Frame</u>
1. Permits Module – including PCD and Highway	08/30/2011
2. Planning & Zoning (projects) Module	08/30/2011
3. Code Enforcement Module – Including Planning & Community Development	08/30/2011

## Project Scope

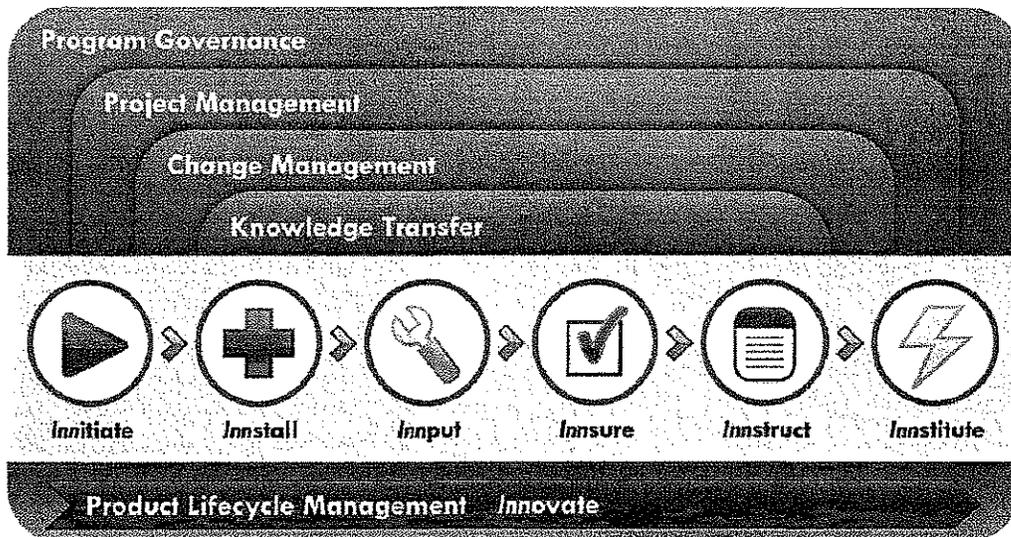
### Application Modules

The functional application suites and the associated modules that are included in the scope of this statement of work are noted below in the following table.

In-Scope	Application Suite	Module
Y	Community	Permits
Y	Development	Planning & Zoning (projects)
Y		Code Enforcement

### Project Administration

The three elements of project administration are program governance, project management and change management. The phases of the implementation are administered within this framework.



### Program Governance

Program governance is the ongoing process throughout the entire project where by leadership is given that shapes the strategy, scope, organizational alignment, funding and ultimately ensures that business benefits are realized. Program governance is the responsibility of CITY OF MANCHESTER, NH. Innoprise will provide guidance to the CITY OF MANCHESTER, NH team for developing the project governing documents, including change control.

### *Key Activities*

- Establish Business Goals/ Business Case/ Project Charter
- Ensure SOW Compliance
- Mitigate scope creep through change control process
- Institute and lead a Steering Committee
- Open Communication and Routine Reporting
- Anticipate and Resolve Issues
- Mitigate Risk

### *Deliverables*

- Project Charter
- Roles & Responsibilities
- Escalation Procedures
- Business Case
- Risk Management Tool

### **Project Management**

CITY OF MANCHESTER, NH and Innoprise have designated Project Managers to jointly manage the implementation. Each Project Manager will manage the responsibilities and resources for their respective team and is the focal point for communications relative to this project having the authority to act on all matters regarding this project.

The CITY OF MANCHESTER, NH Project Manager's responsibilities for this project include the following:

- Manage the implementation team personnel and responsibilities
- Serve as the interface between Innoprise and the participating CITY OF MANCHESTER, NH departments
- Manage the Project Change Control Procedure with the Innoprise Project Manager
- Participate in project status meetings
- Obtain and provide information, data, and decisions
- Review deliverable materials submitted by Innoprise in accordance with Deliverable Materials Acceptance Procedure, page 12
- Resolve deviations from the planned schedule
- Help resolve project issues and escalate issues within the CITY OF MANCHESTER, NH organization
- Review with the Innoprise Project Manager any invoice or billing requirements. Such requirements that deviate from Innoprise's standard invoice format or billing procedures may have an effect on price, and will be managed through the Project Change Control Procedure.

The Innoprise Project Manager's responsibilities include the following:

- Manage against the SOW
- Manage Innoprise project resources
- Coordinate with CITY OF MANCHESTER, NH Project Manager to establish overall roles & responsibilities
- Facilitate project communications
- Manage required facilities for Innoprise team
- Establish and maintain documentation & procedural standards
- Coordinate third party invoice & billing
- Coordinate with CITY OF MANCHESTER, NH Project Manager to manage issues
- Plan and run status meetings
- Create status reports
- Assist with project change control process
- Liaise with Innoprise product development

#### *Joint Deliverables*

- Statement of Work
- Project Plan
- Project Issues Log
- Status Reports

#### **Change Management**

The implementation of a new application is a large change for any organization. Change Management is the process to make that change easier and more effective. A key factor in the success is the knowledge transfer that develops user skill and comfort with the new application.

The knowledge transfer activities represent all of the communications that will occur in the partnership relationship where Innoprise serves to enable the CITY OF MANCHESTER, NH implementation team throughout the project. This also includes the handover activities during training and go-live that occur with the CITY OF MANCHESTER, NH staff so that the organization can self-sufficiently sustain the new solution.

Change Management is the responsibility of the CITY OF MANCHESTER, NH Project Manager working with the Innoprise Project Manager.

#### *Key Activities*

- Manage the transition
- Initiate Change Management Process
- Enroll Sponsors and Stakeholder Support
- Establish Deployment Readiness
- Communicate Effectively

- Execute and manage the project plan

**Deliverables**

- Transition Readiness Plan
- Site Readiness Plan
- Communication Plan

**Knowledge Transfer**

**Key Activities**

- Identify the Subject Matter Experts (SME) for each functional or technical area
- Establish mechanisms for sharing, such as:
  - Mentorship
  - Guided experience
  - Simulation
  - Guided experimentation
  - Work shadowing
  - Paired work
  - Communities of practice
  - Narrative transfer
  - Practices
  - Measure to ensure the transfer of knowledge
  - Participate in a joint application of the knowledge transferred

**Deliverables**

- Documented Process Manual

**Project Phases**

**Install**

The Install phase will physically install the software and all the related components on the client hardware in their appropriate environments.

<i>Key Activities</i>	<i>Responsibility</i>	
	<i>CITY OF MANCHESTER, NH</i>	<i>Innoprise</i>
• <b>Analyze Unique Client Architectural Considerations</b> (Completed)	Joint	Joint
• <b>Setup Server</b> (Completed)	Lead	Assist
• <b>Configure Remote Access</b> (Completed)	Lead	Assist
• <b>Install Application Modules</b> (Completed)	Assist	Lead
• <b>Install Application Database</b> (Completed)	Assist	Lead

- |   |        |        |
|---|--------|--------|
| • <b>Create/Port Empty Instances</b> (Completed)  | Assist | Lead   |
| • <b>Create/Update System Administration Plan</b> | Lead   | Assist |
| • <b>Signoff Installation</b>                     | Lead   | Assist |

**Deliverables**

- |   |        |        |
|---|--------|--------|
| • Overall Infrastructure and Application Architecture Documentation | Lead   | Assist |
| • Installed Environment (Completed)                                 | Assist | Lead   |

**Input**

The Input phase is the functional configuration of the software whereby business rules and process parameters are input into the setup screens. This will be done primarily by the client subject matter experts (SME) with Innoprise’s assistance.

<i>Key Activities</i>	<i>Responsibility</i>	
	<i>CITY OF MANCHESTER, NH</i>	<i>Innoprise</i>
• <b>Configure Security Group (AD/LDAP)</b>	Joint	Joint
• <b>Train client on Configuration</b>	Assist	Lead
• <b>Configure Module Functionality</b>	Lead	Assist
• <b>Configure Workflow (BPM)</b>	Lead	Assist
• <b>Enter Setup/Master Data</b>	Lead	Assist
• <b>Load Test Transactional Data</b>	Assist	Lead
• <b>Document Configuration</b>	Lead	Assist
• <b>Deploy Instance</b>	Assist	Lead
• <b>Perform Functional Test</b>	Lead	Assist
• <b>Signoff Functional Test</b>	Lead	Assist

**Deliverables**

- |                               |      |        |
|-------------------------------|------|--------|
| • Configured System           | Lead | Assist |
| • Configuration Documentation | Lead | Assist |

**Innovate**

The Innovate phase encompasses all of the application development efforts of both the Innoprise development staff, and as appropriate, the client technical staff. All base product enhancements will be evaluated and prioritized against the Innoprise Product Development Roadmap and other client requests and deployed in the standard release cycles.

<i>Key Activities</i>	<i>Responsibility</i>	
	<i>CITY OF MANCHESTER, NH</i>	<i>Innoprise</i>
• <b>Client Specific Developments</b>	Assist	Lead
○ <b>Design/Prototype</b>	Assist	Lead
○ <b>Build Functionality</b>	Assist	Lead
▪ <b>Interfaces</b>	Assist	Lead
▪ <b>Conversions</b>	Joint	Joint
▪ <b>Forms</b>	Joint	Joint
▪ <b>Reports</b>	Joint	Joint
○ <b>Perform Functional Test</b>	Lead	Assist
○ <b>Signoff Functional Test</b>	Lead	Assist
• <b>Product Enhancements</b>	Assist	Lead
○ <b>Compare SDR to Product Roadmap</b>	Assist	Lead
○ <b>Design Prototype</b>	Assist	Lead
○ <b>Agree on Lifecycle Rollout</b>	Joint	Joint
○ <b>Create Prototype</b>	Assist	Lead
○ <b>Review Prototype</b>	Assist	Lead
○ <b>Build Functionality</b>	Assist	Lead
▪ <b>User Interfaces (UI)</b>	Assist	Lead
▪ <b>Business Processes/Validation</b>	Assist	Lead
▪ <b>Data Elements</b>	Assist	Lead
○ <b>Deploy to Base Code through standard Product Lifecycle Management</b>	Assist	Lead
<i>Deliverables</i>		
• <b>Product Enhancements in Revision Cycle Upgrades</b>	Assist	Lead
• <b>Client Interfaces</b>	Assist	Lead
• <b>Client Data Conversions (Automated)</b>	Assist	Lead
• <b>Client Forms</b>	Assist	Lead
• <b>Client Reports</b>	Assist	Lead

### **Innsure**

The Innsure phase is the testing of the solution to confirm that it meets the functionality, reliability and performance requirements. This Innsure step will be integrated into both the Install and Innovate phases for the performance testing and integrated into the Input step for the functional testing. The systems test and integration test will be done more broadly afterwards and prior to going-live during the Institute step. All of the activities in the Innsure phase are conducted by the CITY OF MANCHESTER, NH staff with support by the Innoprise implementation team.

<i>Key Activities</i>	<i>Responsibility</i>	
	<i>CITY OF MANCHESTER, NH</i>	<i>Innoprise</i>
• Create Test Strategy and Plan	Lead	Assist
• Design & Build Test Environment	Lead	Assist
• Execute Test Plan	Lead	Assist
○ Build environment	Lead	Assist
○ Perform testing & log problems/defects	Lead	Assist
○ Report and complete test	Lead	Assist
○ Signoff	Lead	Assist
 <i>Deliverables</i>		
• Unit/Functional Test Plan	Lead	Assist
• System Test Plan	Lead	Assist
• Integrations Test Plan	Lead	Assist
• Performance Test Plan	Lead	Assist
• Final Acceptance Criteria	Lead	Assist

### **Innstruct**

The Innstruct phase is the formalized training of end-users on the use of the Innoprise applications. This is done in a “train the trainer” approach by Innoprise. Innoprise will work specifically during the Input step—and generally through the knowledge transfer activities—to educate the core client implementation team on the capabilities, functionality and technology of the Innoprise applications in order that they can take a leadership role in the implementation of the new solution.

<i>Key Activities</i>	<i>Responsibility</i>	
	<i>CITY OF MANCHESTER, NH</i>	<i>Innoprise</i>
• Define Training Strategy	Joint	Joint
• Analyze Audience and Culture	Joint	Joint
• Identify Supporting Processes and Functions	Lead	Assist
• Assess Infrastructure	Lead	Assist
• Determine Training Plan	Joint	Joint
• Design Training Program	Lead	Assist
• Develop Training Material	Lead	Assist
• Deliver Training	Assist	Lead
 <i>Deliverables</i>		
• Training Plan	Lead	Assist
• Training Material	Lead	Assist
• Training	Lead	Assist

## Innstitute

The Innstitute phase is commonly referred to as going live. Go-Live is not a large event in itself, but rather the planning work leading up to it ensuring it goes smoothly. Innoprise will help facilitate the determination of the go-live and support plans, and assist the client implementation team and power users, while the client will take the primary responsibility throughout the process.

