

## COMMITTEE ON COMMUNITY IMPROVEMENT

**March 16, 1998**

**5:00 PM**

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen Reiniger, Wihby, Clancy, Pariseau, Girard

**Messrs:** R. MacKenzie, T. Lolicata, F. Testa, T. Arnold

Chairman Reiniger advised that due to time constraints the Committee shall first address tabled items, and those other items that will require actions by the full Board of Mayor and Aldermen later this evening. Members concurred to remove and address tabled items.

### **TABLED ITEMS**

Chairman Reiniger addressed Item 4:

Appropriating Resolution:

“A Resolution Approving the Community Improvement Program for 1999, Raising and Appropriating Monies Therefor and Authorizing Implementation of Said Program.”

- A. The Clerk advises that a motion is in order to recommend that Table 1-4, General Obligation Bonds, be amended by changing the title of 5.10155 from School Recreation Facilities/Parking Lot Improvements to School/Parks Improvement.

On motion of Alderman Pariseau, duly seconded by Alderman Wihby it was voted to amend the title of 5.10155 from School Recreation Facilities/Parking Lot Improvements to School/Parks Improvement.

- B. Communication from Deputy City Clerk advising that if the Committee wishes to pursue the \$500,000 enterprise fund bond for Livingston Park Athletic Facility previously acted on, a motion is in order to recommend that Table 1-4, General Obligation Bonds, be amended by adding 5.10263 Livingston Park Athletic Facility \$170,000. and to recommend adding to Table 1-5 Enterprise, fees and dedicated sources by adding 5.10263 Livingston Park Athletic Facility \$330,000. with a fiscal note of dedicated debt service.

Alderman Wihby made a motion to amend 5.10263 Livingston Park Athletic Facility by adding \$170,000 to Table 1-4, General Obligation Bonds and adding \$330,000 to Table 1-5 Enterprise, Fees and Dedicated Sources, with a fiscal note of dedicated debt service. Alderman Pariseau duly seconded the motion.

Alderman Girard asked why are we doing this.

Mr. MacKenzie answered as you may remember, there was an individual committing \$500,000 to the City over a 20 year period. There was also discussion that as part of that there would need to be a match. In essence, the City would be picking up a portion of that, relatively \$13,000 a year in debt service. The numbers here reflect those two different funding sources. \$25,000 a year in private sources and \$13,000 a year in City match.

Chairman Reiniger called for a vote. There being none opposed, the motion carried.

- C. Report from CIP staff regarding VNA (Optima) Day Care issue. (Following discussion motions are in order to amend if members so desire.)
- D. Report from Traffic Director regarding signalization projects. (Following discussion motions are in order to amend if members so desire.)

Alderman Pariseau moved Item D for discussion. Alderman Wihby duly seconded the motion.

Chairman Reiniger asked Mr. Lolicata to address this issue. He stated that it looks like he (Mr. Lolicata) is recommending that none of these be done.

Mr. Lolicata stated I have been asked by the Committee to bring forth the reason of how we have our priorities set. That was my understanding. I guess the discussion was based on signalization and I think this came forth because of the requests we have been getting for the past couple of years. Right now, I have two intersections on the program we have. One is Valley and Jewett and the other is River and Webster Road. What I am trying to say is that in the past three years, I have been getting more requests for signalized intersections from the Aldermen. Years ago, we had these set forth in the Police Department for priorities. I haven't had a list in almost 10 years. Now that was based upon accidents. That was the first criteria for any of these. Outside of topics, over 20 years ago, 90% of those places have been covered by signalization. Lately, I have had no requests up until the last three years now and we have looked into all of these and I have put them in a prioritized list. There are two intersections on there. One you are not aware of because of the accident ratio. There are two others we are looking at from requests and now a third that came in from Alderman Pariseau. If we are going to start this type of request to go onto the CIP every year, I suggest we start going through the Police Department, computerize and start all over again. Alderman Pariseau brought up Brown Ave and Beech Street today that has to be put on here. First of all, I would do that for you, but the study will take half a year at least. Alderman Reiniger you added Webster Street which you have looked at and ever since then we had the ratio go down since we put in the flashing beacon. The other one I am looking for money for here and there is a high accident ratio of 25 accidents for that one.

Alderman Clancy stated there are about 32 accidents to my knowledge up until last week.

Alderman Wihby stated I thought we okayed the money already.

Mr. Lolicata replied yes but since that time these other requests are coming in and people are asking me how I prioritize and that is how I have been doing it for signals.

Alderman Pariseau stated I think what probably created the problem was the installation of the traffic light at Taylor and Cilley Road. If you cut the trees from the abutting property, it would have eliminated that dark intersection.

Mr. Lolicata responded but prior to that the accidents that were happening up there were five or six a year and they were turnovers. Something had to be done and that is why we did that. These aren't exactly fender benders, these are rollovers.

Alderman Pariseau stated I want to disagree with you on the Brown Avenue and South Beech Street accident ratio. At one time, when the State recommended that something be done with that intersection there was 41 accidents.

Mr. Lolicata responded correct. We worked with the State. We were told about seven years ago that it can't happen. The queuing is so short down there that the renovations alone would involve the turnpike and everything else. You are talking millions here. Right now you are about 150 or 250 feet from that exit. The topography kills it right there off the bat.

