

8/27/96 CIP

1

**COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM**

**August 27, 1996**

**6:30 PM**

Chairman Robert called the meeting to order.

The Clerk called the roll.

**PRESENT:** Ald. Robert, Reiniger, Clancy, Elise

**ABSENT:** Ald. Wihby, Domaingue

**MESSRS.:** R. MacKenzie, W. Jabjiniak, J. Taylor, T. Arnold,  
Atty. Ross, T. Riley

Chairman Robert addressed item 3 of the agenda:

Communication from Jay Taylor regarding improvements to the corner of Bridge and Elm Streets property.

Chairman Robert asked Mr. Taylor if the project was progressing.

Mr. Taylor replied it was premature to have it included on the agenda at this point noting they were currently in the process of meeting with abutters to make sure they were approaching it in the right way and once there was some sort of a plan they would report back to the Committee.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to table item 3 pending further report.

Chairman Robert addressed item 4 of the agenda:

Communication from Alderman Elise requesting the full Board review the issue of the CIP Committee approving School Sidewalk projects contrary to the priority list and recommendations from the Planning and Highway Directors.

On motion of Ald. Robert, duly seconded by Ald. Clancy, it was voted to receive and file the communication from Alderman Elise.

Chairman Robert addressed item 5 of the agenda:

Communication from Alderman Reiniger suggesting that a Universal Accessibility Advisory Board be created under the name of "Access Manchester" to be comprised of interested citizens, representatives from Planning, Building, Public Buildings Services, Elderly Services, and Personnel, a designated Aldermanic liaison and the City's ADA Coordinator as Chairperson.

Ald. Reiniger stated he believed everyone had a lot of individuals with wheelchairs and special needs noting he had those particularly in the high rise areas Downtown noting that over the years they had been approaching him regarding access to private buildings, crosswalks, ramps, etc. and had suggested to him that there needed to be a more centralized way of addressing those particular issues; that Connie Roy-Czyzowski of the Personnel Department had mentioned to him that it might make sense to the City to come up with a way of dealing with disability issues facing the City generally; that he was still in the process of setting up meetings with individuals from the State who had had experience with those organizations noting there was to have been a meeting held yesterday, however, it had been postponed.

On motion of Ald. Reiniger, duly seconded by Ald. Clancy, it was voted to table the communication from Aldermen Reiniger pending further information.

Chairman Robert addressed item 6 of the agenda:

Communication from Barbara Vigneault, Elderly Services, advising that the Elderly Services Commission has recommended that the lease agreement between the City and Carnoustie, LLC be negotiated for another option term.  
(Note: communication from Deputy Fire Chief Albin enclosed.)

Ald. Clancy stated in reference to Deputy Chief Albin's letter regarding 83 Hanover Street he concurred fully and suggested Elderly Services look elsewhere.

Ald. Reiniger stated he thought Ald. Wihby was negotiating with the current landlords and asked if it reflected the best deal he could come up with (\$47,592).

Chairman Robert stated he recalled the City having forgiven the owners back taxes noting he was disappointed that this was the best the owners could do.

Ald. Clancy asked Mr. Taylor if he knew anything about the existing lease.

Mr. Taylor replied he believed Elderly Services paid for the rent plus the heat.

Ald. Clancy stated if this was the best they could do, then perhaps they could do it for another year, rather than moving across the street to 83 Hanover.

Chairman Robert suggested the Committee give Ms. Vigneault some parameters to negotiate noting the landlord's were willing to come in at \$47,592.

Ald. Reiniger stated he thought that a lot of people thought the current location was still too expensive.

Mr. Taylor stated he had been asked to look into the matter during budget deliberations per the request of the City Solicitor, however, he did not have any of that information with him.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to request Ms. Vigneault to negotiate a lease and to report back to the Committee.