<i>Key Activities</i>	<i>Responsibility</i>	
	<i>CITY OF MANCHESTER, NH</i>	<i>Innoprise</i>
• Create Go-Live Checklist	Assist	Lead
• Execute Production Support Plan	Assist	Lead
• Finalize Production Instance	Lead	Assist
• Reset Number Sequences	Assist	Lead
• Execute Data Conversion Routines	Lead	Assist
• Conduct Reconciliation Procedures	Lead	Assist
• Infrastructure Cut-Over	Lead	Assist
• Obtain Final Cut Over Approval	Lead	Assist
• Go-Live	Lead	Assist
• Project Signoff	Lead	Assist
 <i>Deliverables</i>		
• Go-Live Checklist	Lead	Assist

## Project Procedures

### Project Change Control Procedure

The following process will be followed if a change to this SOW is required:

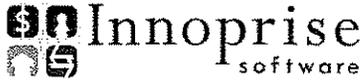
- A Project Change Request (PCR) will be the vehicle for communicating change. The PCR must describe the change, the rationale for the change and the effect the change will have on the project.
- The Project Manager of the requesting party will review the proposed change and determine whether to submit the request to the other party.
- Both Project Managers will review the proposed change and recommend it for further investigation or reject it. Accepted change requests will be entered into the Control Spreadsheet and sent to the Implementation Manager for review. The Implementation Manager will recommend the disposition of the change order and submit the recommendation to the CITY OF MANCHESTER, NH Project Manager for approval. The recommendation will determine the effect that the change order will have on the project schedule and other terms and conditions of this SOW and the Agreement.

- A written change authorization and/or PCR must be signed by authorized representatives from both parties to authorize implementation of the investigated changes. Until a change is agreed in writing, both parties will continue to act in accordance with the latest agreed version of the SOW.

### **Deliverable Materials Acceptance Procedure**

Each Deliverable Material as defined in "Project Deliverables" section of the SOW will be reviewed and accepted in accordance with the following procedure:

- One (1) printed draft of the Deliverable Material will be submitted to the CITY OF MANCHESTER, NH Project Manager. It is the Project Manager's responsibility to make and distribute additional copies to any other reviewers.
- Within a reasonable time but no later than thirty (30) business days of receipt, the CITY OF MANCHESTER, NH Project Manager will either accept the Deliverable Material or provide a written list of requested revisions to the party responsible for the deliverable. If a revision request is not received within thirty (30) business days, then the Deliverable Material will be deemed accepted.
- Agreed upon revisions will be made and the Deliverable Material will be resubmitted to the CITY OF MANCHESTER, NH Project Manager, at which time the Deliverable Material will be deemed accepted.
- Revisions not agreed to will be managed in accordance with the Project Change Control Procedure above.



**Authorization**

By signing below, CITY OF MANCHESTER, NH and Innoprise agree to the terms of this Statement of Work and represent that this Statement of Work constitutes the contractual relationship between the parties with respect to this engagement.

INNOPRISE SOFTWARE, INC.

\_\_\_\_\_  
Signature

Print Name and Title

Tammy R. DiManna, Community Development Product Manager

\_\_\_\_\_  
Date

**Any questions regarding this Statement of Work should be addressed to:**

Chris Haywood, Implementation Director. 555 Eldorado Blvd., Suite 100,  
Ph: 206-937-8599 Broomfield, Colorado 80021  
F: 303.339.0413  
E: chaywood@innoprise.com.

CITY OF MANCHESTER, NH

*Jennie Angell*  
Signature

Jennie Angell  
Print Name and Title

2/4/11  
Date

## SOW Appendix "A" – Software Development Request Listing

### SDR Procedures:

Typical functional enhancements include data migrations, third party interfaces or integrations and designs for forms or reports. The list of SDRs below was compiled from the solution confirmation workshops held during the Innitiate phase; and will be used to create the project plans for the implementation. Priority codes assist the Innoprise Product Manager with developing the timelines in the project plan.

The Innoprise Product Manager is reviewing the SDRs and will propose a solution and timeline for customer approval. Solutions may be user training for existing functionality, configuration parameter settings or enhancements to the program. Additional functional requests may result in a modification to the project plan or timeline. The project change control procedure is described previously.

Simultaneously to creating the project plans, "SDR Control Spreadsheets" will be created to manage the SDRs. These spreadsheets will have tabs for the original list, the outstanding list and any project change requests. As SDRs are completed, they will be removed from the outstanding list and marked as completed in the original list.

Planning and Community Development needs to be able to perform Code Inspections and Enforcement and process Permits in the field. Innoprise believes the system, as it exists, will provide an acceptable level of functionality. The City of Manchester is concerned that efficiencies might be compromised without specialized mobile screens. Since Manchester has not had opportunity to work with the existing screens in the field and will not have that opportunity until the system is up and running, the mobile display screens will be addressed in Phase II of the Community Development deployment.

### Priority Codes:

Most Urgent - blocks testing & go live	50
Very urgent - blocks training & go live	100
Urgent - blocks go live	200
Moderate - work around exists or can be handled post go-live	300
Not Urgent - not time sensitive, can be handled post go live	400

### ComDev SDR Listing

SDR #	Module	Requirement	Priority Code
17243	PZ	Project by Committee report	200
17244	BP	Add pop up activity to contractors	200
17251	BP	Highway bond payment automatic notifications	200

17245	BP	Enable email notifications at permit issuance to PD	200
17246	CE	Add AM/PM designation to Case Input Screen	200
17247	CE	Add system control to disable responsible party checkbox for Alarm Permits	200
17249	CE	Integration with MAR for Code Enforcement payments	200
17248	CE	Show cases on related parcels in Land	200
17253	PZ	Agenda style sheet creation for Committee meetings	200
17252	BP	Custom permit style sheets (Permit, CO, CC)	200

ID	Task Name	Duration	Start	Finish	Predecessors	Qtr
1	<b>ComDev Phase 1 (Building, Engineering, Highway, Planning, Code)</b>	242 days?	Mon 9/27/10	Tue 8/30/11		
2	<b>Innitiate</b>	106 days?	Mon 9/27/10	Mon 2/21/11		
3	<b>Develop Implementation Strategy for Customer</b>	19 days	Mon 9/27/10	Thu 10/21/10		
4	Questionnaire Sent	1 day	Mon 9/27/10	Mon 9/27/10		
5	Kickoff Meeting	1 day	Thu 10/14/10	Thu 10/14/10		4
6	Kick-off Follow-up 1	1 day	Thu 10/21/10	Thu 10/21/10		
7	Kick-off Follow-up 2	1 day	Thu 10/21/10	Thu 10/21/10		
8	<b>Workshop</b>	3 days?	Mon 12/13/10	Wed 12/15/10		
9	Confirm Business Goals	3 days?	Mon 12/13/10	Wed 12/15/10		
10	Demonstrate Functionality	3 days?	Mon 12/13/10	Wed 12/15/10	9SS	
11	Review Business Workflows	3 days?	Mon 12/13/10	Wed 12/15/10	9SS	
12	Analyze Requirements	3 days?	Mon 12/13/10	Wed 12/15/10	9SS	
13	<b>Project Planning</b>	48 days	Thu 12/16/10	Mon 2/21/11		
14	Confirm Gap list	27 days	Thu 12/16/10	Fri 1/21/11	8	
15	Finalize SOW	9 days	Mon 1/24/11	Thu 2/3/11	14	
16	Finalize Project Plan	10 days	Fri 2/4/11	Thu 2/17/11	15	
17	Client Sign-off	2 days	Fri 2/18/11	Mon 2/21/11	16,15	
18	<b>Install</b>	13.5 days?	Mon 11/15/10	Thu 12/2/10		
19	<b>Customer hardware and software installation</b>	5.5 days	Mon 11/15/10	Mon 11/22/10		
20	Hardware installed/Network Access Provided	1 day	Mon 11/15/10	Mon 11/15/10		
21	Access to data source(s) is provided by Customer	0.5 days	Mon 11/22/10	Mon 11/22/10	20FS+4 days	
22	<b>Innoprise software component installation</b>	3 days?	Mon 11/29/10	Thu 12/2/10		
23	Installation of database objects	3 days?	Mon 11/29/10	Thu 12/2/10	21FS+5 days	
24	Installation of enterprise archives containing Innoprise Application suite	3 days?	Mon 11/29/10	Thu 12/2/10	23SS	
25	<b>Input</b>	57 days?	Tue 3/15/11	Wed 6/1/11		
26	<b>Data Conversion</b>	27 days	Tue 3/15/11	Wed 4/20/11	21	
27	<b>HTE: Land Conversion</b>	16 days	Tue 3/15/11	Tue 4/5/11		
28	Data map created	2 days	Tue 3/15/11	Wed 3/16/11	17FS+15 days	
29	Conversion Program created/modified	5 days	Thu 3/17/11	Wed 3/23/11	28	
30	Conversion pass completed	1 day	Thu 3/24/11	Thu 3/24/11	29	
31	Client review and testing	3 days	Fri 3/25/11	Tue 3/29/11	30	
32	Revision to Conversion mapping and additional conversion passes	5 days	Wed 3/30/11	Tue 4/5/11	31	
33	Client review and testing	5 days	Wed 3/30/11	Tue 4/5/11	31	
34	Initial client sign-off	0 days	Tue 4/5/11	Tue 4/5/11	32,33	
35	<b>HTE: Building Permit and Contractor Conversion</b>	25 days	Thu 3/17/11	Wed 4/20/11		

Project: Innoprise ComDev Implement Date: Mon 2/14/11	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

