

**COMMITTEE ON ADMINISTRATION/
INFORMATION SYSTEMS**

November 19, 1996

6:00 PM

Chairman Pariseau called the meeting to order.

The Clerk called the roll.

Present: Ald. Pariseau, Elise, Sysyn, Shea, Hirschmann

Chairman Pariseau addressed item 3 of the agenda:

On motion of Alderman Shea, duly seconded by Alderman Sysyn, it was voted to enter into non-public session under the provisions of RSA-91:A-3 Paragraph 2(c) to discuss denial of licenses to operate a taxicab and conduct entertainment.

On motion of Alderman Shea, duly seconded by Alderman Sysyn, it was voted to return to public session.

Chairman Pariseau addressed item 5 of the agenda:

Ratify and confirm a poll conducted on October 31, 1996 approving a request of Alderman Cashin for permission to hang a banner across West Merrimack Street at the corner of Elm Street on November 4, 1996 during the Presidential visit.

On motion of Alderman Elise, duly seconded by Alderman Shea, it was voted to ratify and confirm poll conducted. Alderman Hirschmann was opposed.

Chairman Pariseau addressed item 6 of the agenda:

Communication from Alderman Robert requesting the Board's consideration of his proposal to ban video poker machines completely within the city limits of Manchester.

Chairman Pariseau advised that Alderman Robert would request that this matter be referred back to the full Board for a presentation at a later date by the Police Department with the approval of the City Solicitor and the Mayor's Office.

On motion of Alderman Shea, duly seconded by Alderman Hirschmann, it was voted to refer the matter back to the full Board.

Chairman Pariseau addressed item 7 of the agenda:

Copy of a communication from Thomas O'Rourke, Continental Cablevision, submitting the franchise fee payment for the third quarter of 1996.

On motion of Alderman Sysyn, duly seconded by Alderman Shea, it was voted to receive and file the communication.

Chairman Pariseau asked that it be noted that Continental Cablevision shortchanged the City by .01.

TABLED ITEMS

On motion of Alderman Hirschmann, duly seconded by Alderman Sysyn, it was voted to remove the following items from the table for discussion.

Chairman Pariseau addressed item 8 of the agenda:

Communication from Alderman Reiniger requesting the Committee

review the matter relative to numerous complaints from residents of River Road regarding disturbances created by outdoor entertainment at the Inn at Amoskeag Falls.

(Tabled 8/27/96 - communication from Alderman Reiniger dated 9/19/96 submitting proposed amendments enclosed and communication from Deputy City Clerk Bergeron dated 11/13/96 submitting further information requested.)

Alderman Hirschmann asked is there a section that allows us to revoke?

Clerk Bergeron advised the Committee that all items underlined in the proposed amendment are new. The proposed changes were to clarify the intent of the most recent major change to the business license. We wanted procedures in place to revoke a license. This also allowed for the fire, police, and health departments to put certain conditions and restrictions on licenses not only at the time of issuance, but if maybe there is a change in the type of business over a period of time, it could be restricted then. The feeling was that this would allow the police department to deal with the problems at the Amoskeag Inn.

Chief Driscoll stated the police department was happy with the proposed changes. The police department would use whatever city ordinances or State statutes were appropriate to deal with the problem. He advised that the Inn was charged previously two different ways, and at the last committee meeting it was discussed and revealed that the Inn had pending Court cases. The Inn had since gone to court and pled either guilty or nolo to all of them, and all had been resolved. I do not think we will have a problem over there. I wrote Mr. Bergeron a letter asking him to have the police department on record if the Inn comes forward next year for a license that there will be a restriction placed on their license to be sure that they don't have this outside entertainment that bothers the neighborhood. We did a similar thing with Chantilly's and were successful. Between this and the City ordinances that presently exist and the State Statutes, we should be able to handle these issues as they come up.

Alderman Hirschmann stated I found that the outdoor entertainment was not the problem, it's that it was amplified over P.A.'s or something. I think that if it was just a band playing outdoors, I don't think anyone would mind.

Alderman Shea asked what is meant by “a business”, does it include people that are outside of the entertainment area such as mills?

Mr. Bergeron answered the entire chapter 14 is what we refer to as the business licensing chapter and it regulates Sunday activities and peddlers and itinerant photographers and magazine salesmen, the whole gamut of most retail activity. Under the definitions of the chapter a business can be an individual, a sole proprietorship, a partnership, a corporation, any recognized form of structure.

Alderman Shea asked so if a particular business is infringing on a neighborhood because of being open twenty four hours a day, seven days a week, is that something that this covers?

Mr. Bergeron answered no, this really regulates the interaction between a business and their customers, the retail segment. It does not impact the situation you are describing where it is a warehouse operation or a manufacturing operation. That type of activity is not licensed under Chapter 14.

Alderman Shea asked does any ordinance address that at all?

Mr. Bergeron answered if it did, to my knowledge it would be in the Building or Zoning Codes.

Alderman Shea stated I know at a meeting that we had there was a referral to the Bills on Second Reading Committee regarding a concern that constituents in my Ward have. I don't know if it has been taken up yet.

Mr. Bergeron answered I will check on that.

On motion of Alderman Hirschmann, duly seconded by Alderman Sysyn, it was voted to approve the proposed amendments.

Chairman Pariseau addressed item 9 of the agenda:

Copy of a communication from the Federal Communications Commission advising of the adoption of an Amendment to Continental Cablevision's Social Contract.

(Tabled 10/15/96 - available for viewing at the City Clerk's Office and forwarded under separate cover to Committee members.)

On motion of Alderman Elise, duly seconded by Alderman Sysyn, it was voted to receive and file the communication.

There being no further business to come before the Committee on Administration/Information Systems, on motion of Alderman Elise, duly seconded by Alderman Sysyn, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee