

AGENDA

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

February 16, 2010
Aldermen Lopez, DeVries,
O'Neil, Osborne, Corriveau,

5:45 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Lopez calls the meeting to order.
2. The Clerk calls the roll.
3. Communication from Alderman Long submitting an interdepartmental mechanism for sharing bed bug information.
Ladies and Gentlemen, what is your pleasure?
4. Communication from Jennie Angell, Director of Information Services, regarding ARRA stimulus funding.
Ladies and Gentlemen, what is your pleasure?
5. Communication from James Burkush, Fire Chief, requesting permission to add up to six additional firefighters who are employed by other communities to their Certified Career Firefighter training.
(Note: Attached is a letter from Mayor Gatsas in support of this request.)
Ladies and Gentlemen, what is your pleasure?
6. Discussion of the proposed Ordinance from the City Solicitor creating a special revenue reserve account for the excavation fee program approved by the Board on 12/15/09.
Ladies and Gentlemen, what is your pleasure?
7. Communication from Leon LaFreniere, Director of Planning & Community Development, regarding a proposed Zoning Ordinance amendment to Section 7.01 D. Millyard Design Review Committee.
Ladies and Gentlemen, what is your pleasure?

8. Communication from Leon LaFreniere, Director of Planning & Community Development, regarding a proposed Building Code amendment.
Ladies and Gentlemen, what is your pleasure?

9. Communication from Will Infantine, MCAM, regarding contract issues with MCAM and MCTV.
Ladies and Gentlemen, what is your pleasure?

10. MCTV Contract Compliance Audit submitted by Kevin Buckley, Independent City Auditor.
(Note: Accepted and referred by the Board of Mayor and Aldermen on February 2, 2010.)
Ladies and Gentlemen, what is your pleasure?

TABLED ITEMS

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

11. Recommendation from Matthew Normand, Acting City Clerk, regarding a policy for street closures and license events.
(Tabled 03/16/09)

12. Communication from Thomas Clark, City Solicitor regarding a Naming Rights Policy.
(Note: Referred by the Board of Mayor and Aldermen on 2/3/09. Tabled 03/16/09)

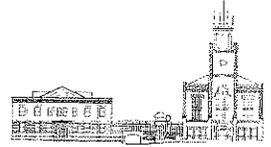
13. Communication from Barbara Potvin, New England Sampler, requesting the City hold a public forum to discuss the process of closing off city streets and the impact that these closings have on local small businesses as well as the benefits drawn by the City of Manchester and its local citizens.
(Note: Referred by the Board of Mayor and Aldermen on 10/21/08. Tabled 11/24/08 recommendation to be submitted by staff)

14. There being no further business, a motion is in order to adjourn.



CITY OF MANCHESTER

Board of Aldermen



MEMORANDUM

TO: Board of Mayor and Aldermen

FROM: Alderman Long
Ward 3 

DATE: January 5, 2010

RE: Interdepartmental Mechanism for Sharing Bed Bug Information

As the incidences of bed bug infestation rapidly increases across our city, I am proposing that an interdepartmental mechanism be created for sharing all bed bug related information across City departments in an effort to raise awareness, education and prevention of this citywide threat.

I have attached a resolution for your information and appreciate your favorable consideration.

Thank you.

In Board of Mayor and Aldermen
Date: 1/19/10
On motion of Ald. O'Neil
Seconded by Ald. Lopez
Voted to refer to the Committee on
Administration/Information Systems.


City Clerk

REQUESTING THE CITY OF MANCHESTER CREATE AN INTERDEPARTMENTAL MECHANISM BY WHICH TO SHARE ALL BED BUG RELATED INFORMATION ACROSS CITY DEPARTMENTS AND THAT EMPLOYEES THEREOF TO WORK IN COOPERATION WITH CITY BUSINESSES, NONPROFITS, EDUCATIONAL AND RELIGIOUS INSTITUTIONS, PROPERTY OWNERS, LANDLORDS, TENANTS AND OTHER ADVOCATES IN RAISING AWARENESS, EDUCATION, AND PREVENTION OF THE INCREASING INCIDENCE OF BED BUGS.

WHEREAS, after nearly being eradicated six decades ago, bedbugs have made a resurgence across the United States and the world; and

WHEREAS, this bed bug resurgence has grown to such proportions that the United States Environmental Protection Agency held its first-ever National Bed Bug Summit in Washington, D.C., on April 14-15, 2009; and

WHEREAS, the New Hampshire Department of Health and Human Services has recognized the statewide threat posed by bed bugs and has begun a series of bed bug education measures; and

WHEREAS, Manchester has not been immune to this global resurgence and has seen widespread bed bug infestations in recent years; and

WHEREAS, there is a lack of knowledge among residents regarding the nature of bed bugs and how they spread, which is a contributing factor to the local bed bug resurgence; and

WHEREAS, the use of second-hand furniture and mattresses, particularly the reuse of items left on city sidewalks and alleyways, is another contributing factor to the local bed bug resurgence; and

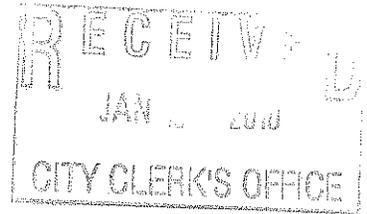
WHEREAS, Manchester residents and businesses alike are susceptible to the increasing incidence of bedbugs and the exorbitant costs related to their control and extermination; and

WHEREAS, there is a lack of resources on the part of tenants, landlords, home owners, businesses and the City with which to combat the growing bed bug problem; and,

WHEREAS, bed bugs are detrimental to the health, well-being and quality of life of the residents of Manchester, New Hampshire; now, therefore,

BE IT RESOLVED by the City of Manchester Board of Mayor and Aldermen, that the City of Manchester create an interdepartmental mechanism by which to share all bed bug related information across City departments and that employees thereof are requested to work in cooperation with city businesses, nonprofits, educational and religious institutions, property owners, landlords, tenants and advocates in raising awareness of and pursuing education and prevention programs to fight the increasing incidence of bed bugs in Manchester.

Jennie Angell
Director, Information Services



CITY OF MANCHESTER
Information Systems Department

January 25, 2010

Alderman Mike Lopez, Chairman
Committee on Administration and
Information Systems
One City Hall Plaza
Manchester, NH 03101

Dear Alderman Lopez,

I am notifying the committee that I will be resubmitting our requests for ARRA stimulus funding during the grant opening that will be from February 15, 2010 through March 15, 2010. We had unsuccessfully applied for \$470,000 in projects during the first round. The adjusted grant requirements for this round set a minimum of \$500,000 and encourage more collaboration within the community. We are doing an outreach in the community through Marty Boldin of OYS and Barbara Vigneault of Senior Services and hope to increase participation in the grant application from within the community.

If you have any questions or comments, please let me know.

Sincerely,

Jennie Angell
Director of Information Services

James A. Burkush
Chief of Department



City of Manchester
Fire Department

TO: Mayor Theodore Gatsas
FROM: Chief James A. Burkush
DATE: February 8, 2010
RE: Recruit School

The Manchester Fire Department will be conducting recruit firefighter training for six newly hired members in late April of this year. Part of the four week training we will conduct is a two week certification program known as Certified Career Firefighter or C2F2. This is a State of New Hampshire Fire Academy (NHFA) program that is required of newly hired firefighters in New Hampshire. The intent is to reinforce and enhance basic skills that were learned in the State's Firefighter I and II Certification program. Because C2F2 is required of all newly hired Firefighters there are times when other communities hire personnel and are challenged to get them into a NHFA run C2F2 program.

I am writing to seek your permission attempt to take advantage of this opportunity and allow the Manchester Fire Department to add up to six additional Firefighters to our class. These students would be newly hired Firefighters who are employed by other communities and are in need of C2F2 certification. The Manchester Fire Department would not require additional resources to offer this training, but would be able to take advantage of economies of scale and charge these other Fire Departments for their member's participation in the C2F2 certification program. The charge would offset our FY 2010 budget.

Sincerely,

James A. Burkush,
Chief of Department

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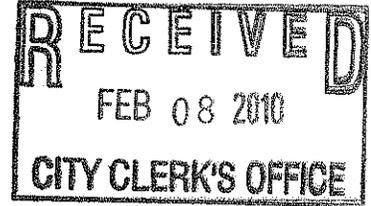
BY:



CITY OF MANCHESTER

Theodore L. Gatsas

Mayor



TO: Alderman Michael Lopez, Chair
Administration and Information Systems Committee

FROM: Theodore L. Gatsas
Mayor *T.L.G.*

CC: Chief James Burkush ~ Manchester Fire Department

Date: February 8, 2010

RE: Manchester Fire Department request

I have attached a correspondence between Chief Burkush and myself for action by the Administration and Information Systems Committee.

I am in full support of this proposal and respectfully request the support of the Committee.



CITY OF MANCHESTER

Theodore L. Gatsas

Mayor

February 8, 2010

Chief James Burkush
Manchester Fire Department
100 Merrimack Street
Manchester, NH 03101

RE: C2F2 Recruit School Request

Dear Chief Burkush,

I write to inform you that I am in full support of your request to add up to six additional Firefighters who are employed by other communities to your Certified Career Fighter (C2F2) training in late April. I am forwarding the request to Administration and Information Systems for their consideration.

I would like to extend a sincere thanks to you and your department for thinking outside of the box to find savings within your department. You, and your staff, are to be commended.

If you have any questions, or would like to discuss this matter further please do not hesitate to contact me.

Regards,

Theodore L. Gatsas
Mayor

TLG/swp

DRAFT

ROADWAY IMPROVEMENT RESERVE ACCOUNT

- (A) There is hereby established a Roadway Improvement Reserve Account into which all fees generated from the Roadway Degradation Fee shall be deposited. The Finance Officer shall record earnings realized from the investment of the balance in the account.
- (B) The Board of Mayor and Aldermen may appropriate the balance or a portion of the balance in the account during the annual budget for the purpose of roadway improvements. Roadway improvements shall include but not be limited to expenses associated with reconstruction, repaving, sidewalk construction and repair.
- (C) No available balance in the Roadway Improvement Reserve Account shall be utilized for any purpose other than those authorized herein without the specific approval of two-thirds of the Aldermen-Elect.



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

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

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director - Planning & Zoning

Matthew M. Sink
Deputy Director - Building Regulations

MEMORANDUM

To: Honorable Board of Mayor and Aldermen

Date: January 25, 2010

From: Leon L. LaFreniere, AICP
Director of Planning & Community Development

Subject: Proposed Zoning Ordinance Amendment

In Board of Mayor and Aldermen

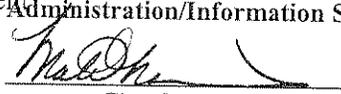
Date: 2/2/10

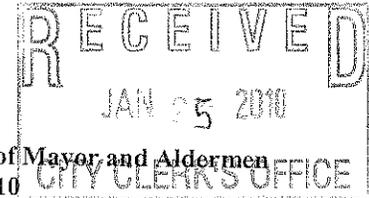
On motion of Ald. O'Neil

Seconded by Ald. Roy

Voted to refer to the Committee on

Administration/Information Systems.


City Clerk



Enclosed please find a proposed change to the Manchester Zoning Ordinance for review and referral by the BMA. As you may recall from a similar proposal in August of 2009, this amendment is submitted as a result of the merger between the Planning and Building Departments. Section 7.01 (D) of the Zoning Ordinance provides for the establishment of the Millyard Design Review Committee whose duty is to provide findings to both the Planning Board and to the Director of Planning and Community Development. Currently, the Director of Planning and Community Development is a participating member of this committee. However, with the merger, it is the responsibility of the Director of Planning and Community Development to also issue permits, thereby creating a conflict between the various responsibilities of the position. Previously, that responsibility fell to the Building Regulations Director whose position was eliminated with the merger.

In August, I brought forward a proposal to place the Director of Economic Development as a member of the Millyard Design Review Committee. However, after referral to the Committee on Bills on Second Reading and a Public Hearing on the proposed change, the Board suggested that I meet with the City Solicitor and propose a different replacement. The BMA received and filed the amendment on September 22, 2009.