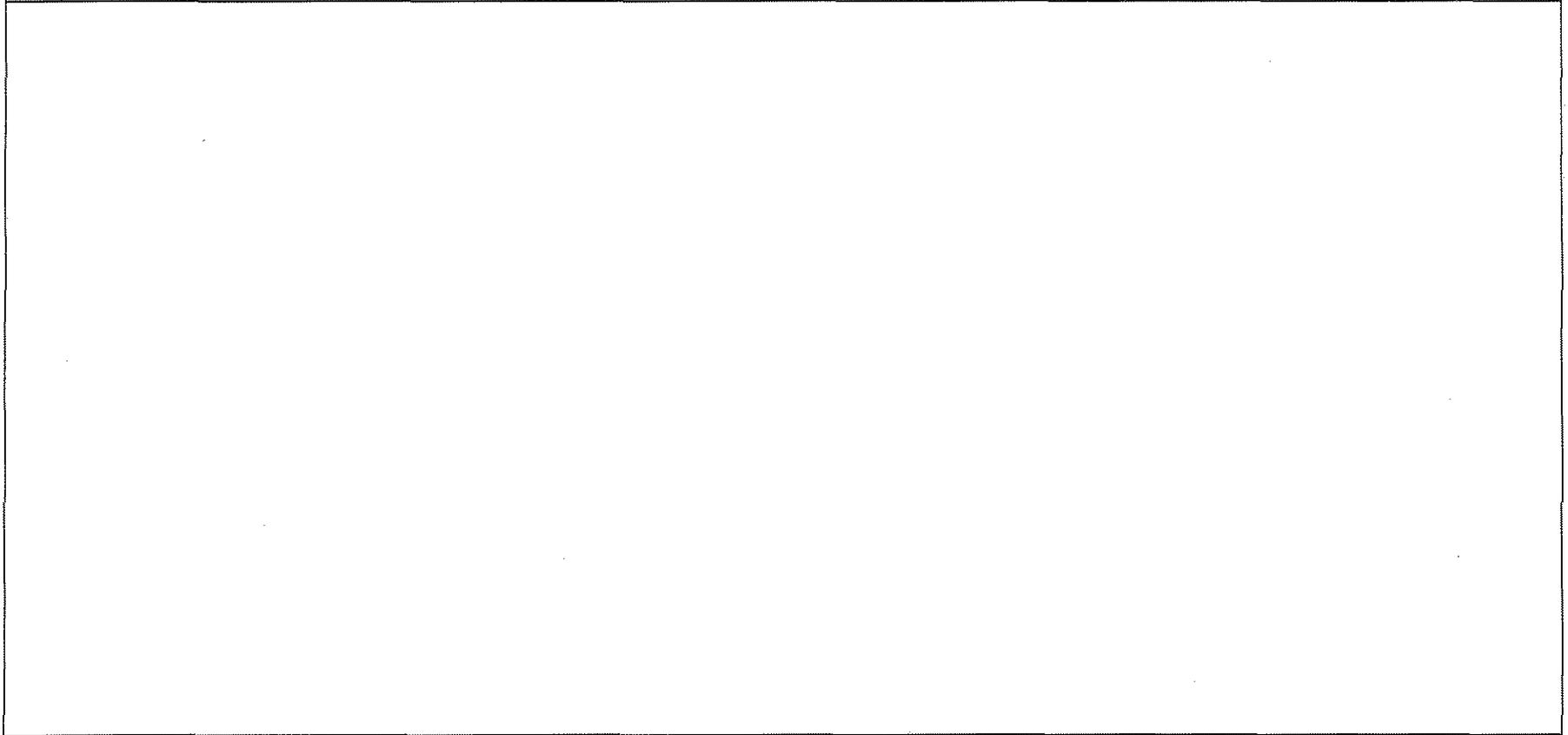
ID	Task Name	Duration	Start	Finish	Predecessors	Qtr
36	Data map created	3 days	Thu 3/17/11	Mon 3/21/11	28	
37	Conversion program created/modified	5 days	Fri 3/25/11	Thu 3/31/11	36,30	
38	Conversion pass completed	1 day	Fri 4/1/11	Fri 4/1/11	37	
39	Client review and testing	3 days	Mon 4/4/11	Wed 4/6/11	38	
40	Revision to Conversion mapping and additional conversion passes	10 days	Thu 4/7/11	Wed 4/20/11	39	
41	Client review and testing	10 days	Thu 4/7/11	Wed 4/20/11	39	
42	Initial client sign-off	0 days	Wed 4/20/11	Wed 4/20/11	40,41	
43	<b>HTE: Planning and Zoning Conversion</b>	<b>14 days</b>	<b>Tue 3/15/11</b>	<b>Fri 4/1/11</b>		
44	Data map created	2 days	Tue 3/15/11	Wed 3/16/11	17FS+15 days	
45	Conversion Program created/modified	3 days	Thu 3/17/11	Mon 3/21/11	44	
46	Conversion pass completed	1 day	Tue 3/22/11	Tue 3/22/11	45	
47	Client review and testing	3 days	Wed 3/23/11	Fri 3/25/11	46	
48	Revision to Conversion mapping and additional conversion passes	5 days	Mon 3/28/11	Fri 4/1/11	47	
49	Client review and testing	5 days	Mon 3/28/11	Fri 4/1/11	47	
50	Initial client sign-off	0 days	Fri 4/1/11	Fri 4/1/11	48,49	
51	<b>HTE: Code Enforcement Conversion</b>	<b>16 days</b>	<b>Thu 3/17/11</b>	<b>Thu 4/7/11</b>		
52	Data map created	2 days	Thu 3/17/11	Fri 3/18/11	44	
53	Conversion Program created/modified	3 days	Wed 3/23/11	Fri 3/25/11	52,46	
54	Conversion pass completed	1 day	Mon 3/28/11	Mon 3/28/11	53	
55	Client review and testing	3 days	Tue 3/29/11	Thu 3/31/11	54	
56	Revision to Conversion mapping and additional conversion passes	5 days	Fri 4/1/11	Thu 4/7/11	55	
57	Client review and testing	5 days	Fri 4/1/11	Thu 4/7/11	55	
58	Initial client sign-off	0 days	Thu 4/7/11	Thu 4/7/11	56,57	
59	<b>Final conversion sign-off</b>	<b>0 days</b>	<b>Wed 4/20/11</b>	<b>Wed 4/20/11</b>	<b>27,35,43,51</b>	
60	<b>ComDev Application Configuration</b>	<b>43 days?</b>	<b>Mon 4/4/11</b>	<b>Wed 6/1/11</b>		
61	<b>Application &amp; module training &amp; configuration</b>	<b>3 days?</b>	<b>Mon 4/4/11</b>	<b>Wed 4/6/11</b>		
62	LX - Land	3 days?	Mon 4/4/11	Wed 4/6/11	30,38,46,54	
63	BP - Permits	3 days?	Mon 4/4/11	Wed 4/6/11	30,38,46,54	
64	PZ - Planning and Zoning	3 days?	Mon 4/4/11	Wed 4/6/11	30,38,46,54	
65	CE - Code Enforcement	3 days?	Mon 4/4/11	Wed 4/6/11	30,38,46,54	
66	<b>Application &amp; module configuration follow-up changes</b>	<b>40 days</b>	<b>Thu 4/7/11</b>	<b>Wed 6/1/11</b>		
67	LX - Land	20 days	Thu 4/7/11	Wed 5/4/11	62	
68	BP - Permits	40 days	Thu 4/7/11	Wed 6/1/11	63	
69	PZ - Planning and Zoning	40 days	Thu 4/7/11	Wed 6/1/11	64	
70	CE - Code Enforcement	10 days	Thu 4/7/11	Wed 4/20/11	65	
71	<b>Innovate</b>	<b>65 days?</b>	<b>Mon 4/4/11</b>	<b>Fri 7/1/11</b>		

Project: Innoprise ComDev Implement Date: Mon 2/14/11	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

ID	Task Name	Duration	Start	Finish	Predecessors	Qtr
72	<b>Interfaces with internal and external programs</b>	<b>55 days</b>	<b>Mon 4/4/11</b>	<b>Fri 6/17/11</b>		
73	<b>HTE Infisys Cash Interface</b>	<b>4 days</b>	<b>Mon 4/4/11</b>	<b>Thu 4/7/11</b>		
74	Client specific configuration and installation of interface	2 days	Mon 4/4/11	Tue 4/5/11	30,38,46,54	
75	Test Cash batches processed	1 day	Wed 4/6/11	Wed 4/6/11		74
76	Revisions to configuration	1 day	Thu 4/7/11	Thu 4/7/11		75
77	Client review and testing	1 day	Thu 4/7/11	Thu 4/7/11		75
78	Client Sign-off	0 days	Thu 4/7/11	Thu 4/7/11		77
79	<b>Land Sync</b>	<b>22 days</b>	<b>Thu 5/19/11</b>	<b>Fri 6/17/11</b>		
80	Client specific configuration and installation of interface (Innoprise)	15 days	Thu 5/19/11	Wed 6/8/11	70FS+20 days	
81	Land Sync test run	2 days	Thu 6/9/11	Fri 6/10/11		80
82	Revisions to configuration or client data as needed	5 days	Mon 6/13/11	Fri 6/17/11		81
83	Client review and testing	5 days	Mon 6/13/11	Fri 6/17/11		81
84	Client Sign-off	0 days	Fri 6/17/11	Fri 6/17/11		83
85	<b>Customer-Specific Customizations</b>	<b>65 days?</b>	<b>Mon 4/4/11</b>	<b>Fri 7/1/11</b>		
86	Customer provides requirements to Innoprise	1 day?	Mon 4/4/11	Mon 4/4/11	30,38,46,54	
87	Innoprise Develops and tests customizations	62 days	Tue 4/5/11	Wed 6/29/11		86
88	Revisions to customizations based on testing	1 day?	Thu 6/30/11	Thu 6/30/11		87
89	Client review and testing	1 day?	Fri 7/1/11	Fri 7/1/11		88
90	Client Sign-off	0 days	Fri 7/1/11	Fri 7/1/11		89
91	<b>Forms Creation</b>	<b>20 days?</b>	<b>Mon 4/4/11</b>	<b>Fri 4/29/11</b>		
92	Customer provides samples to Innoprise	10 days	Mon 4/4/11	Fri 4/15/11	30,38,46,54	
93	Innoprise creates & delivers style sheets	10 days?	Mon 4/18/11	Fri 4/29/11		92
94	<b>Reports Creation</b>	<b>5 days?</b>	<b>Thu 4/21/11</b>	<b>Wed 4/27/11</b>		
95	Building reports	1 day?	Thu 4/21/11	Thu 4/21/11	27,35,43,51	
96	Planning and Zoning reports	1 day?	Fri 4/22/11	Fri 4/22/11		95
97	Code Enforcement reports	3 days	Mon 4/25/11	Wed 4/27/11		96
98	<b>Innstruct</b>	<b>31 days?</b>	<b>Mon 6/20/11</b>	<b>Mon 8/1/11</b>		
99	Groups/Sessions Defined	2 days?	Mon 6/20/11	Tue 6/21/11	25,71FS-2 wks	
100	Process - Specific Training Material Developed	10 days?	Wed 6/22/11	Tue 7/5/11		99
101	Courses Scheduled	1 day?	Wed 7/6/11	Wed 7/6/11		100
102	BP/PZ/CE Training	2 days	Thu 7/7/11	Fri 7/8/11		101
103	Application Testing	16 days	Mon 7/11/11	Mon 8/1/11		102
104	<b>Innstitute</b>	<b>21 days?</b>	<b>Mon 8/1/11</b>	<b>Tue 8/30/11</b>		
105	<b>Application module Go-Lives</b>	<b>0 days</b>	<b>Mon 8/1/11</b>	<b>Mon 8/1/11</b>		
106	System Live - Permits	0 days	Mon 8/1/11	Mon 8/1/11		98
107	System Live - Planning and Zoning	0 days	Mon 8/1/11	Mon 8/1/11		98

Project: Innoprise ComDev Implement Date: Mon 2/14/11	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

ID	Task Name	Duration	Start	Finish	Predecessors	Qtr
108	System Live - Code Enforcement	0 days	Mon 8/1/11	Mon 8/1/11	98	
109	<b>Support</b>	<b>5 days?</b>	<b>Tue 8/2/11</b>	<b>Mon 8/8/11</b>		
110	Permits	5 days?	Tue 8/2/11	Mon 8/8/11	106	
111	Planning and Zoning	5 days?	Tue 8/2/11	Mon 8/8/11	107	
112	Code Enforcement	5 days?	Tue 8/2/11	Mon 8/8/11	108	
113	<b>Hand-Off to Helpdesk</b>	<b>1 day?</b>	<b>Tue 8/30/11</b>	<b>Tue 8/30/11</b>		
114	Review Outstanding Issues	1 day?	Tue 8/30/11	Tue 8/30/11	105FS+1 mon	
115	Review Support Instructions	1 day?	Tue 8/30/11	Tue 8/30/11	105FS+1 mon	



Project: Innoprise ComDev Implement Date: Mon 2/14/11	Task		Rolled Up Task		Project Summary	
	Split		Rolled Up Split		External Milestone	
	Progress		Rolled Up Milestone		Deadline	
	Milestone		Rolled Up Progress			
	Summary		External Tasks			

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that the City Clerk monitor the filing of the required landlord agent forms and report back to the Committee in April to discuss compliance.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew Sturmond". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Clerk of Committee

Matthew Normand  
City Clerk



Kathleen Gardner  
Deputy City Clerk

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

MEMORANDUM

TO: Committee on Administration/Information Systems  
Aldermen Lopez, Corriveau, DeVries, O'Neil

FROM: Matthew Normand  
City Clerk 

DATE: February 9, 2011

RE: Filing Fee Pursuant to RSA 540:1-b

On January 1, 2011, RSA 540:1-b went into effect requiring local owners of "restricted" rental properties to file a statement with the town or city clerk of the municipality in which the property is located that provides the name, address, and telephone number of a person located within the state who is authorized to accept service of process for any legal proceedings brought against the owner related to that property. Restricted properties in this case are defined as all real property rented for residential purposes with the exception of the following:

- (a) Single-family houses, if the owner of such a house does not own more than 3 single-family houses at any one time;
- (b) Rental units in an owner-occupied building containing a total of 4 dwelling units or fewer; or
- (c) Single-family houses acquired by banks or other mortgagees through foreclosure.

The purpose of this communication is to make the Committee aware of the fact that RSA 540:1-b further establishes the municipality's ability to charge a reasonable filing fee. Some communities are beginning to charge a \$15.00 filing fee and an additional \$5.00 addendum fee. I have attached the results of that survey for your consideration. Should the Committee desire, the City of Manchester is permitted by law to charge a filing fee.

I have been working with the Assessor's Office to determine how many restricted properties exist in Manchester. The best estimate at this point is that there may be as many as 3,000 properties for which the aforementioned information would need to be filed with the City. In order to alleviate the increased demand on my staff and provide property owners with an easier method of filing, we have promoted an electronic filing process. Owners of restricted properties are now able to go to our website, complete the form, and email it to our department. Of the 250 property owners who have filed in the first 30 days, approximately half of them have taken advantage of this convenience.

While I believe a filing fee has the potential to create more work for my staff (pursuing property owners who do not submit the fee or an incorrect amount, eliminating the option of electronic filing and thereby forcing owners to either mail the form and fee or come to City Hall to file in person, etc.), there is a possibility that the revenue derived from instituting a filing fee may exceed \$37,000 - \$40,000 in this fiscal year. There is no requirement of the property owner to file the form again as long as the registered agent for service or the ownership remains the same. In essence, the majority of this process would be a one-time administrative burden on my staff and corresponding revenue generation for the City.

If the Committee wishes to implement a filing fee then one final consideration will need to be made on whether or not to "grandfather" those property owners who have already completed their filing requirements. I will be available at the next meeting of the Committee should you have any questions. Thank you.