#### CONSENT ITEMS

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

- A. Amending resolution allowing for the increase to existing grants from \$68,300.00 to \$74,890.00 for the Apprenticeship Training Program and from \$807,000.00 to \$905,060.00 for the Deaf & Hard of Hearing Program.
- B. "Rescinding a Resolution 'Amending the 1996 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of \$5,000 for the 1996 CIP 8.20401 Archival Record Retrieval Project.'"
- C. Amending resolution decreasing \$5,000 in cash funds from the 1994 CIP 8.10401 Code of Ordinance Update and increasing 1996 CIP 8.20401 Archival Record Retrieval Project in the amount of \$5,000 in cash funds, and authorizing expenditures for same.

D. Bond Resolutions:

"Authorizing Bonds, Notes or Lease Purchase in the amount of \$5,930,000 for the 1997 CIP 7.60322 Wastewater Treatment Plant Odor Control."

"Authorizing Bonds, Notes or Lease Purchases in the amount of \$7,000,000 for the 1997 CIP 7.60323 Cohas Brook Interceptor."

- E. 1997 CIP Budget Authorizations:  
7.60322 Wastewater Treatment Plant Odor Control  
7.60323 Cohas Brook Interceptor

**HAVING READ THE CONSENT AGENDA, ON MOTION OF ALD. REINIGER, DULY SECONDED BY ALD. CLANCY, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.**

Chairman Robert addressed item 8 of the agenda:

Petition for Discontinuance -  
Second Street Back Street from Schiller Street to  
Arnold Street.

Chairman Robert asked if the reply from the Highway Department meant that it was already discontinued.

Assistant Solicitor Arnold replied it required some action on behalf of the City noting probably for title insurance purposes; that the translation was that the statute that existed at that time provided that streets that had not been built upon, accepted, or used for public travel for 20 years were released from public servitude.

Chairman Robert asked if it was okay then to discontinue.

Mr. Riley stated the title insurance company would not give them insurance if they did not have a letter to that effect.

Mr. MacKenzie stated he concurred with Mr. Thomas that it was a situation where it was a paper street noting the petitioners were looking for a finding that there was no public status but believed there was a water line in the back street and thought that the City might want to reserve whatever easements they could for the water line.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to approve the request for discontinuance.

Chairman Robert addressed item 9 of the agenda:

Communication from Roland Cloutier requesting the Board adopt another ordinance to convey property known as Map 222, Lots 78 and 52 to him.

Mr. MacKenzie stated he believed it was last year that the Board had determined the property to be surplus and offered to Mr. Cloutier noting it was landlocked property.

Assistant Solicitor Arnold stated he recalled the City having offered to sell it to Mr. Cloutier for the amount of outstanding taxes and costs, but did not know if that what the figure which Mr. Cloutier was now quoting.

Ald. Clancy suggested the Committee check with the Board of Assessors to see what the actually figure was instead of going with the \$4,500 noting it could be more than that.

Chairman Robert stated the City had been willing to let it go at that price about a year ago.

Assistant Solicitor Arnold stated he recalled the City was willing to sell it for back taxes and cost noting he had been quoted a particular amount by the Assessors Office, but by the time the Ordinance was passed or he got around to getting the money together there was another year of taxes on it which increased it between perhaps \$1,500-\$2,000 which he could not swing at that point, but did not know if the \$4,100 included that \$2,000 or not.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to table the communication from Mr. Cloutier pending current figures from Board of Assessors.

Chairman Robert addressed item 10 of the agenda:

Communication from James Kociuba, expressing his concern relative to the decision to halt construction of the sidewalks on Mammoth Road.

On motion of Ald. Clancy, duly seconded by Ald. Robert, it was voted to receive and file the communication from Mr. Kociuba.

Chairman Robert addressed item 11 of the agenda:

Communication from Attorney F. Anne Ross requesting a letter from the Board confirming that a portion of McCauley Street contained within Lot 42 has no public status.

Attorney Ross stated it was a paper street noting that the property she was talking about was on the Daniel Webster Highway, the old Cavanaugh Brothers building; that the site went back and went up about a 20 foot bank noting that McCauley Street ended up in the bank in the residential area, but there had always been a paper street which ran all the way out to the Daniel Webster Highway; that they were trying to sell the property and the title company had indicated they wished to have documentation that the street was no longer a public street noting that she did not believe there were any utilities located in the area.