As directed, I met with Tom Clark and we discussed a possible replacement as well as a change in the number of members on the Board. Currently, the committee composition is eight members and I would propose the membership be increased to nine to eliminate the potential for tie votes. It would be my suggestion that the Director of Planning and Community Development be replaced by another Aldermanic Representative, and the ninth member be a representative of the architectural or design field.

I respectfully request that this proposal be set for public hearing, consistent with the Board's normal practice, and consistent with State Statute.

City of Manchester
New Hampshire

In the year Two Thousand and Ten

AN ORDINANCE

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

(Note: Deletions shown as ~~struck through~~, new text shown italicized)

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

SECTION 1. Amend the Zoning Ordinance of the City of Manchester, Article 7, Section 7.01 D. Millyard Design Review Committee, by revising the first paragraph as follows:

D. Millyard Design Review Committee. In order to provide for proper design review necessary to enhance the image of and protect the interest in the Millyard, there is hereby established a Millyard Design Review Committee. The Committee shall be composed of: a representative of the Central Business Service District, ~~the Director of Planning and Community Development Department~~, *an two* aldermanic representatives, and the following members appointed by the Mayor for a term of three years: two property owners in the district, a member of the Heritage Commission and ~~two~~ *three* members from the architectural or design field.

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



CITY OF MANCHESTER
PLANNING AND COMMUNITY DEVELOPMENT

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

Leon L. LaFreniere, AICP
Director

Pamela H. Goucher, AICP
Deputy Director Planning & Zoning

Matthew M. Sink
Deputy Director Building Regulations

MEMORANDUM

To: Honorable Board of Mayor and Aldermen

Date: January 25, 2010

From: Leon L. LaFreniere, AICP *LLF*
Director of Planning and Community Development

In Board of Mayor and Aldermen

Date: 2/2/10

On motion of Ald. O'Neil

Seconded by Ald. Roy

**Voted to refer to the Committee on
Administration/Information Systems.**

Matthew M. Sink
City Clerk

Subject: Proposed Building Code amendment

Attached is a proposed ordinance amendment adopting the 2009 edition of the International Existing Building Code as part of the group of model codes enforced by the City when existing buildings are proposed to be altered or rehabilitated.

It is not intended to replace any existing codes but to augment them in an effort to provide options to building owners, their tenants or developers looking to invest in and upgrade their properties while spurring economic development and encouraging the re-use of otherwise under or un-used buildings.

At the advisement of the Mayor, I respectfully request that this proposal be forwarded to the Committee on Administration for review.

City of Manchester New Hampshire

In the year Two Thousand and Ten

AN ORDINANCE

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding *the 2009 edition of the International Existing Building Code* as an additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

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

Note: Deletions noted or shown as ~~struck-through~~; new text shown *italicized*.

SECTION 1. The following sections are hereby revised as follows:

Amend the opening paragraph to read as follows:

Repealing the 1987 BOCA National Building Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances, and adopting the 2000 editions of the International Building Code, International Mechanical Code and the International Fuel Gas Code, *the 2009 edition of the International Existing Building Code*, as well as the 1999 edition of The National Electric Code and the 1993 edition of the BOCA Plumbing Code; establishing minimum regulations governing buildings and structures; and establishing fees for the issuance of permits and certificates for the construction and occupancy of buildings and structures.

CHAPTER 34 EXISTING STRUCTURES.

Amend section 3401.3 as follows:

3401.3 Compliance with other codes. Alterations, repairs, additions, *relocation*, and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions, *relocation*, and changes of occupancy in the *International Existing Building Code, 2009 Edition*, International Fire Code 2000 Edition, International Fuel Gas Code, 2000 Edition, BOCA National Plumbing Code, 1993 Edition, International Mechanical Code, 2000 Edition.

SECTION 2. The following amendments shall be made part of the International Existing Building Code:

INTERNATIONAL EXISTING BUILDING CODE, 2009 EDITION

101.1 Title. These regulations shall be known as the Existing Building Code of the *City of Manchester, New Hampshire*, hereinafter referred to as “this code”.

101.4.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Fire Code, ~~or the International Property Maintenance Code~~, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

City of Manchester New Hampshire

In the year Two Thousand and Ten

AN ORDINANCE

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding the 2009 edition of the International Existing Building Code as an additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

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

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. ~~Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall govern.~~

103.1 Creation of enforcement agency. ~~The Department of Building Safety Planning and Community Development Department~~ is hereby created the enforcement agency of this code, and the official in charge thereof shall be known as the code official.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provision of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner’s representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the ~~Department of Building Safety Planning and Community Development Department.~~

104.10.1 Flood hazard areas. For existing buildings located in flood hazard areas for which repairs, alterations and additions constitute substantial improvement, the code official shall not grant modifications to provisions related to flood resistance ~~unless a determination is made that:~~ in compliance with Section 7.03 of the Zoning Ordinance of the City of Manchester.

Note: Delete remainder of section.

105.2 Work exempt from permit. ~~Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be in any manner in violation of the provisions of this code or other laws or ordinances of this jurisdiction. Permits shall not be required for the following: shall comply with Section 105.2 of the Building Code of the City of Manchester.~~

Note: Delete remainder of section

105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the ~~Department of Building Safety~~ for that purpose. Such application shall:

1. Identify and describe the work in accordance with Chapter 3 to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.

City of Manchester New Hampshire

In the year Two Thousand and Ten

AN ORDINANCE

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding the 2009 edition of the International Existing Building Code as an additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

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

4. Be accompanied by construction documents and other information as required in Section 106.3.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant’s authorized agent.
7. Give such other data and information as required by the code official.

109.3.7 Other inspections. In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws. ~~that are enforced by the Department of Building Safety.~~

110.2 Certificate issued. After the code official inspects the building and finds no violations of the provisions of this code or other laws. ~~that are enforced by the Department of Building Safety,~~ the code official shall issue a certificate of occupancy that shall contain the following:

1. The building permit number .
2. The address of the structure .
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the code official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy in accordance with the provisions of the International Building Code.
9. The type of construction as defined in the International Building Code.
10. The design occupant load and any impact the alteration has on the design occupant load of the area not within the scope of the work.
11. If fire protection systems are provided, whether the fire protection systems are required.
12. Any special stipulations and conditions of the building permit.