Attachments

**Municipal Survey**  
**Fees Currently Charged**  
**Pursuant to RSA 540:1-b**

<b>City/Town</b>	<b>Filing Fee</b>	<b>Additional Charges</b>	<b>Status</b>
Auburn	\$ 25.00		
Chester	N/C		
Concord	\$ 15.00		
Exeter	N/C		
Hudson	N/C		<i>pending at Board</i>
Keene	N/C		
Lebanon	\$ 15.00		
Littleton	\$ 15.00	\$5.00 Addendum Fee	<i>pending at board</i>
Londonderry	\$ 15.00		
Madison	\$ 15.00		<i>addendum fee pending</i>
Merrimack	N/C		
Nashua	N/C		
New Boston	N/C		
New Market	\$ 15.00		
Peterborough	N/C		
Portsmouth	N/C		<i>pending budget process</i>
Rochester	\$ 15.00		
Strafford	N/C		
Stratham	\$ 15.00		



# **REQUIRED LANDLORD AGENT FORM**

Office of the City Clerk/ One City Hall Plaza/ Manchester, NH 03101/ 603-624-6455

According to RSA 540:1-b, effective January 1, 2011, owners of restricted property must file a statement with the town or city clerk of the municipality in which the property is located that provides the name, address, and telephone number of a person within the state who is authorized to accept service of process for legal proceedings.

Please review applicable State law to determine if your property is defined as "restricted" property (RSA 540:1-a). If so, you are required to fill out this form and return to the Office of the City Clerk. The completed form can be mailed to the above address or emailed to [cityclerk@manchesternh.gov](mailto:cityclerk@manchesternh.gov) for your convenience.

## **Property Owner's Information**

**Name:** \_\_\_\_\_

**Contact Person (if different):** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City, State, Zip Code:** \_\_\_\_\_

**E-mail Address (optional):** \_\_\_\_\_

**List all applicable property addresses (street addresses) within the City of Manchester that have the same contact for service for legal proceedings:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Person within the State of New Hampshire to contact to accept service for addresses listed above:**

**Name:** \_\_\_\_\_

**Street Address:** \_\_\_\_\_

**City, State, Zip Code:** \_\_\_\_\_

**Contact's Phone Number:** \_\_\_\_\_

**Secondary Phone Number:** \_\_\_\_\_

**E-mail Address (optional):** \_\_\_\_\_

# TITLE LV

## PROCEEDINGS IN SPECIAL CASES

### CHAPTER 540

### ACTIONS AGAINST TENANTS

#### Section 540:1-b

[RSA 540:1-b effective January 1, 2011.]

#### **540:1-b Landlord's Agent Required. –**

I. An owner of restricted property, as defined in RSA 540:1-a, II, who resides within the state of New Hampshire shall, within 30 days of becoming the owner or within 30 days of the effective date of this section, whichever occurs later, file a statement with the town or city clerk of the municipality in which the property is located that provides the name, address, and telephone number of a person within the state who is authorized to accept service of process for any legal proceeding brought against the owner relating to the restricted property. Such person authorized to accept service may be the owner of the premises.

II. An owner of restricted property who resides outside the state of New Hampshire shall, within 30 days of becoming the owner or within 30 days of the effective date of this section, whichever occurs later, file a statement with the town or city clerk of the municipality in which the property is located that provides the name, address, and telephone number of a person within the state who is authorized to accept service of process for any legal proceeding brought against the owner relating to the restricted property.

III. In any legal proceeding in which the property owner resides out of state and said owner fails to: (a) comply with paragraph II, and (b) appear in said proceeding, service of process pursuant to RSA 510:4 shall create a rebuttable presumption that such service was lawful and adequate. As used in this section the term "legal proceeding" includes, but is not limited to, any action at law or in equity or for the enforcement of any provision of RSA 48-A:14, or any housing code adopted by a municipality pursuant to RSA 48-A, or for the enforcement of any municipal health code, building code, or fire or life safety code. A municipality may establish a reasonable filing fee to cover the cost to the town or city clerk of maintaining a record of the filings required by this section.

IV. Any owner of restricted property who violates paragraph I or II of this section shall be subject to a \$1,000 civil penalty.

**Source.** 2010, 203:2, eff. Jan. 1, 2011.

# TITLE LV

## PROCEEDINGS IN SPECIAL CASES

### CHAPTER 540

### ACTIONS AGAINST TENANTS

#### Section 540:1-a

**540:1-a Definitions.** – In this chapter:

I. "Nonrestricted property" means all real property rented for nonresidential purposes and the following real property rented for residential purposes:

(a) Single-family houses, if the owner of such a house does not own more than 3 single-family houses at any one time.

(b) Rental units in an owner-occupied building containing a total of 4 dwelling units or fewer.

(c) [Repealed.]

(d) Single-family houses acquired by banks or other mortgagees through foreclosure.

II. "Restricted property" means all real property rented for residential purposes, except those properties listed in paragraph I.

III. "Rental unit" means a suite of one or more rooms located within a single building rented by the owner to one or more individuals living in common for nontransient residential purposes.

IV. The term "tenant" or "tenancy" shall not include occupants or occupancy in the following places and the provisions of this chapter shall not apply to:

(a) Rooms in rooming or boarding houses which are rented to transient guests for fewer than 90 consecutive days.

(b) Rooms in hotels, motels, inns, tourist homes and other dwellings rented for recreational or vacation use.

(c) Rooms in student dormitories, nursing homes, hospitals, convents, monasteries, asylums or group homes.

(d) A single-family home in which the occupant has no lease, which is the primary and usual residence of the owner.

(e) Residential real estate under RSA 540-B.

[Paragraph IV(f) effective January 1, 2011.]

(f) Vacation or recreational rental units under RSA 540-C.

**Source.** 1985, 249:1. 2001, 277:1. 2006, 312:2, eff. Jan. 1, 2007. 2010, 203:3, eff. Jan. 1, 2011.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance amendment:

“Amending the Code of Ordinances of the City of Manchester by amending Chapter 94 Noise Regulations thereby creating a new subsection which exempts City-sponsored fireworks displays or licensed fireworks displays emanating from City property.”

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

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

Respectfully submitted,



Clerk of Committee

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by amending Chapter 94 Noise Regulations thereby creating a new subsection which exempts City-sponsored fireworks displays or licensed fireworks displays emanating from City property.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by inserting new language as bolded (**bold**), and deleting existing language as ~~struckthrough~~. Portions of the following sections that remain unchanged appear in regular type.

### § 94.11 EXEMPTIONS.

The maximum permissible sound pressure levels as specified in § 94.10, Table A shall not apply to sounds emitted from:

**(P) Any City-sponsored fireworks display or a fireworks display approved by the City in conjunction with a specific licensed event and emanating from City property, a public recreational area, or a civic stadium.**

- II. This ordinance shall take effect upon passage.

**Freeman,Heather**

---

**From:** Normand, Matthew  
**Sent:** Tuesday, January 11, 2011 8:49 PM  
**To:** Freeman,Heather  
**Subject:** FW: Meeting Agendas

---

**From:** bobkat319@myfairpoint.net [mailto:bobkat319@myfairpoint.net]  
**Sent:** Monday, January 10, 2011 3:32 PM  
**To:** CityClerk; CityClerk  
**Subject:** Meeting Agendas

this summer I communicated with several alderman as well as your office concerning a noise complaint based on the fireworks from Fishercat stadium The police department stopped by one evening and their readings confirmed my readings that the noise, on many occasions exceeded the decibe; limits allowed limits for our neighborhood. Since August this has been, aparently, on the back burner with regards to the issue being handed off to the Committee on Admin and Info systems. What is going on with this complaint. sending copy to Phil G., my alderman as well regards bob katchen 978-749-7758 (day) 603-621-0521 (evening

bob katchen



MERCHANTSAUTO.COM

# FISHER CATS BASEBALL

## 2011 SCHEDULE

### April

SUN	MON	TUES	WEDS	THURS	FRI	SAT
					1	2
3	4	5	6	7 TRN 6:35	8 TRN 6:35	9 TRN 1:35
10 TRN 1:35	11 REA 6:35	12 REA 6:35	13 REA 6:35	14 BIN	15 BIN	16 BIN
17 BIN	18 NBR	19 NBR	20 NBR	21 BIN 6:35	22 BIN 6:35	23 BIN 1:35
24 OFF	25 NBR 6:35	26 NBR 6:35	27 NBR 6:35	28 NBR 6:35	29 TRN	30 TRN

### May

SUN	MON	TUES	WEDS	THURS	FRI	SAT
1 TRN	2 REA	3 REA	4 REA	5 REA	6 BIN 6:35	7 BIN 1:35
8 BIN 1:35	9 POR 6:35	10 POR 6:35	11 POR 10:35	12 REA	13 REA	14 REA
15 REA	16 OFF	17 BIN 7:05	18 BIN 7:05	19 BIN 10:35	20 NBR	21 NBR
22 NBR	23 POR	24 POR	25 POR	26 POR	27 NBR 7:05	28 NBR 7:05
29 NBR 1:35	30 NBR 1:35	31 HAR				

Guarantee  
your seat  
to the 2011  
Northeast

### June

SUN	MON	TUES	WEDS	THURS	FRI	SAT
			1 HAR	2 HAR	3 TRN	4 TRN
5 TRN	6 OFF	7 BOW 7:05	8 BOW 7:05	9 BOW 7:05	10 RIC 7:05	11 RIC 7:05
12 RIC 1:35	13 OFF	14 AKR	15 AKR	16 AKR	17 ERI	18 ERI NHIAA
19 ERI	20 OFF	21 ALT 7:05	22 ALT 7:05	23 ALT 7:05	24 POR 7:05	25 POR 7:05
26 POR 1:35	27 TRN	28 TRN	29 TRN	30 POR		

### July

SUN	MON	TUES	WEDS	THURS	FRI	SAT
					1 POR	2 POR
3 POR	4 NBR 7:05	5 NBR 7:05	6 NBR 7:05	7 NBR 7:05	8 POR 7:05	9 POR 7:05
10 POR 6:35	11 POR 12:05	12 EL BLK	13 EL ASG	14 BIN	15 BIN	16 BIN
17 BIN	18 REA 7:05	19 REA 7:05	20 REA 7:05	21 POR 7:05	22 POR 7:05	23 POR 7:05
24 POR 1:35	25 NBR	26 NBR	27 NBR	28 REA 7:05	29 REA 7:05	30 REA 7:05
31 REA 1:35						

### August

SUN	MON	TUES	WEDS	THURS	FRI	SAT
	1 OFF	2 RIC	3 RIC	4 RIC	5 BOW	6 BOW
7 BOW	8 OFF	9 ERI 7:05	10 ERI 12:05	11 ERI 7:05	12 AKR 7:05	13 AKR 7:05
14 AKR 1:35	15 OFF	16 ALT	17 ALT	18 ALT	19 NBR	20 NBR
21 NBR	22 TRN 7:05	23 TRN 7:05	24 TRN 7:05	25 HAR 7:05	26 HAR 7:05	27 HAR 7:05
28 HAR 1:35	29 TRN	30 TRN	31 TRN			

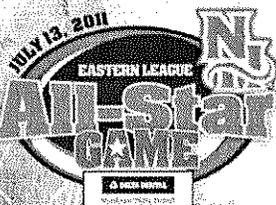
### September

SUN	MON	TUES	WEDS	THURS	FRI	SAT
				1 TRN	2 POR	3 POR
4 POR	5 POR	6 OFF	EASTERN LEAGUE PLAYOFFS			

#### Eastern League Teams

- AKR Akron Aeros (Indians)
- ALT Altoona Curve (Pirates)
- BIN Binghamton Mets (Mets)
- BOW Bowie Baysox (Orioles)
- ERI Erie SeaWolves (Tigers)
- HAR Harrisburg Senators (Nationals)
- NBR New Britain Rock Cats (Twins)
- POR Portland Sea Dogs (Red Sox)
- RIC Richmond Flying Squirrels (Giants)
- REA Reading Phillies (Phillies)
- TRN Trenton Thunder (Yankees)

- Home Game
- Atlas Fireworks Show
- Away Game
- Day Game
- EL All-Star Game and Block Party
- NHIAA Championships in Manchester



(603) 862-1111

www.fishercats.com

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that the request from the Fire Department to begin charging a \$25.00 fee for reviewing welding and/or hot work permit application requests be approved.

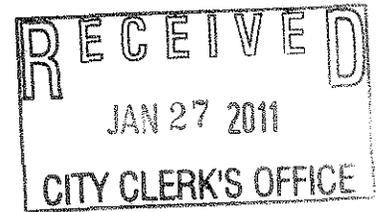
The Committee further recommends that the related Ordinance be referred to the Committee on Bills on Second Reading for technical review.

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

Respectfully submitted,

  
Clerk of Committee

**James A. Burkush**  
**Chief of Department**



**City of Manchester**  
***Fire Department***  
**Fire Prevention Bureau**

January 27, 2011

Committee on Administration/Information Systems  
1 City Hall Plaza  
Manchester, NH

Dear Committee Members,

The Manchester Fire Prevention Bureau has been issuing a welding and or hot work permit for occupied buildings within the City of Manchester for several years. This office is requesting your approval to begin charging a \$25 fee for reviewing the permit application and all of the applicable documents associated with the permit request. See attached documents.