Chairman Robert stated he would like the Public Works Director to look at the area.

Attorney Ross stated prior to her submitting the request for discontinuance she had gone to both the Assessors and Building Departments to see if there had been any evidence that the street had ever been laid out and indicated neither were able to give her that information, but on some of the plans they had access to there were references to the extension.

Ald. Clancy stated the reason they had done so was to give the Fire Department accessibility to get in back of the building.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to refer the communication from Attorney Ross to the Highway and Fire Departments requesting they report back to Committee with their findings.

Attorney Ross requested that she be advised of the next scheduled CIP meeting when this matter would be discussed as she wished to be in attendance.

Chairman Robert addressed item 12 of the agenda:

Communication from Wireless Acquisitions, Inc., regarding potential leasing of an area on the Wastewater Treatment Plan site for construction of a PCS wireless communication network for spring, and requesting permission to conduct a "Drive Test" of the site.

(Note: forwarded under separate cover to Committee members and available for viewing at the City Clerk's Office.)

Chairman Robert suggested it be referred to staff noting he would like to get a legal opinion as well. On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to refer to Tom Seigle, Doug Aiken for review and recommendation.

Chairman Robert addressed item 13 of the agenda:

Sewer abatement request:

Mary & Eileen Bresnahan, 91-93 Blodget Street

(Note: EPD recommends abatement of \$987.35 be granted.)

On motion of Ald. Reiniger, duly seconded by Ald. Clancy, it was voted to recommend that the sewer abatement request in the amount of \$987.35 be granted and approved.

Chairman Robert addressed item 14 of the agenda:

Sewer abatement request:

Ruth High, 10 Hayes Avenue

(Note: EPD recommends denial of request.)

Ald. Clancy stated she lived across from the housing project on Old Falls Avenue and Massabesic noting she was in her late 70's and had a child who was quite sick and was disabled, so they only received "X" amount of dollars for social security noting that people had been coming in and taking items out of her house also and asked if the Committee was able to help her he'd appreciate it noting that he believe the amount was \$239 or \$293; that he did not want to open a can of worms either.

Chairman Robert asked if there were any social service agencies who could perhaps help her.

On motion of Ald. Robert, duly seconded by Ald. Clancy, it was voted to deny the request for sewer abatement and refer it to the Welfare Department for possible assistance.

#### **TABLED ITEMS**

Communication from Kathleen Giacomponello, Business Manager, Hillsborough County, advising of payment in the amount of \$107,000 which represents the settlement on the Pine Island facility as a result of the fire that occurred on October 21, 1995; and further expressing concern relative to liability issues directly attributable to the burnt-out structure and discussions relative to the money being isolated for future use at the Pine Island site.  
(Note: communication from County dated July 26, 1996 enclosed.)  
(Tabled 3/12/96)

This item remained on the table.

Report from SPOT Team regarding:

397 Spruce Street, request of Beverly Fosher  
Note: recommendation of staff is to table this item. The subject property, while taken through tax deed, is not clearly the City's parcel due to FDIC, Bank One and a new mortgagee involvement. At present, if the mortgagee elects to pay the taxes, the property will not be available for sale by City; if the mortgagee elects not to pay the taxes the property can then be sold as surplus through public sale.  
(Note: tabled 3/26/96 per staff recommendation.)

This item remained on the table.

Communication from Karen Kean-Gould requesting to acquire the left side of 398-400 Hanover Street from the City for \$1.00, and proposing to tear down 398-400 Hanover Street and add the additional yard and parking space to the property she currently owns, creating one unified lot, provided, the City waves tipping fees for deposit of the building materials.

(Tabled 6/10/96)

This item remained on the table.

Communication from Al Lindquist, A & A Resource Mgt., Inc., requesting the City's assistance to expedite a closing on property at 241 Crosbie Street which the City held at public auction last year.

(Tabled 6/10/96)

This item remained on the table.

Communication from Deputy City Clerk Bergeron and Assistant City Solicitor Arnold submitting proposed revisions to Chapter 21A, Sewer Use Ordinance of the Code of Ordinances of the City of Manchester.