City of Manchester New Hampshire

In the year Two Thousand and Ten

AN ORDINANCE

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding the 2009 edition of the *International Existing Building Code* as an additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

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

Section 302 ADDITIONS

302.2 Flood hazard areas. For building and structures in flood hazard areas established in Section 7.03 of the *City of Manchester Zoning Ordinance* ~~1612.3 of the International Building Code~~, any addition that constitutes “substantial improvement” of the existing structures, as defined in Section 1612.2 of the *International Building Code*, shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

~~For building and structures in flood hazard areas established in Section 1612.3 of the International Building Code, any additions that do not constitute substantial improvement or substantial damage of the existing structure, as defined in Section 1612.2 of the International Building Code are not required to comply with the flood design requirements for new construction.~~

Section 303 ALTERATIONS

303.2 Flood hazard areas. For buildings and structures in flood hazard areas established in Section 7.03, of the *City of Manchester Zoning Ordinance* ~~1612.3 of the International Building Code~~ any alteration that constitutes substantial improvement of the existing structure as defined in Section 1612.2 of the *International Building Code* shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

~~For buildings and structures in flood hazard areas established in Section 1612.3 of the International Building Code, any alterations that do not constitute substantial improvement or substantial damage of the existing structure as defined in Section 1612.2 of the International Building Code, are not required to comply with the flood design requirements for new construction.~~

Section 304 REPAIRS

304.5 Flood hazard areas. For building and structures in flood hazard areas established in Section 7.03 of the *City of Manchester Zoning Ordinance* ~~1612.3 of the International Building Code~~, any repair that constitutes substantial improvement of the existing structure, as defined in Section 1612.2 of the *International Building Code*, shall comply with the flood design requirements for new construction and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

~~For buildings and structures in flood hazard areas established in Section 1612.3 of the International Building Code, any repairs that do not constitute substantial improvement or substantial damage of the existing structures, as defined in Section 1612.2 of the International Building Code, are not required to comply with the flood design requirements for new construction.~~

City of Manchester New Hampshire

In the year Two Thousand and Ten

AN ORDINANCE

“Amending the Building Code of the City of Manchester as adopted in Chapter 151.01 of the City of Manchester Code of Ordinances, by adding the 2009 edition of the International Existing Building Code as an additional tool in regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings.”

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

Section 308 HISTORIC BUILDINGS

308.2 Flood hazard areas. Within flood hazard areas established in accordance with Section 7.03 of the City of Manchester Zoning Ordinance, ~~1612.3 of the International Building Code,~~ where the work proposed constitutes substantial improvement, ~~as defined in Section 1612.2 of the International Building Code,~~ the building shall be brought into conformance with Section 1612 of the International Building Code.

Note: Delete remainder of section

1101.4 Flood hazard areas.

Note: Delete all exceptions.

1201.2 Conformance. The building shall be safe for human occupancy as determined by the International Fire Code ~~and the International Property Maintenance Code.~~ Any repair, alteration, or change of occupancy undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the International Building Code or the International Residential Code as applicable.

1301.2 Applicability. Structures existing prior to *September 4, 2001*, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

1301.3.2 Compliance with other codes. Buildings that are evaluated in accordance with this section shall comply with the International Fire Code ~~and International Property Maintenance Code.~~

SECTION 3. That the City Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval as required by law.

Manchester Community Access Media
570 Commercial Street
Manchester, NH 03101

12/7/09

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

RE: MCAM Contract with the City of Manchester.

Dear Mr. Mayor,

As of the writing of this letter Manchester Community Access Media (MCAM) has yet to receive official notice from the City of Manchester of the offer of payment under the current MCAM contract with the City that was voted on in the affirmative at the Board of Mayor and Alderman (BMA) meeting December 1st 2009.

The members of the MCAM executive board watched the BMA meeting on Community Television and are aware that the Alderman voted in favor of providing MCAM with a budget amount of \$255,000+- contrary to the existing contract that requires the City to fund MCAM an amount of \$305,000+-.

The executive board of MCAM voted to reject the offer made by proxy through the vote observed on Community Television on 12/7/09. A motion to initiate legal action to enforce the existing contract was also rejected. A final motion to request immediate discussions to determine if an alternate agreement can be worked out which will allow MCAM to continue operations was approved.

MCAM is formally requesting that the City engage in contract negotiations to resolve the current contract issues between the two parties. The board has set a time limit of 1/30/10 for these discussions to be concluded and a new contract agreed to and voted on by the BMA. MCAM will be represented by three members of our board and our legal counsel. Please note MCAM considers the City in default of its current contract and considers the default effective as of 10/1/09.

MCAM is requesting that your joint Aldermanic and School Board Committee on MCAM/MCTV conclude its work and provide a report that we can review.

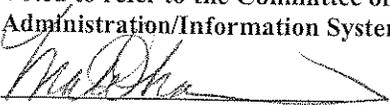
MCAM will be unable to meet its obligations as of 12/18/09 as a result of lack of funds. A default on our debt payments, lease payments and utilities will result in additional fees and charges and negatively affect our credit standing. MCAM is requesting that the City provide the same funding that it has for the past few months for the months of December 2009 and January 2010.

Please contact me as soon as possible if this is unacceptable so we can take the appropriate action to save our assets and station.

Regards,


Will Infantine
MCAM Board Chairman.

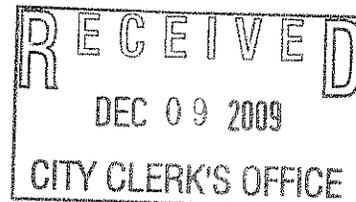
In Board of Mayor and Aldermen
Date: 1/19/10
On motion of Ald. Ouellette
Seconded by Ald. Roy
Voted to refer to the Committee on
Administration/Information Systems.