If you have any questions regarding this or any other matter, please contact Inspector Paul Allard at the Fire Prevention Bureau.

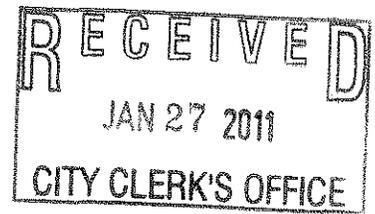
Yours in Fire Safety,

Paul Allard, Fire Inspector II  
Fire Prevention Bureau



James A. Burkush  
Chief of Department

## City of Manchester Fire Department



100 Merrimack Street, Manchester, NH 03101  
Telephone: (603) 669-2256 Fax: (603) 665-6802  
www.ManchesterNH.gov

### Manchester Fire Department Rules and Regulations

Relating to:

#### CONSTRUCTION PERMIT FOR WELDING AND HOT WORK IN OR UPON ANY STRUCTURE

- This application shall include, but is not limited to: operations including cutting, welding and the installation of torch-applied roof systems or any other similar situation within or upon any building excluding those classified as R-3.
- A Permit shall be obtained five (5) business days prior to conducting hot work within the City of Manchester.
- The contractor (responsible party doing the work) shall issue a check in the amount of twenty five dollars (\$25.00), made payable to the City of Manchester, and submitted along with the Welding and Hot Work Construction Permit application.
- A Permit shall be required anytime hot work is conducted within or on an occupied structure in the City of Manchester.
- A minimum of one (1) Manchester Firefighter shall be hired at the applicable detail rate when any hot work is conducted within or upon an occupied building.
- The Pre-Hot Work check must be conducted prior to beginning any work. This checklist can be found on the responsible party's copy of the Hot Work Permit.
- The Permit shall be kept at the work site during the work and available upon request of the code official.
- All hot work shall be conducted in accordance with Chapter 26 of the 2006 Edition of the International Fire Code and Chapter 41 of the 2003 edition of NFPA 1 the Uniform Fire Code.
- A copy of the responsible party's current insurance policy shall be submitted along with the Hot Work Permit application.

James A. Burkush  
Chief of Department



**City of Manchester**  
*Fire Department*  
Fire Prevention Bureau

January 1, 2011

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RE: Required Welding and Hot Work Construction Permits in Buildings

Dear Contractor:

The City of Manchester Fire Department is now requiring a construction permit for hot work operations in buildings within the city. The requirements for the hot work operations and the construction permit requirements can be obtained from the Manchester Fire Prevention Bureau. Enclosed please find a Welding and Hot Work Construction Permit for Buildings along with the Manchester Fire Department Rules and Regulations Relating to the Welding and Hot Work in an Occupied Structure. The terms and conditions contained herein shall be implemented immediately.

If you have any questions regarding the above, please contact the Manchester Fire Department Fire Prevention Bureau.

Yours in Fire Safety,

*Edward O'Reilly*

Edward O'Reilly  
Chief of Fire Prevention

James A. Burkush  
Chief of Department



**City of Manchester**  
*Fire Department*  
Fire Prevention Bureau

Welding and Hot Work Permit  
Occupied Buildings

Project Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Building Owner: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Responsible Party: \_\_\_\_\_  
 Company Name: \_\_\_\_\_  
 Company Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Company Phone: \_\_\_\_\_  
 Insurance Company: \_\_\_\_\_  
 Phone: \_\_\_\_\_

Description of work to be completed:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Manchester Fire Prevention  
Bureau - Office use only

Date Received: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Date Expires: \_\_\_\_\_

Approved by: \_\_\_\_\_

Number of Fire  
Fighters to be hired: \_\_\_\_\_

Check Number: \_\_\_\_\_

Copy of Insurance Re'cd by FPB:

Duration of work: \_\_\_\_\_ **Permit #** HW - \_\_\_\_ - \_\_\_\_

Pre Hot Work Check:	
_____	Hot work equipment to be used shall be in satisfactory operating condition and in good repair
_____	Hot work site is clear of combustibles or combustibles are protected
_____	Exposed construction is of noncombustible materials or, if combustible, then protected
_____	Openings are protected
_____	Floors are kept clean
_____	No exposed combustibles are located on the opposite side of partitions, walls, ceilings or floors
_____	Fire watches, where required are assigned
_____	Approved actions have been taken to prevent accidental activation of suppression and detection equipment
_____	Fire extinguishers and hoses (where provided) are operable and available

This permit shall be kept at the work site during the work and available upon request of the code official.

All hot work shall be conducted in accordance with Chapter 26 of the 2006 Edition of the International Fire Code and Chapter 41 of the 2003 edition of NFPA I the Uniform Fire Code.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

100 Merrimack Street • Manchester, NH 03101 • Telephone (603) 669-2256 • Fax: (603) 665-6802  
www.ManchesterNH.gov

Jan 2011

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (I) thereby establishing an application and fee for a welding and/or hot work permit in an occupied building.”

*Page 1 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.  
  
§ 92.09 FEES.  
  
(A) The review of any National Fire Protection Association Life Safety Code 101 plan shall be conducted by the Fire Department at a fee of \$50 per hour required with the minimum fee being \$50.  
  
(B) An application for any permit to be issued by the Fire Department or the request of a life safety compliance report, shall be accompanied by a fee of \$100. Permits are renewable every year. Permits are not transferable.  
  
(C) An application for any permit to be issued by the Fire Department or the request of a life safety compliance report for day care providers caring for four to 12 children, shall be accompanied by a fee of \$25. Permits are renewable every three years, and are not transferable.  
  
(D) The review of a fire safety site plan shall be performed by the Fire Department at a charge of \$50 per hour required with the minimum fee being \$50.  
  
(E) The review of a special hazards system plan shall be performed by the Fire Department at a charge of \$1 per device with a minimum fee being \$50.  
  
(F) Exemption. Inspections relating to the licensing of foster homes for the state shall be exempt from the fees.  
  
(G) Commercial occupancies. All commercial occupancies located in the city shall be inspected annually to insure compliance with the fire code adopted by § 92.05 and NFPA Life Safety Code #101. Inspections shall be performed by Fire Department personnel on an annual basis. There shall be no charge for this inspection.  
  
(H) A site inspection for a recreational fire permit (Class I and Class II fires only) shall be performed by the Fire Department at a charge of \$50. Permits are renewable every year.

# City of Manchester New Hampshire

*In the year Two Thousand and*

*Eleven*

## AN ORDINANCE

“Amending Section 92.09 Fees of the Code of Ordinances of the City of Manchester by adding subsection (I) thereby establishing an application and fee for a welding and/or hot work permit in an occupied building.”

*Page 2 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

- (I) An Application for a welding and/or hot work permit in an occupied building to be issued by the Fire Department shall be accompanied by a fee of \$25.**
  
- II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

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

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

Respectfully submitted,

  
Clerk of Committee

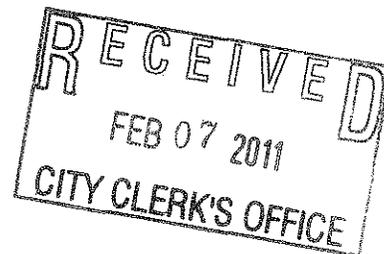
Timothy M. Soucy, MPH, REHS  
Public Health Director

Anna J. Thomas, MPH  
Deputy Public Health Director



BOARD OF HEALTH  
Carol Bednarowski  
Robert Duhaime, RN, MBA  
Fernando Ferrucci, MD  
William Mehan, DMD, MS  
Kristin Schmidt, PA-C

**CITY OF MANCHESTER**  
*Health Department*



February 3, 2011

Aldermen Mike Lopez, Chairman  
Committee on Administration  
C/o Matthew Normand, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: Revision to City of Manchester Code of Ordinances, Chapter 117 Food Service Establishments

Dear Chairman Lopez and Members of the Committee:

On behalf of the Health Department, I am requesting the following changes to the City of Manchester Code of Ordinances, Chapter 117 Food Service Establishments.

Food Service Establishment permit fees were last increased in 2006 (approximately five years ago). We are requesting an approximate 10% increase to permit fees to become effective May 1, 2011. In addition, we are requesting that non-profit organizations now pay a nominal fee for a food service permit, and have modified how we will permit temporary food service establishments, all other sections will remain the same. Attached is the proposed fee schedule.

I will be glad to answer any questions the committee may have in this regard.

Sincerely,

Timothy M. Soucy, MPH, REHS  
Public Health Director

Attachment (1)

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

*Page 1 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

§ 117.19 PERMIT FEE.

The fee for any permit application pursuant to the subchapter shall be in accordance with the following schedule:

<i>Class</i>	<i>Description of Establishment</i>	<i>Fee</i>
Class I	Food-service establishments having a seating capacity of 100 persons or greater; supermarkets	<del>\$500</del> <b>\$550</b>
Class I-A	Supermarket with bulk foods, salad bar, and/or food buffet	<del>900</del> <b>1000</b>
Class II	Food-service establishments having a seating capacity of greater than 25 but less than 100 persons; bakeries; warehouses; distributors; nursing homes; commissaries; food processors, markets with less than two prep areas	<del>300</del> <b>330</b>
Class III-A	Markets selling only prepackaged food products; mobile food operations; food service operations having a seating capacity of 25 persons or less; child day care facilities	<del>180</del> <b>200</b>
Class III-B	Clubs incorporated under the laws of the State or which are affiliated with any national fraternal organization for the same members and bona fide guests of liquor	<del>100</del> <b>110</b>
Class IV	Temporary food-service establishments	<b>15/Day/Vendor</b>

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 117 Food Service Establishments of the Code of Ordinances of the City of Manchester by Increasing Fees for Food Service Establishments and other Health Department Inspection Services.”

*Page 2 of 2*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Class IV-A	Locally based food establishment with current Health Department permit	50
Class IV-B	Establishments which do not possess a current Health Department permit or are located outside of the jurisdiction of the Manchester Health Department	100
Class V-A	Non-profit organizations not holding a liquor permit and not serving meals on a daily basis; public and parochial schools and institutions and governmental facilities	No fee
Class V-B	<b>Government Facilities, public schools</b>	<b>No Fee</b>

II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 91 Health and Sanitation of the Code of Ordinances of the City of Manchester by Updating Technical Language and Increasing Fees for Health Department Inspection Services.”

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

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Matthew Formanek".

Clerk of Committee

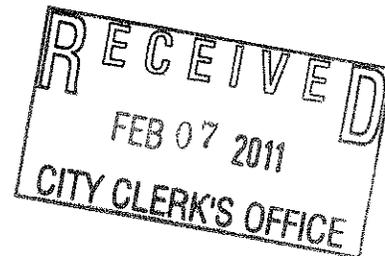
*Timothy M. Soucy, MPH, REHS*  
*Public Health Director*

*Anna J. Thomas, MPH*  
*Deputy Public Health Director*



**BOARD OF HEALTH**  
*Carol Bednarowski*  
*Robert Duhaime, RN, MBA*  
*Fernando Ferrucci, MD*  
*William Mehan, DMD, MS*  
*Kristin Schmidt, PA-C*

**CITY OF MANCHESTER**  
*Health Department*



February 3, 2011

Aldermen Mike Lopez, Chairman  
Committee on Administration  
C/o Matthew Normand, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: Revision to City of Manchester Code of Ordinances, Chapter 91 Health and Sanitation

Dear Chairman Lopez and Members of the Committee:

On behalf of the Health Department, I am requesting the following changes to the City of Manchester Code of Ordinances, Chapter 91 Health and Sanitation.

It has been ten years since the Swimming and Bathing Facilities Subchapter has been updated. There are three changes we are requesting. The first is a language change to reflect the correct State of New Hampshire Code of Administrative Rules, the second adds a penalty for operating without a permit and the final change includes increases to the fee structure, all other sections will remain the same. Attached are the proposed ordinance changes.

I will be glad to answer any questions the committee may have in this regard.

Sincerely,

Timothy M. Soucy, MPH, REHS  
Public Health Director

Attachment (1)

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 91 Health and Sanitation of the Code of Ordinances of the City of Manchester by Updating Technical Language and Increasing Fees for Health Department Inspection Services.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

### § 91.37 ANNUAL PERMIT REQUIRED

No person, corporation, or other entity shall operate, maintain, or allow to be used, any public swimming pool, spa, or hot tub except when in possession of a valid permit issued by the Health Department. The permits shall be issued for an annual fee of \$175 for each indoor pool; or ~~\$125~~ **\$175** per outdoor pool or natural bathing place. Spa and hot tub permits will be issued at \$125 per tub or spa up to two units and \$100 for each additional unit at each site. No permit fee shall be charged for city **government-owned** facilities.