(Tabled 7/9/96)

This item remained on the table.

Communication from Alderman Reiniger requesting that the City's policy regarding the payment of repairs to sewer lines be reviewed by the CIP Committee for possible changes. (Note: communication from Public Works Director dated 7/8/96 enclosed and referred to the Risk Manager for review on 7/10/97 - Risk Manager's response enclosed.)

(Tabled 7/31/96)

This item remained on the table.

Copy of a communication from Walter Bachtta, seeking reimbursement in the amount of \$168.75 as a result of a flooding problem in his basement on June 14, 1996. (Note: forwarded to Risk Manager for review on 7/10/97 and Risk Manager's response enclosed.)

(Tabled 7/31/96)

This item remained on the table.

Copy of a communication from Laura Bascom, advising that she would like to deed 3.28 acres of land on Sheffield Road to the City of Manchester.

(Note: forwarded to the Director of Planning for review on 7/10/96.)

(Tabled 7/31/96 pending further report from the Planning Director.)

This item remained on the table.

Discussion with representatives from The Sargent Museum relative to their proposal to acquire and renovate the City-owned property at 88 Lowell Street.

(Note: originally tabled 7/9/96 and retabled on 7/31/96 pending review of recommendations and references. Forwarded under separate cover to Committee members and available for viewing at the City Clerk's Office.)

This item remained on the table.

#### 50/50 Sidewalk Project

This item was retabled at the request of Chairman Robert.

#### **NEW BUSINESS**

Mr. MacKenzie stated in the CIP Program for this year, they were going to apply to HUD for a loan guarantee to help pay for the Elm Street Improvements Project, etc. noting it was going to be \$1.5 million; that HUD had indicated the City could have the potential to use additional of those federal monies to do economic development projects; that they were to the point where they were going to prepare the application to HUD noting there was a deadline of September 17th at which time they would also be applying for an EDI (Economic Development Initiative) Grant; that they had thought it would be wise to get a line-of-credit from them to be used for other economic development projects as they arose noting one such project (1037 Elm Street) would be discussed at a later time with the Committee about the possibility of getting back onto the tax rolls and was requesting the Committee's permission to apply for that type of line-of-credit noting they would be looking for as much as a line-of-credit up to \$5 million and would seek the Board's concurrence.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to authorize Planning to apply to HUD for a loan guarantee.

Mr. MacKenzie stated that last year the tax-deeded parcel owned by the City which was landlocked just off Currier Hill near the Hooksett town line noted the Committee last year had decided there was no use for it, sell it off, and get it back on the tax rolls; that there was a subdivision up there with three property owners who had indicated they wanted to buy one of them, so they had agreed to purchase the property, paying for the costs of subdivision noting that one of the conditions of the City was that those parcels be consolidated with their own lots; that after discussion with their own attorneys and perhaps even their mortgage companies was that the City parcel had a clouded "history" and was not sure if it was a full, clean title; that their attorneys would be hesitant to consolidate it into their existing lots; that they were still interested in buying the parcels and getting them back on the tax rolls.

Assistant Solicitor Arnold stated the title was somewhat clouded, therefore, they wanted to consolidate the lots, but by the same token the City did not want to convey the properties with the risk that there might be pre-existing buildable status or something of that nature; that he believed the City did not want them used or sold independently from the abutters lots.

Ald. Clancy asked how big the lots were.

Mr. MacKenzie replied they were approximately one-third of an acre; that the lots were not buildable noting he had no problem in selling those lots provided that it be noted that they were not buildable lots.

Assistant Solicitor Arnold stated perhaps if there was a deed restriction included noting they were not buildable lots then they could get to own the property and pay taxes and would then be out of the City's liability.

On motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to accept the recommendation to sell the lots with restrictions to reflect non-buildable lots.

There being no further business to come before the Committee, on motion of Ald. Clancy, duly seconded by Ald. Reiniger, it was voted to adjourn.

A True Record. Attest.

*Lee R. Bennett*  
Clerk of Committee