City Clerk

RECEIVED

DEC 9 2009

MAYOR'S OFFICE



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

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that the MCTV Contract Compliance Audit submitted by Kevin Buckley, Independent City Auditor, has been referred to the Committee on Administration/Information Systems and the Board of School Committee.

(Unanimous vote)

Respectfully submitted,


Clerk of Committee

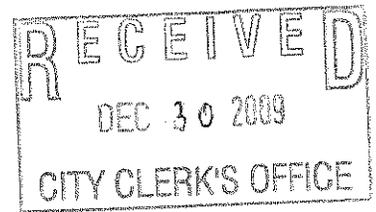
At a meeting of the Board of Mayor and Aldermen held February 2, 2010 on a motion of Alderman Greazzo, duly seconded by Alderman Shea, the report of the Committee was accepted and its recommendations adopted.


City Clerk



City of Manchester
Office of the Independent City Auditor

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Phone: (603) 624-6523
Fax: (603) 624-6528



December 30, 2009

Committee on Accounts, Enrollment and Revenue Administration
C/o City Clerk
One City Hall Plaza
Manchester, NH 03101

Dear Honorable Committee Members,

Attached is the recently completed audit of the MCTV contract compliance.

Respectfully Submitted,

Kevin M. Buckley
Independent City Auditor

INTERNAL AUDIT REPORT

CITY OF MANCHESTER

NEW HAMPSHIRE



*MCTV Contract Compliance Audit
23 Months Ended November 30, 2009*

Prepared by
City of Manchester, NH
Office of the Independent City Auditor

**INTERNAL AUDIT REPORT
CITY OF MANCHESTER, NEW HAMPSHIRE
MCTV CONTRACT COMPLIANCE AUDIT
23 MONTHS ENDED NOVEMBER 30, 2009**

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City of Manchester
Office of the Independent City Auditor

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

*Committee on Accounts, Enrollment and Revenue Administration
City of Manchester, New Hampshire
Honorable Aldermen: Sullivan, Lopez, Devries, M.Roy, Ouellette*

Dear Honorable Committee Members:

In September of 2009 the Superintendent of Schools was performing his monitoring and approval function over the expenditures of MCTV. He received an invoice dated September 14, 2009 for renovations at MCTV totaling \$19,000. The invoice was based on a purchase order dated August 21, 2009 also for \$19,000. He then received an invoice for \$19,500 for renovations on a separate purchase order dated October 21, 2009 from the same contractor. Both of these invoices were processed for payment and the first was paid. In early November he then received two more invoices from the same contractor dated September 24, 2009, one invoice dated October 21, 2009 and one invoice dated October 28, 2009. The additional four invoices were attached to requisitions all dated October 28, 2009. The superintendent questioned counsel to determine if these transactions would be considered an expenditure over \$20,000 that would require approval by the City under section 6 of the MCTV contract with the City of Manchester.

MSD's counsel determined the expenditures did not fall under section 6 of the contract. However due to other issues between the City and the School District concerning the MCTV contract the Superintendent notified the Mayor on 11/24/09 by letter of the expenditures.

On Monday November 30, 2009 a letter was received by my office from the Mayor requesting that I perform an audit of the Manchester School District's financial records as they pertain to Manchester Community Television. He further requested that my audit focus upon any and all expenditures involved with the renovation or improvement of the MCTV studios. He requested that I look at expenditures as far back as January 2008.

The audit procedures began with a documentation and evaluation of the internal control structure in place over capital expenditures and contract compliance. The current contract between the School and the City was reviewed to determine the allowable treatment of capital expenditures. A review of the general ledger for the 23 months ended November 30, 2009 was conducted. All expenditures that appeared to be greater than \$20,000 by themselves or combined with other invoices from the same vendor were selected for testing.

Conclusion

My testing revealed that the expenditures for renovations were part of a project totaling over \$131,000 and most likely should have been pre-approved by the Board of Mayor and Aldermen. My testing also noted two other minor issues.

The draft audit report was sent to the Manchester School District for review and comment. The observations generated and the auditee written responses are included on pages five through ten. The auditee responses indicate general agreement with the report recommendations and states that corrective action will or have been taken. I appreciate the courtesy and cooperation of the staff and administration of the Manchester School District on this assignment. At all times they acted in the highest professional manner throughout the course of the audit.



Kevin M, Buckley
Independent City Auditor

December 18, 2009

INTRODUCTION

AUDIT BACKGROUND

On October 20, 2000 the City of Manchester entered into a 10 year cable television franchise agreement renewal MediaOne (the predecessor to Comcast of NH). The agreement was amended on the 9th of June 2003 and extended for 5 years to October 20, 2015. The original agreement provided a one-time grant of \$900,000 to be used for the purchase and/or lease of public, educational and government (PEG) access equipment. The amendment provided an additional \$300,000 for this purpose. The agreement also provides for a franchise fee to be paid to the City equal to 5% of the franchisee's gross annual revenues.

PEG in the City is split into two entities. MCAM is a non-profit company whose responsibility is to provide the City's Public access channels only. MCTV is a department of the School District and is responsible for providing educational and government access programming.

The City of Manchester entered into an agreement with the Manchester School District dated June 26, 2007 that provides a formula for funding MCTV as well as conditions for the expenditure of funds. The agreement is for 8 years and ends on June 30, 2015. Per section 4 of the agreement the City will pay the School District 40% of the 5% franchise fee collected under the Comcast agreement for the sole benefit and use of MCTV. The City will also pay to the School District a one-time lump sum payment of \$432,304.67 from the facilities and equipment grant. The funds are to be maintained in a separate interest bearing account and all principle and interest is to be used for "the purchase, lease, improvement or maintenance or equipment, equipment, facilities or services as provided for in, and in compliance with the Cable Contract".

Section 6 of the agreement provides that all Long-Term Obligations and Expenditures over \$20,000 be approved by the City. It defines long-term obligations as over one year. It goes on to say "To the extent that MCTV **operations** (*emphasis added*) require the expenditure of amounts over twenty thousand dollars (\$20,000), all such expenditures shall also be approved by the City."