### § 91.42 QUALITY OF WATER

Public swimming pools, recreational spas, hot tubs, and natural bathing areas shall be maintained and operated at all times in accordance with New Hampshire Public Bathing Facility Rules, ~~Env-Ws-1100~~ **Env Wq-1100**. A copy of these regulations shall be on file at the City Health Department.

- II. This Ordinance shall take effect upon its passage.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that Ordinance Amendment:

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

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

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

Respectfully submitted,



Clerk of Committee

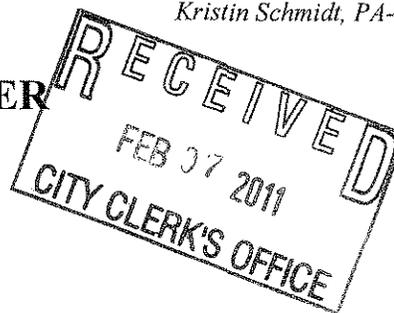
*Timothy M. Soucy, MPH, REHS*  
*Public Health Director*

*Anna J. Thomas, MPH*  
*Deputy Public Health Director*



**BOARD OF HEALTH**  
*Carol Bednarowski*  
*Robert Duhaime, RN, MBA*  
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*William Mehan, DMD, MS*  
*Kristin Schmidt, PA-C*

**CITY OF MANCHESTER**  
*Health Department*



February 3, 2011

Aldermen Mike Lopez, Chairman  
Committee on Administration  
C/o Matthew Normand, City Clerk  
One City Hall Plaza  
Manchester, New Hampshire 03101

RE: Revision to City of Manchester Code of Ordinances, Chapter 53  
On-Site Sewage Disposal Systems

Dear Chairman Lopez and Members of the Committee:

On behalf of the Health Department, I am requesting the following changes to the City of Manchester Code of Ordinances, Chapter 53 On-Site Sewage Disposal Systems.

It has been ten years since the On-site Sewage Disposal System Ordinance has been updated. There are two changes we are requesting. The first is a language change to reflect the correct State of New Hampshire Code of Administrative Rules and the second are increases to the fee structure, all other sections will remain the same. Attached are the proposed ordinance changes.

I will be glad to answer any questions the committee may have in this regard.

Sincerely,

Timothy M. Soucy, MPH, REHS  
Public Health Director

Attachment (2)

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

*Page 1 of 3*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (bold). Sections of the following chapters that remain unchanged, appear in regular type.

### § 53.03 REVIEW OF PROPOSED PLANS

(A) Any person proposing to subdivide land shall submit a copy of the proposed subdivision plan to the Health Authority for its review and determination as to whether the site is suitable for development with sewage disposal systems. The applicant is advised to contact the Health Authority prior to digging test pits and performing percolation tests on the tract of land to be subdivided. All such test pits and percolation tests shall be subject to verification by on-site inspection by the Health Authority, prior to its review of the subdivision plan.

(B) The Health Authority in its review will consider soil data, lot sizes, percolation test results, depth to seasonal high water table, location of existing or proposed private water sources and the general requirements for design and construction of sewage disposal systems. The Health Authority may require submission of additional engineering geological or soil information and/or a study of the economic feasibility of the proposed sewage disposal systems prior to making its determination. The Health Authority may specify in its determination the minimum lot sizes or other conditions on which its determination is based in accordance with soil types, environmental conditions, and such guidelines as may be established by the Health Authority. No subdivision plan shall receive final approval by the Planning Board until the Health Authority has reviewed the plan and has determined that the site in question is suitable for development with sewage disposal systems.

(C) Nothing in this section is to be construed as relieving the applicant of the permit requirements relative to individual sewage disposal systems on each proposed lot. Plans shall not be submitted to the New Hampshire Department of Environmental Services for its review and determination without certification by the Health Authority that applicable local requirements have been met. All plans and specifications submitted to the Health Authority shall also be consistent with the requirements of the New Hampshire Department of Environmental Services, Subdivision and Individual Sewage Disposal System Design Rules, ~~Chapter Env-Ws-1000~~ **Chapter Env Wq-1000** for submission of plans.

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

*Page 2 of 3*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

### § 53.04 PERMIT; INSPECTION; FEES

(A) *Design plans.* Any person proposing to design a sewage disposal system shall contact the Health Authority prior to digging test pits and performing percolation tests on the proposed system site. All such test pits and percolation tests shall be subject to verification by on-site inspection by the Health Authority prior to its review of the system design plan.

(B) *Review of design plan.* Any person proposing to construct, repair, or rebuild a sewage disposal system shall submit a properly prepared plan to the Health Authority for review of soil data, lot size, and the proposed sewage disposal system. The Health Authority may require the system designer or property owner to submit additional engineering, geological or soil information, and/or an analysis of the economic feasibility of the proposed sewage disposal system, prior to making its judgment on the approval or disapproval of the system plan. Plans shall not be submitted to the New Hampshire Department of Environmental Services for its review and determination without certification by the Health Authority that applicable local requirements have been met. All plans and specifications submitted to the Health Authority shall also be consistent with the requirements of the New Hampshire Department of Environmental Services Subdivision and Individual Sewage Disposal System Design Rules, ~~Chapter Env-Ws-1000~~ **Chapter Env Wq-1000** for submission of plans.

(C) *Plan review fee.* There is no fee for the initial review of a design plan for a proposed on-site sewage disposal system. Subsequent reviews when a plan is revised shall require that a plan review fee of \$15 for a residential single household plan and \$25 for a subdivision, commercial, or other sewage disposal system plan be paid prior to said review.

(D) *Test pit inspection fee.* For each test pit inspected and recorded by the Health Authority, a fee of \$25 shall be paid to the Manchester Health Department.

(E) *Permit required; fee.* Prior to commencing construction, any person who wishes to install, alter, or repair an individual sewage disposal system in Manchester, shall obtain a permit from the Health Authority. The permit fee shall be \$100 for a single household sewage disposal system and \$150 for a commercial or other sewage disposal system.

# City of Manchester New Hampshire

*In the year Two Thousand and Eleven*

## AN ORDINANCE

“Amending Chapter 53 On-site Sewage Disposal Systems of the Code of Ordinances of the City of Manchester by Updating Technical Language for Health Department Inspection Services.”

*Page 3 of 3*

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,  
as follows:

(F) *Reinspection fee.* In the event that a newly constructed septic system is not approved for operation following two inspections, a reinspection fee of \$25 shall be paid to the Health Department for each additional required inspection.

II. This Ordinance shall take effect upon its passage.

2/15/11 1,2,4,5 Nominated  
3 - confirmed



# CITY OF MANCHESTER

*Theodore L. Gatsas*

*Mayor*

February 15, 2011

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

**RE: Nominations**

Dear Members of the Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1.) Kevin McCue (current alternate) to succeed Raymond Clement (term-limited) as a member of the Board of Adjustment term to expire March 1, 2014;
- (2.) Michael Dupre (current alternate) to succeed Daniel Goonan (term-limited) as a member of the Board of Adjustment term to expire March 1, 2014;
- (3.) Craig Langton to succeed himself as an Alternate Member of the Board of Adjustment term to expire March 1, 2014;
- (4.) Mike Leonard to succeed Kevin McCue (moved up from Alternate to full member status) as an Alternate Member of the Board of Adjustment term to expire March 1, 2013;
- (5.) Heather Whitefield to succeed S. William Dahar (term-limited) as a Trustee of the Trust Fund term to expire January 1, 2014;

These nomination(s) will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor and Aldermen.

Regards,

Theodore L. Gatsas  
Mayor

cc: Matthew Normand, City Clerk  
TLG/swp

# Michael J. Leonard

---

## Experience

2003 – Present Office of Inspector General, Social Security Administration, Manchester, NH

### Special Agent

Responsible for the protection preservation and integrity of Social Security Administration programs, systems, beneficiaries and monies in the states of Massachusetts, Maine and New Hampshire. In my current position I have performed the following functions:

- Recruited and managed a confidential informant(s) that resulted in a multi agency investigation(s) that dismantled an identity theft and counterfeit document vendor ring and successfully prosecuted the ring-leader (BOS0400058R – Isales);
- Acting Assistant Special Agent in Charge and Resident Agent in Charge;
- Lead agent on several benefit fraud and identity theft investigations in the district of Massachusetts, Maine and New Hampshire that required me to be an affiant on search warrants and criminal complaints;
- Testified before Federal and State Grand Juries and in Federal Criminal Trials;
- Lead Technical Agent for the Field Division; I have installed monitoring devices on confidential informants, undercover agents and offices for video and audio remote observation and recording;
- Lead SSA/OIG agent on Title III phone wire tap investigations Operation Big Papa (Phil Puopolo, et al, BOS0300308H) and Operation Lead Free (Donna Rockholt, et al, MAN1000020T);
- Lead Protection Agent in New England for the Social Security Commissioner;
- Assigned to the Maine Violent Crimes Task Force;
- Participated in several Operation Falcon Fugitive Apprehension Operations in Maine and New Hampshire;
- SSA/OIG representative to the Massachusetts Financial Crimes Task Force;
- SSA/OIG representative to the New Hampshire Identity Theft Working Group;
- SSA/OIG representative at the New Hampshire U.S. Attorney's Office Significant Activity Report meetings;
- Provided identity theft and Social Security Number enumeration training at the New Hampshire Police Standards Training Academy.

1998 – 2003 Office of Inspector General, Department of Health and Human Services, Concord, NH

### Special Agent

Responsible for the protection, preservation and integrity of Health and

Human Services programs, systems, beneficiaries and monies in Massachusetts, Maine and New Hampshire;

- Lead HHS OIG agent on a qui tam investigation in the District of Massachusetts that targeted a Parke Davis for the fraudulent off label marketing of the epilepsy drug Neurontin;
- Lead agent on several Secretary Protection Details;
- Defensive Tactics Instructor;
- Acting Assistant Special Agent in Charge;
- Assisted with the establishment of a new field office in Concord, NH;
- Mentored and trained new agents.

**Specialized  
Training**

Throughout my Special Agent career, I have attended, participated and successfully completed numerous basic training classes. The following is a representative list of some advanced classes germane to the criminal investigator position:

- Defensive Tactics Instructor Training (FLETC) 80 hours
- Electronic and Technical Surveillance (NATIA) 40 hours
- Financial Forensics (FLETC) 40 hours
- Electronic Surveillance (IST) 40 hours

**Education**

University of Massachusetts Boston, MA

- B.A., Business Administration, Accounting major and minor in Economics.

**Awards**

Throughout my career, I have been the recipient of numerous awards for performance. The following is a representative list:

- U.S. Postal Inspectors Certificate of Appreciation for work on the "House" Investigation;
- OCDETF outstanding work on operation "Big Papa";
- Certificate of Appreciation from the Belmont, New Hampshire Chief of Police;
- Commendation from the U.S. Marshals New Hampshire Joint Fugitive Task Force;
- SSA/OIG Commendable Act Award (6/05);
- SSA/OIG Performance Award (5/09 & 5/08).

# Heather A. Whitfield

264 Crosbie Street, New Hampshire 03104  
Home (603) 641-2072 Office (603) 695-3461

- Summary** Banking professional with experience in multiple banking functions, including **COMMERCIAL LENDING, COMMERCIAL CREDIT, RETAIL BANKING** and **BUSINESS DEVELOPMENT**.
- Qualifications**
- Twenty five years banking experience with a strong focus in Commercial Lending, Relationship Management, Business Development and Customer Service.
  - Understand and appreciate the balanced relationship between customer satisfaction and profitability
- Strengths**
- |                               |                                  |                                |
|-------------------------------|----------------------------------|--------------------------------|
| <i>Time Management Skills</i> | <i>Interpersonal Flexibility</i> | <i>Negotiation Skills</i>      |
| <i>Analytical Skills</i>      | <i>Presentation Skills</i>       | <i>Business Writing Skills</i> |
- Experience**
- 2010-Present** Peoples United Bank, Manchester, New Hampshire  
Vice President – Commercial Loan Officer – July/2010-Present
- 2003-2010** TD Bank, N.A., Manchester, New Hampshire  
Vice President – Commercial Loan Officer – May/2003-June/2010
- Responsible for development, daily management, profitability and credit quality of \$50M Southern New Hampshire loan portfolio for commercial customers with revenues between \$3.0M and \$25M
  - Assess credit worthiness of commercial loan applicants, propose appropriate lending and pricing structure and work with business partners to cross sell appropriate banking services.
  - Development of relationships with both internal and external referral sources
- 1984-2003** Citizens Bank New Hampshire, Manchester, New Hampshire  
Vice President - Commercial Loan Officer - February/1997-April/2003
- Management of a \$40M loan portfolio for commercial customers with revenues of \$10M or less
  - Assess credit worthiness of commercial loan applicants, propose appropriate lending and pricing structure and work with business partners to cross sell appropriate services.
- Assistant Vice President - Community Lending Center - 1996-1997
- Underwrite and make sound lending decisions within authority for loan requests under \$250,000 within a centralized small business lending unit.
  - Responsible for daily management and credit quality of a \$44M small business loan portfolio.
  - Maintain and develop team relationship with Regional Management and Commercial Business Development officers.
- Bank of Ireland First Holdings, Inc., Manchester, New Hampshire**  
Assistant Vice President - Loan Review - 1994-1996
- Lead teams in independent reviews of credit risk for commercial and consumer lending portfolios with assets totaling \$2.2 billion.
  - Assess asset quality, credit policy compliance, credit risk management, and risk grade profiles for assets under review
  - Communicate findings to Senior Management, identifying portfolio weaknesses and recommended corrective action
- Senior Commercial Credit Analyst - 1992-1994
- First NH Bank (formerly Amoskeag Bank), Manchester, New Hampshire**  
Branch Manager - 1989-1992
- Managed operating budget, 11 person staff, and operations for a \$32M office.