In September of 2009 the Superintendent of Schools was performing his monitoring and approval function over the expenditures of MCTV. He received an invoice dated September 14, 2009 for renovations at MCTV totaling \$19,000. The invoice was based on a purchase order dated August 21, 2009 also for \$19,000. He then received an invoice for \$19,500 for renovations on a separate purchase order dated October 21, 2009 from the same contractor. Both of these invoices were processed for payment and the first was paid. In early November he then received two more invoices from the same contractor dated September 24, 2009, one invoice dated October 21, 2009 and one invoice dated October 28, 2009. The additional four invoices were attached to requisitions all dated October 28, 2009. The superintendent questioned counsel to determine if these transactions would be considered an expenditure over \$20,000 that would require approval by the City under section 6 of the MCTV contract with the City of Manchester.

I was asked to perform an audit to determine if the contractor payments were allowable and proper under the contract and to determine if there were any other payments in excess of \$20,000 that could fall under this section of the contract.

My audit was conducted in accordance with standards applicable to compliance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

AUDIT SCOPE AND OBJECTIVES

This audit was a contract compliance audit designed to test the Manchester School Districts Compliance with certain provisions of the contract with the City of Manchester's funding of the MCTV program.

I tested expenditures posted to the program's operating and capital grant accounts from January of 2008 through November of 2009 for compliance with the two sections of the contract (section 4 and 6) as noted on the preceding page.

Audit Objectives:

The objective of my audit was to

- Determine if MCTV expenditures greater than \$20,000 are being approved and paid by the Manchester School District in violation of the agreement

The results of my testing and the related observations and recommendations are included in the report that follows.

BACKGROUND OF MCTV

Organization and Personnel

MCTV is a unit of the Manchester School District funded mainly from a portion of franchise fees collected from the City's cable television provider. The City of Manchester and the Manchester School District have a written agreement that details the funding and the use of funds.

MCTV currently has four employees. The Director oversees the entire operation of the facility and produces various programs for the City. In addition MCTV employs an Operations Manager, Education Access Coordinator and Operations Assistant.

History

In July of 2005 Manchester Community Television was separated into Manchester Community Access Media (MCAM) a non-profit corporation oversees the public access channel 23 and MCTV which oversees the educational access and government access channels 16 and 22. At that time MCTV was housed in the Manchester School of Technology and was funded by an appropriation from the Board of Mayor and Aldermen based on an approved budget. The City maintained the account containing the facilities and equipment grant as well as the account containing the operating funds. The City would reimburse MCTV for actual expenses based in approved invoices.

MCTV's Strategic Plan submitted in October of 2005 called for the creation of a new stand-alone facility as well as a change in the funding mechanism in order to better serve the needs of MCTV. The School District signed a lease on February 20th 2008 for studio and office space at 1037 Elm Street.

Funding

In June of 2007 the Manchester School District entered into an agreement with the City of Manchester outlining the funding and operation of MCTV. Per the agreement the City would transfer to the School District the balance of the Facilities and Equipment Grant of \$432,305 to be held in a separate interest bearing account to be used for "the purchase, lease, improvement, or maintenance or equipment, facilities or service as provided for in, and in compliance with, the Cable Contract." The City also agreed to pay to the School District 40% of the 5% cable franchise fee that the City receives from the cable contract. Payments are to be kept in a separate interest bearing account for the sole use by and benefit of MCTV.

Administration

By the agreement the School District would continue to provide general administrative support for MCTV including maintaining financial records, receiving revenue and making payments on behalf of MCTV, processing payroll and other benefits, and assistance with requisitions, procurements and grants.

The City maintained approval authority of any long-term obligations (over one year) and expenditures over \$20,000.

RENOVATIONS OF THE LEASED STUDIO SPACE

In January of 2009 MCTV entered into an agreement with an architect firm to design the renovations to the leased Elm Street space. According to the proposal, the landlord's facilities services provider would serve as the construction manager for the project. The final cost for the architectural services amounted to \$8,500 dollars and was paid out of the Facilities and Equipment account.

On August 17, 2009 a contract draft was presented by the landlord's facilities provider to the MCTV Director but was never considered as the Director informed the contractor that it was not needed. On August 26, 2009 a budget with a breakdown of the total cost of the project was presented to the Director showing that the total cost of the project would be \$131,579. The contract called for payment to be made by purchase orders issued by phases. The contract requires that each phase be in increments of less than \$19,000.

On September 14, 2009 invoice #1 in the amount of \$19,000 was issued and processed for payment by the School District on September 25, 2009.

On September 24, 2009 invoice #2 for \$19,500 was presented to the Director and processed for payment by the School District on November 25, 2009 but payment was void until the issues surrounding the transaction were resolved.

On September 24, 2009 Invoices #3 (\$19,210) and #4 (\$19,404) were presented to the Director for payment.

In October of 2009 Invoices #5 (\$19,247) and #6 (\$19,196) were presented to the Director for payment.

Invoices #3 through #6 were not sent to the School District office for payment until early November. At this point the School District presented a request to the City for approval of payment which was granted by the BMA on December 15, 2009.

OBSERVATION 1: SPLIT PURCHASE ORDERS

Manchester School District Policy Fiscal 119 states "All contracts from, and purchases of supplies, materials, and equipment in the amount of \$25,000 or more, and contractual services of \$20,000 or more, shall be based, when feasible, on at least three competitive bids." The policy also states that "The bidder to whom the award is made shall be required to enter into a written contract with the District."

The City of Manchester entered into an agreement with the Manchester School District dated June 26, 2007 that provides a formula for funding MCTV as well as conditions for the expenditure of funds. The agreement is for 8 years and ends on June 30, 2015. Per section 4 of the agreement the City will pay the School District 40% of the 5% franchise fee collected under the Comcast agreement for the sole benefit and use of MCTV. The City will also pay to the School District a one-time lump sum payment of \$432,304.67 from the facilities and equipment grant. The funds are to be maintained in a separate interest bearing account and all principle and interest is to be used for "the purchase, lease, improvement or maintenance or equipment, equipment, facilities or services as provided for in, and in compliance with the Cable Contract".

Section 6 of the agreement provides that all Long-Term Obligations and Expenditures over \$20,000 be approved by the City. It defines long-term obligations as over one year. It goes on to say "To the extent that MCTV **operations** (*emphasis added*) require the expenditure of amounts over twenty thousand dollars (\$20,000), all such expenditures shall also be approved by the City."

Testing revealed one instance where a renovation project with an estimated final cost of \$136,954 was split into six invoices of less than \$20,000 in what appears to be an attempt by the MCTV Director to circumvent either School District policy and/or the contractual obligations as noted in the agreement with the City of Manchester. The expenditure was paid out of the Facilities and Equipment account and not the Operating account.

The MCTV Director picked a contractor to complete the renovations to the MCTV studio and office space without putting it out to bid or executing a contract with the contractor. A contract was written up and presented to the Director but was never signed or approved. According to the contractor the MCTV Director stated that a contract was not needed. She also was reported to have agreed that the payment terms of the contract would be used. Section 4.1.2 of the contract (unexecuted) calls for "Payments shall be made by phases with phase values not to exceed \$19,000."

An October 22, 2008 purchase of camera equipment paid out of the Facilities and Equipment account exceeding \$20,000 was presented by the MCTV Director to the BMA at the September 16, 2008 meeting for approval.

Recommendation:

The Manchester School District Administration Business Office caught this problem in the normal course of business and the Superintendent reported it to the Mayor in a timely manner. The internal controls in place to detect and prevent such expenditures from going through appeared to have caught the irregularity after the third invoice was presented for payment and prior to the second invoice being paid. A further strengthening of controls should be instituted to prevent a person from negotiating a no bid contract and then allowing the work to commence with out a signed contract. Contracts for work should not be negotiated solely by the person requesting the work.

Auditee Response:

The Manchester School District Administration agrees with the findings of the audit. District policy and/or regulations will be updated to include the recommendations of the auditor. The updates will be reviewed with appropriate staff to ensure compliance in the future.

In addition to the audit work performed on the invoices mentioned in Observation 1 the general ledgers of both the Operating account and the Facilities and Equipment account were scanned to look for items that appeared unusual or seemed to exceed \$20,000 by themselves or in total with other invoices from the same vendor. Eight addition items were selected for testing and the following errors were noted.

OBSERVATION 2: RECORDS RETENTION

General State Rules

RSA 33-A:4-a established a municipal records board in order to establish (by rule) standards procedures and regulations for the effective and efficient management of municipal records. The Municipal Records Board has established such rules for record management and an accompanying retention schedule.

Records may be retained in their original form or the record may be microfiched. (MUR 302.02 a)

If the original was created in electronic format, a paper or microfilm copy of such record shall be obtained and retained. (MUR 302.02 b)

In addition:

RSA 33-A:3-a XVIII requires capital projects and fixed assets that require accountability after completion should be kept for the life of project or purchase.

RSA 33-A:3-a LIX requires that invoices and bills be retained until audited plus one year.

General Federal Requirements

IRS regulations require most records supporting payroll and tax matters to be kept for a minimum of seven years or until audited. Employee personnel records are to be kept at a minimum of seven years after termination.

Documentation for expenditures funded by federal assistance follow the "Common Rule" that has been incorporated into all of the assistance programs. The Common Rule applies to all financial and programmatic records, supporting documents, statistical records and other related records.

10-12

Except as otherwise provided, records must be retained for three years from the date the last expenditure report is submitted.

When real property and equipment is purchased with federal funds the records involved must be kept for three years from the date of disposition, transfer or replacement.

Retention of records relating to the earning of income on federally supported programs start from the end of the fiscal year in which the income was earned.

Copies made by microfiching may be substituted for the originals.

The grant agreements may involve other record retention requirements and should be consulted when deciding when to dispose of the records.

Manchester School District

The Manchester School District follows a retention policy issued by the Department of Education dated January 1998. When asked for invoices related to capital expenditures paid for by the cable television franchise fees I was informed that all invoices, other than federal funds, are destroyed one year after the audit is complete. This appears to violate RSA 33-A.

Recommendation:

The Manchester School District should establish a written records retention policy that complies with all federal, state, city and grant regulations.

Auditee Response:

The Manchester School District will work to update its retention procedures to comply with all federal, state, city and grant regulations.

OBSERVATION 3: OPERATING EXPENSES CHARGED TO FACILITIES AND EQUIPMENT ACCOUNT

The City of Manchester entered into an agreement with the Manchester School District dated June 26, 2007 that provides a formula for funding MCTV as well as conditions for the expenditure of funds. The agreement is for 8 years and ends on June 30, 2015. Per section 4 of the agreement the City will pay the School a one-time lump sum payment of \$432,304.67 from the facilities and equipment grant. The funds are to be maintained in a separate interest bearing account and all principal and interest is to be used for "the purchase, lease, improvement or maintenance or equipment, equipment, facilities or services as provided for in, and in compliance with the Cable Contract".

The cable agreement provides the money to be used for the purchase and/or lease of PEG equipment and facilities.

A scan of the general ledger of the facilities and equipment account revealed a few small purchases of banners, books, pamphlets and personal services to MCTV totaling about \$500 that could be considered operating expenses that would more appropriately be charged to the operating account. It was also noted that \$1,379 of WB Mason supplies were originally charged to the facilities and equipment account and later transferred to the operating account.

Recommendation:

Greater care should be taken to ensure that only allowable expenditures are charged to the equipment and facilities account.

Auditee Response:

The Manchester School District Finance department will implement procedures to ensure only allowable expenditures are charged to the equipment and facilities grant. Appropriate staff will be advised to review all charges associated with the grant to ensure compliance.

Tabled 3/16/09



Matthew Normand
Acting City Clerk

CITY OF MANCHESTER
Office of the City Clerk

MEMORANDUM

TO: Committee on Administration/Information Systems
Aldermen O'Neil, Garrity, Osborne, Pinard, Murphy

FROM: Matthew Normand
Acting City Clerk

DATE: February 6, 2009

RE: Proposed Policy on Street Closures

On November 24, 2008, the Committee requested that the City Clerk's Office review the current procedures for street closure for special entertainment events and propose some suggestions to improve the process. After some prior discussions with the Parking Division, Police, and Mayor's Office as well as members of the Committee, we have attached some recommendations for the Committee's consideration.