## Heather A. Whitfield

---

**Education** Southern New Hampshire University (formerly New Hampshire College), Manchester, NH  
B.A. Degree in Business Administration, Minor – Accounting

**Enrichment** Community Investment Team Volunteer, Heritage United Way (2001-Present)  
Board of Directors - Special Olympics New Hampshire (2006-Present)  
Board of Directors - Greater Derry Chamber of Commerce (2001-2003)  
Manchester Animal Shelter Volunteer (2000-2002)  
Auction Committee – Derry Boys & Girls Club (2002-2003)  
Manchester Rotary (2006-Present)  
New Horizons for New Hampshire (Soup Kitchen) volunteer (1997-2002)  
Loaned Executive (1989) and Account Executive (1990 & 1991) for United Way

**Interests** Hiking, Biking, Kayaking, Camping, Softball, Soccer  
Member of Appalachian Mountain 4000 Footer Club



## CITY OF MANCHESTER

*Theodore L. Gatsas*

*Mayor*

February 16, 2011

### Petition to Move Committee Item Forward

Pursuant to Rule 14 (Committees to Report) of the Rules of the Board of Mayor and Aldermen, I am hereby petitioning the City Clerk to bring the below referenced item from the Committee on Administration and Information Systems forward and place it on the agenda of the next regular scheduled meeting of the Board on Tuesday, March 1, 2011 for discussion:

“Communication from Kevin Sheppard, Public Works Director, regarding a sewer rate reduction review.”

*(Note: Tabled 1/25/11, Public Works Director to verify unaffected CIP projects. Referred by the Board of Mayor and Aldermen on 12/21/10.)*

Regards,

Theodore L. Gatsas  
Mayor

Kevin A. Sheppard, P.E.  
Public Works Director

Timothy J. Clougherty  
Deputy Public Works Director



Commission  
William F. Houghton Jr.  
Robert R. Rivard  
Joan S. Flurey  
Raymond Hebert  
Harold Sullivan

## CITY OF MANCHESTER Highway Department

December 20, 2010

#10-061

The Honorable Board of Mayor and Aldermen  
CITY OF MANCHESTER  
One City Hall Plaza,  
Manchester, New Hampshire 03101

Re: *Sewer Rate Reduction Review*

Dear Honorable Mayor and Board of Aldermen:

At the request of Mayor Gatsas, we have completed our review of a 7% sewer rate reduction. We reviewed approved CIP projects, potential future regulatory requirements, current and projected rates and feedback from residents. In summary, the review concluded that :

- EPD implemented a series of rate increases in 2007 to fund a ten-year, four part CIP program. In FY 2011 three of the four CIP programs are underway and program costs are being incurred.
- The fourth project, the proposed federally mandated Phase II CSO Program, has yet to start. EPD had originally anticipated starting this construction work in FY 2011. We now do not expect to start construction work until a future year.
- While we wait for the Phase II CSO program to be negotiated with the USEPA, sewer rate relief will benefit our users. Please note that once the CSO Program is negotiated and implemented, we will again need to review the sewer rate structure.

I am available to address any questions you may have on this matter.

Sincerely,

Kevin A. Sheppard, P.E.  
Public Works Director

In Board of Mayor and Aldermen

Date: 12/21/10

On motion of Ald. Shea

Seconded by Ald. DeVries

Voted to refer to the Committee on

Administration/Information Systems.

City Clerk

cc/ Timothy J. Clougherty, Deputy Director  
Fred McNeill, P.E.

*Kevin A. Sheppard, P.E.*  
*Public Works Director*

*Timothy J. Clougherty*  
*Deputy Public Works Director*



*Commission*  
*William F. Houghton Jr.*  
*Robert R. Rivard*  
*Joan S. Flurey*  
*Raymond Hebert*  
*Harold Sullivan*

**CITY OF MANCHESTER**  
*Highway Department*

January 13, 2011  
#11-004

The Honorable Board of Mayor and Aldermen  
Committee on Administration  
One City Hall Plaza,  
Manchester, New Hampshire 03101

**Re: Sewer Rate Reduction**

Dear Honorable Mayor and Board of Aldermen:

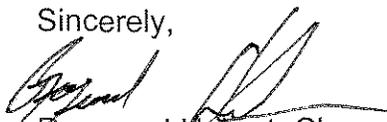
I am writing to inform you that at the Highway Commission meeting of January 10<sup>th</sup>, the Commission voted to support the proposed sewer rate reduction. It is understood that once the Combined Sewer Overflow (CSO) program is negotiated, a review of these rates will be necessary.

The Highway Commission took the time to review CIP projects, potential future regulatory requirements, current and projected rates and feedback from the residents to come to this conclusion.

We would also hope that the Board would make this effective as soon as possible.

Thank you again for your consideration.

Sincerely,

  
Raymond Hebert, Chmn.  
Highway Commission

cc/ Highway Commissioners  
Mayor Theodore L. Gatsas  
Kevin A. Sheppard, P.E.

**To the Board of Mayor and Aldermen of the City of Manchester:**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Petition for Discontinuance of Hayward Street, submitted by the Public Works Director be referred to a Road Hearing at a date to be determined by the City Clerk.

*(Unanimous vote)*

Respectfully submitted,

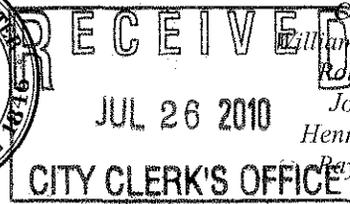
  
Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held September 7, 2010, on a motion of Alderman O'Neil, duly seconded by Alderman Lopez, the report of the Committee was accepted and its recommendations adopted.

  
City Clerk

*Kevin A. Sheppard, P.E.*  
*Public Works Director*

*Timothy J. Clougherty*  
*Deputy Public Works Director*



*Commission*  
*William F. Houghton Jr.*  
*Robert R. Rivard*  
*Joan S. Flurey*  
*Henry R. Bourgeois*  
*Raymond Hebert*

**CITY OF MANCHESTER**  
*Highway Department*

July 26, 2010  
#10-031

The Honorable Board of Mayor and Aldermen  
CITY OF MANCHESTER  
One City Hall Plaza,  
Manchester, New Hampshire 03101

**attn:** Matthew Normand, City Clerk

**re:** *Manchester Municipal Complex  
Street Discontinuance*

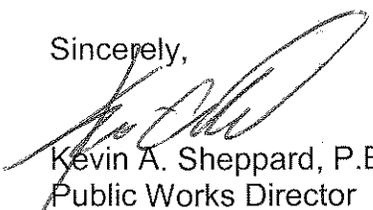
Dear Committee Members:

Attached, please find our request for the discontinuance of sections of Lincoln and Hayward Streets. The discontinuances are a necessary part of the new Municipal Complex.

Lincoln Street will be discontinued from the northerly property line of the Water Works property, southerly to Hayward Street. Hayward Street will be discontinued from Lincoln Street easterly to the westerly edge of the abandoned railroad right-of-way.

I will be available to address any questions or concerns you may have with this matter.

Sincerely,

  
Kevin A. Sheppard, P.E.  
Public Works Director

cc: Mayor Theodore L. Gatsas  
Timothy J. Clougherty, Deputy Director  
Kevin O'Maley, Facilities Mgr.

Encl.

*To the Honorable Board of Mayor and Aldermen of the  
City of Manchester:*

*The Undersigned respectfully represent that for the accommodation of the public there is occasion for discontinuing a portion of the highway known as Hayward Street.*

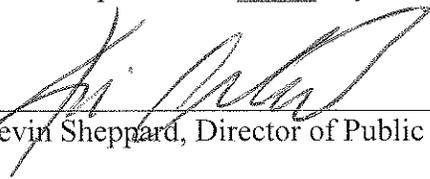
Beginning at a concrete bound inscribed "ED" marking the intersection of the northerly line of Hayward Street and the easterly line of Lincoln Street; thence, N 89° 43' 28" W 389.64' along the said line of Hayward Street to the westerly line of the former Concord-Portsmouth Railroad, now owned by the City of Manchester; thence, by a curve to the left of radius 1964.53', a chord bearing of S 42° 12' 16" W 52.32' and length of 52.32' along the former railroad to a point; thence, S 41° 26' 29" W 15.29' by the former railroad to a point in the southerly line of Hayward Street; thence, S 89° 43' 28" W 344.33' along the southerly line of Hayward Street to the point of intersection of the said line of Lincoln Street; thence, N 0° 03' 05" W 50.00' across Hayward Street to the point of beginning.

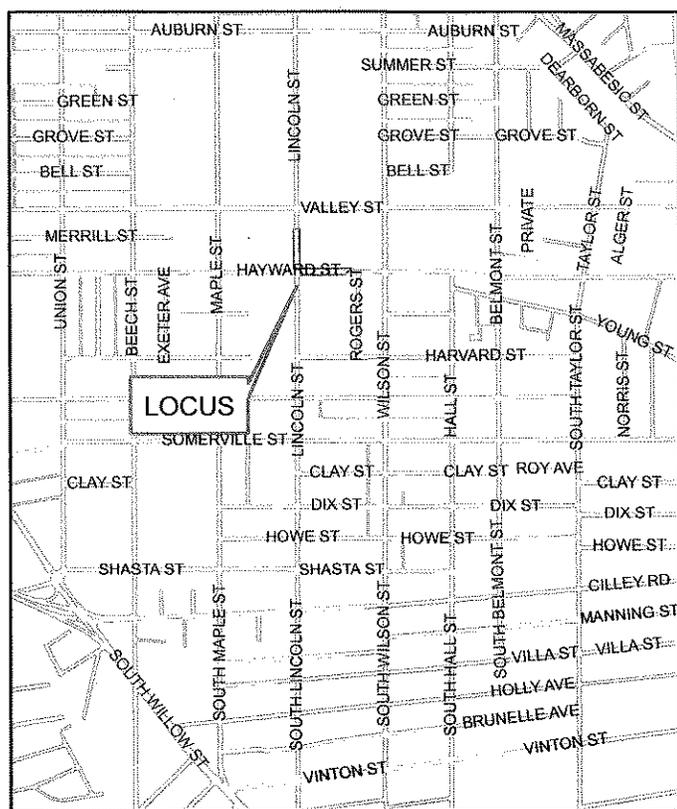
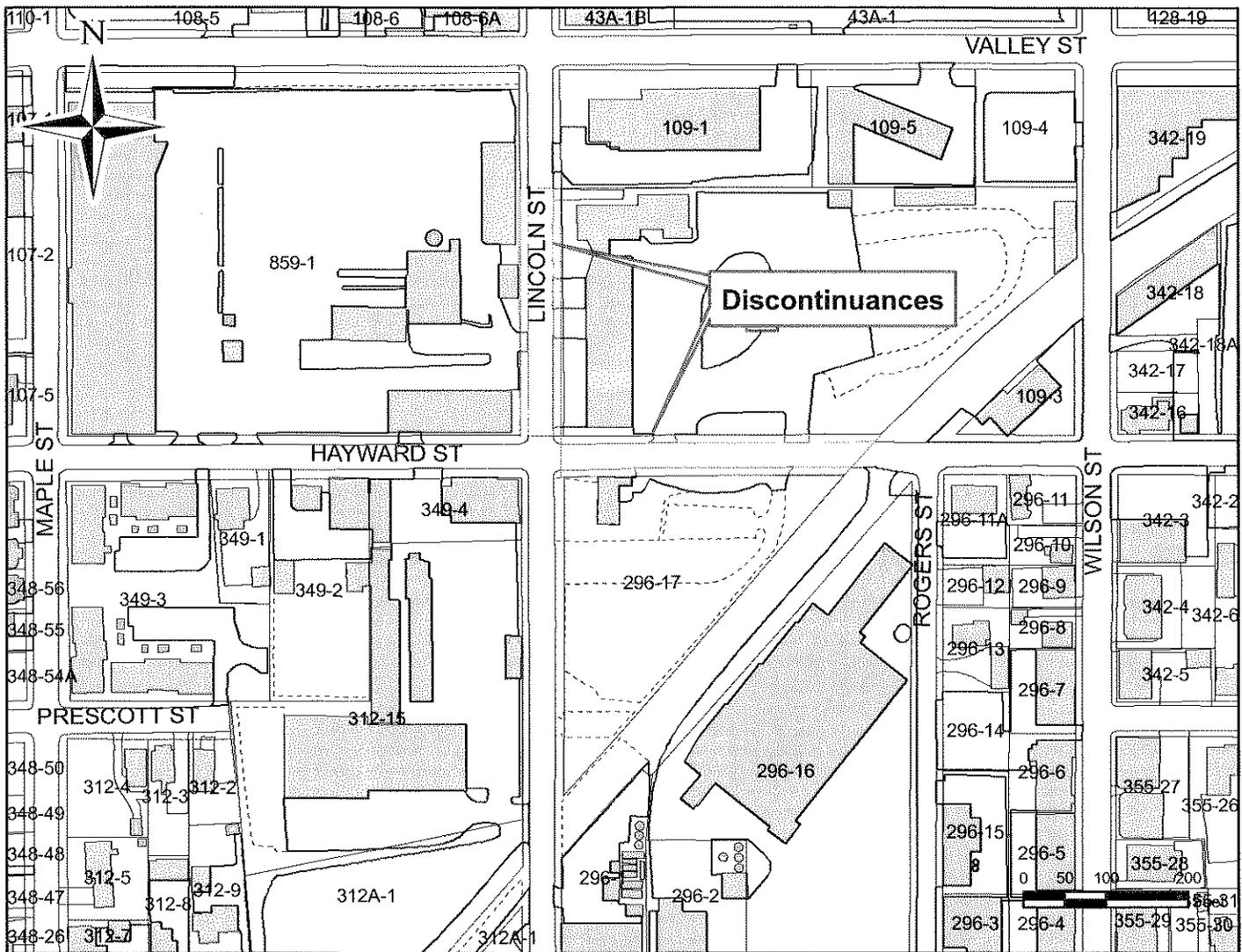
Containing 18,338 square feet to be the same more or less.