Our intent is to continue permitting street closures for entertainment related events under current procedures and ordinances but to add some additional oversight by including the Parking Division approval, notification to abutting businesses, and Committee on Administration involvement under certain conditions.

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

pc: Sgt. J. Flanagan, Police Department
T. Clark, Solicitor's Office
B. Stanley, Parking Division
S. Thomas, Mayor's Office

Proposed procedures for street closures for entertainment purposes

Policy

Temporary street closures for Entertainment Place of Assembly Permits may be granted by the City of Manchester based on the following standards:

1. Application for street closure must be submitted at least 30 days prior to event.
2. Any application received after deadline shall be denied by the Office of the City Clerk and submitted to Committee on Administration/Information Systems for approval.
3. The activity may not impair normal Fire and Police operations.
4. The City shall not incur additional costs related to street closure.
5. Businesses directly abutting the proposed street closure will be notified by Office of the City Clerk.
6. Multiple requests for street closures on same block in a close proximity of time may be referred to the Administration/Information Systems for consideration.

Procedure

1. Application must be filed with the Office of the City Clerk with appropriate approvals from Police, Fire, Highway and the Parking Division.
2. Applicant must provide detailed plans for street closure with application. Details shall include times and date of closure, description of event and purpose for request.
3. Office of City Clerk will notify in writing all abutters affected by closure.
4. All clean-up is responsibility of applicant.
5. Any additional costs for City services shall remain the responsibility of applicant.
6. All decisions of the Committee on Administration/Information Systems are final.

Tabled 3/16/09

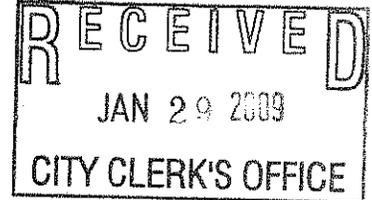


Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Peter R. Chiesa
Gregory T. Muller
John G. Blanchard
Jeremy A. Harmon

CITY OF MANCHESTER
Office of the City Solicitor



January 29, 2009

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

RE: **Naming Rights Policy**

Dear Matt:

Enclosed is the draft naming rights policy requested by the Board at its meeting on December 16, 2008.

Very truly yours,

Thomas R. Clark
City Solicitor

TRC/hr
Enclosure

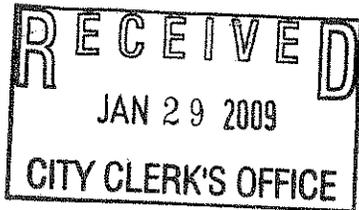
In board of Mayor and Aldermen

Date: 2/3/09 On Motion of Ald. Lopez

Second by Ald. Sullivan

Voted to refer to Committee on Administration

City Clerk



DRAFT

POLICY ON NAMING
CITY PROPERTY

All requests to name city owned or controlled real property, buildings or structures shall be submitted, in writing, to the Board of Mayor and Aldermen for referral to the department or entity having jurisdiction over the real property, building or structure. The written request shall contain the following information:

- Background information detailing the appropriateness of the intended name.
- Background information on the real property, building or structure in question.
- How any costs associated with the naming shall be funded.

The department or other entity shall review the written request and forward a recommendation to the Board of Mayor and Aldermen for referral to the Committee on Lands and Buildings.

The Committee on Land and Buildings shall take such action as it deems appropriate and report its recommendation to the Board of Mayor and Aldermen.

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

The Committee on Public Safety, Health and Traffic respectfully recommends, after due and careful consideration, that the request from Barbara Potvin, New England Sampler, for the City to hold a public forum to discuss the closing off of city streets be referred to the Committee on Administration/Information Systems.

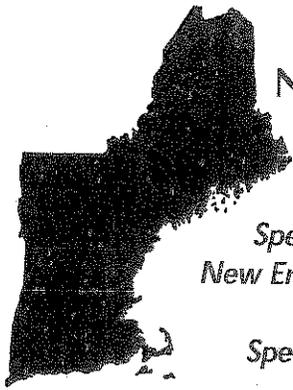
(Unanimous vote)

Respectfully submitted,


Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held October 21, 2008, on a motion of Alderman Sullivan duly seconded by Alderman O'Neil the report of the Committee was accepted and the recommendations adopted.

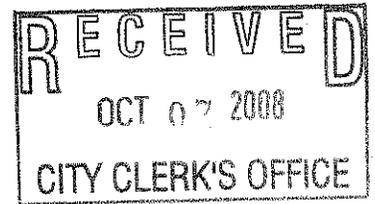

Deputy City Clerk



The
New England
Sampler

Specializing in
New England Products
&
Specialty Foods

42 Hanover St.
Manchester, NH 03101
603.626.4477



September 26, 2008

Dear Mayor Guinta, Aldermen Mark Roy, Mike Lopez, Dan O'Neil, Peter Sullivan & Brandy Stanley,

As you may already know, the Palace Theatre held a fundraising event last Thursday, September 18th. Attached is a petition signed by a number of business owners and managers located on the one-way section of Hanover St., between Chestnut and Elm Street. Peter Ramsey, the Executive Director of the Palace Theatre has been provided a copy of this petition and discussions have been held with Peter. Stephanie Lewry, from Intown was present at a discussion between Peter Ramsey, and myself, Barbara Potvin regarding this petition, the blocking off of the street and the implications of blocking the streets off for any such event.

During this discussion, Peter Ramsey had suggested that the City of Manchester might consider holding a Public Forum to discuss the process of closing off city streets and the impact that these closings have on local small businesses as well as the benefits drawn by the City of Manchester and its local citizens. After great consideration and input from other businesses on Elm St., that have faced this situation and dilemma, I agree with Peter that a public discussion would be helpful and could provide us all, including the City Hall with a policy that addresses and considers the welfare of all business owners/managers, local community members as well as Manchester City Hall.

Feel free to contact me at 603-626-4477 with any questions you might have regarding this request and this petition.

Sincerely,

Barbara J. Potvin

Owner

The New England Sampler

cc: Peter Ramsey, Stephanie Lewry

13-2