Meaning to discontinue a portion of Hayward Street laid out by the Board of Mayor and Aldermen, recorded in the City Clerks records of Highways, Streets and Bridges book 3 page 113 and shown on plan 173 of the Manchester Highway Department.

He, therefore, requests you to discontinue the above-described portion of Hayward Street.

Dated at the City of Manchester, New Hampshire this 26<sup>th</sup> day of July 2010.

By:   
Kevin Sheppard, Director of Public Works



Proposed Street Discontinuances  
**Lincoln Street and Hayward Street**



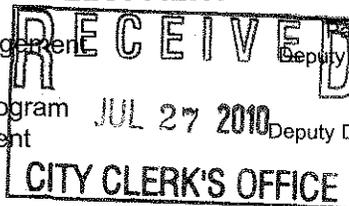
Manchester, NH  
 July 23, 2010



**CITY OF MANCHESTER**  
**PLANNING AND COMMUNITY DEVELOPMENT**

Leon L. LaFreniere, AICP  
Director

Planning and Land Use Management  
Building Regulations  
Community Improvement Program  
Zoning Board of Adjustment



Shela H. Goucher, AICP  
Deputy Director - Planning & Zoning  
Matthew M. Sink  
Deputy Director - Building Regulations

27 July, 2010

Committee on Community Improvement Program  
Honorable Board of Mayor and Aldermen  
City Hall - One City Hall Plaza  
Manchester, N.H. 03101

*RE: Manchester Municipal Complex Street Discontinuances (portion of Lincoln & Hayward Streets)*

Dear Committee Members:

This letter is being provided to the Committee in reference to the street discontinuance requests by the Director of Public Works.

As part of an overall plan to develop a new Municipal Complex on land currently owned by the City (approximately located between Maple, Hayward, Wilson and Valley Streets) a portion of Lincoln and Hayward Streets is being proposed for discontinuance. More specifically, Lincoln Street would be discontinued between the northerly and southerly boundary lines of the current Water Works property (TM 859, Lot 1), and Hayward Street would be discontinued between the westerly boundary line of the current Highway Department property (TM 109, Lot 2) and the westerly edge of the abandoned Portsmouth Branch rail ROW.

After studying this matter, we conclude that there are no apparent significant issues which need to be mitigated or which would substantially interfere with these proposed discontinuances. For example, any existing municipal underground utilities within the discontinued areas would still be under the control of the City and some vehicular traffic to abutting commercial properties can be reasonably rerouted over other local roadways. Thus, we concur with the Department of Public Works that it would be appropriate to discontinue the streets and forward the matter to hearing.

If you have any questions, staff will be available at your next committee meeting.

Sincerely,

*David Beauchesne*

David Beauchesne, Senior Planner

Copy: Leon L. LaFreniere, AICP, Director

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 or (603) 624-6475 Fax: (603) 624-6529 or (603) 624-6324  
E-Mail: [pcd@manchesternh.gov](mailto:pcd@manchesternh.gov)  
[www.manchesternh.gov](http://www.manchesternh.gov)

Matthew Normand  
City Clerk



Kathleen Gardner  
Deputy City Clerk

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

**MEMORANDUM**

To: Kevin Sheppard  
Public Works Director

From: Matthew Normand   
City Clerk

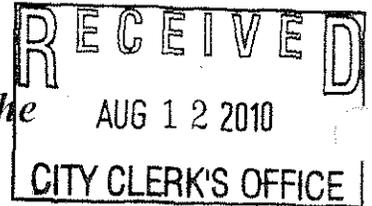
Date: August 17, 2010

Re: Discontinuance of Lincoln Street

Please be advised that at a special meeting of the Board of Mayor and Aldermen held on August 16, 2010, it was voted to rescind a previous vote related to the discontinuance of a portion of Lincoln Street, discontinue a larger portion of Lincoln Street as identified in the attached petition, and refer said petition to a Road Hearing at a date to be determined by the City Clerk.

pc: Thomas Clark, City Solicitor

To the Honorable Board of Mayor and Aldermen of the  
City of Manchester:



*The Undersigned respectfully represent that for the accommodation of the public there is occasion for discontinuing a portion of the highway known as Lincoln Street.*

Beginning at a concrete bound inscribed "ED" marking the intersection of the northerly line of Hayward Street and the easterly line of Lincoln Street; thence, S 89° 47' 36" W 49.91' across Hayward Street to the intersection of the westerly line of Lincoln Street; thence, N 0° 03' 14" W 440.80' along the said westerly line of Lincoln Street the point of intersection with the southerly line of Valley Street; thence, N 89° 57' 53" E 50.00' by the said line of Valley Street to the point of intersection with the easterly line of Lincoln Street; thence, S 0° 02' 30" W 440.67' along the said easterly line of Lincoln Street to the point of beginning.

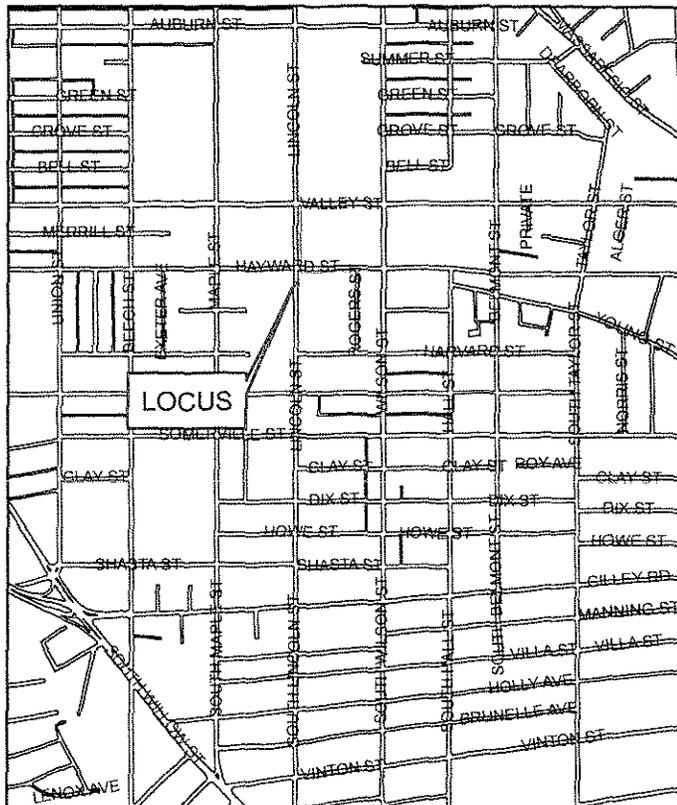
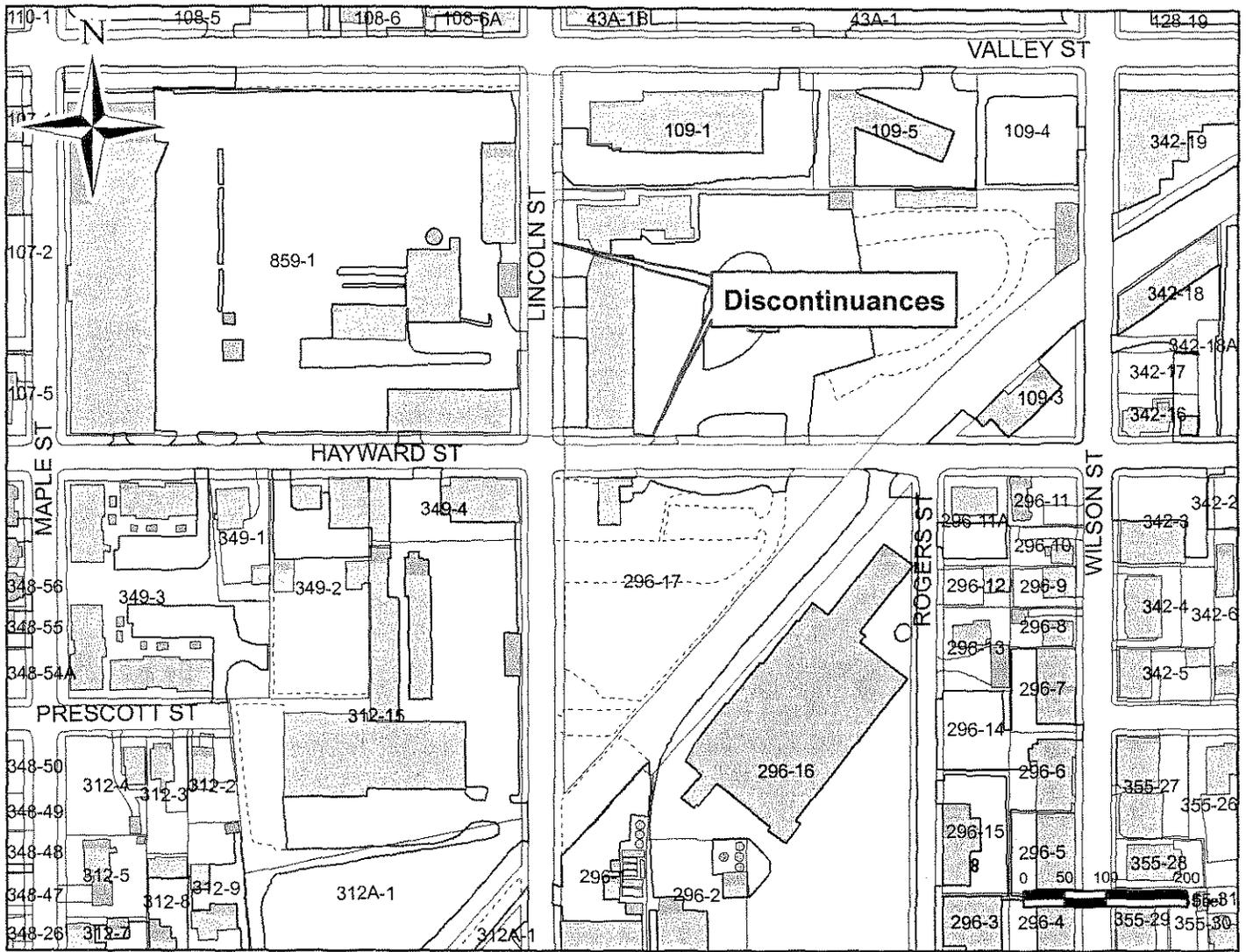
Containing 22,016 square feet.

Meaning to discontinue a portion of Lincoln Street Laid out by the Board of Mayor and Aldermen May 20<sup>th</sup> 1892 and recorded in the City Clerks records of Highways, Streets and Bridges book 4 page 142.

He, therefore, requests you to discontinue the above-described portion of Lincoln Street.

Dated at the City of Manchester, New Hampshire this 12<sup>th</sup> day of August 2010.

By: Kevin J. Sheppard  
FOR Kevin Sheppard, Director of Public Works



Proposed Street Discontinuances  
Lincoln Street and Hayward Street



Manchester, NH  
August 12, 2010