Alderman Pariseau asked what if we made South Beech one way, say from Gold Street southerly.

Mr. Lolicata answered one thing we were looking at that was brought up was the idea of making Gold one way and coming out the other end. That entails the whole neighborhood. That is something that was brought up a long time ago.

Alderman Pariseau replied and have them come up Cressa. Have one way in. Why don't we look at that?

Mr. Lolicata responded I guess what I am saying is that you are not going to have lights there unless it is a complete renovation of ramps and everything. Even the state agrees with that. The topography is really bad down there. These are some of the reasons that we go through year after year. When I have to go to an intersection, I get a three year study on that and that is how this comes about.

Jim Hoben stated years ago there was a study to make South Beech Street one-way to the north and then down Bossey Avenue. That is a lot easier. Nothing ever came of it.

Alderman Pariseau responded why don't we get together and get the neighborhood involved in the process before we do anything.

Jim Hoben replied at one point we looked at it with the State and the Traffic Bureau suggested shutting off the southbound on ramp and I don't think we want to do that because that would be Gold Street further back to get back on South Willow. They really don't have an answer.

Alderman Pariseau stated I was under the impression that we were in a light distribution mode and I just wanted you guys to remember that there is a problem at South Beech and Brown Avenue.

Alderman Wihby stated I thought we had already funded Valley Street and Jewett Street in this budget that we are in now. Yes or no?

Alderman Clancy replied \$65,000, we already funded it.

Alderman Wihby stated why is Mr. MacKenzie saying no.

Mr. MacKenzie replied I think you are implying in this fiscal year of FY98. It is in the Mayor's proposed budget for FY99.

Alderman Wihby stated so say we do one a year, then that would be the one that is the top priority.

Mr. MacKenzie answered yes.

Alderman Clancy stated, Tom, what you are trying to tell us is that you want to have the Police Department more or less tell us where they think we should put signal lights up instead of the Aldermen.

Mr. Lolicata replied I am saying that if we go into this mode we have been into lately with all of these intersections, maybe it would be a good idea to start like we did 20 years ago. You are asking a lot of the Police Department, but they are computerized. I want somebody to give me the top five or ten intersections in the City by accident ratio and I will check the volumes that go with it. There are two criteria's there. That is the old system outside of the request and the warrants being there.

Alderman Clancy stated lets go with that system because other people might get traffic lights because of popularity.

Mr. Lolicata responded it is not popularity. I have to go to the warrants. It is not because you want a light or he wants a light. That intersection has got to show warrant for it and I have to go through the steps. If the warrants aren't there, I would be hesitant to say that you are going to get them.

Chairman Reiniger asked if the Committee would like to refer this to the Traffic Committee for further discussion and recommendation.

Alderman Hirschmann asked the Committee if it is going to be the policy to do only one street light per year. It will take 20 years to do them. If he has three priorities then will it take three years to get them done.

Chairman Reiniger answered it is something that the Board will have to consider.

Mr. MacKenzie replied it is a matter of money. Certainly, there are only two requests for intersections this year originally before other ones came up. Clearly one was a very high accident location. They are fairly expensive, roughly \$65,000 to \$70,000 and in the Mayor's budget he did include money for one.

Mr. MacKenzie stated that he had a list of seven technical changes. There is only one that relates to money. The first one is changing the Table because we have a contribution from a developer. In this case, on North Elm Street a project came in and in negotiations with the Planning Board he offered \$60,000 to look at extending the changes on lower Elm Street, diagonal parking, northerly to Bridge. This would be amending the Table to allow that individual to contribute that money to the City. There would have to be some match by the City, but we believe that there are CDBG funds we could use to match that money.

Alderman Pariseau asked what if they don't want to extend the work on Elm Street.

Mr. MacKenzie answered we did discuss that and ultimately he recognizes that he is funding the design and it may or may not go through to his satisfaction. It is not a conditional amount of money.

Mr. MacKenzie stated number two, we are carrying two numbering systems right now. It is getting cumbersome and time consuming for the staff. We now have the HTE computer system where we can't use our old numbering system. We would recommend using a new numbering system to make it easier for everybody and frankly it will shave a couple of fractions of seconds off of these meetings. We would eliminate the period and put the fiscal year right into the number. The last five are just wording changes to titles and administering departments. As an example, number three it was originally Athletic Field Rehab Program. There were several others added and to make the name reflect what the program is, we recommend that it become the Park Improvement Program. The next one is the airport. The airport requested a very specific number, 3,000 space parking garage. If they build it at 3,001, however, that can create difficulties for the bond titles so we recommend changing that to the Airport Parking Garage. The next ones, five and six, are just correcting the administering agencies. I think one Alderman picked up on one of these last time. These two should be Southern NH Services. The last item is just to change the name. The one requested Noresco School Energy Efficiency had the title of a vendor in it and we are recommending that it be more generic, School Energy Efficiency.

Alderman Wihby made a motion to approve the staff changes to the resolution. Alderman Pariseau duly seconded the motion.

Alderman Clancy stated that he got a call today from Mr. Bridgeman from the Library. He forgot to put in for the carpeting. Could we add \$15,000 to the CIP for FY 99? They are going through some different phases at the Library and that is like buying a new suit without a good pair of shoes.

Mr. MacKenzie answered that would be up to the Committee. It would add some money and would have to be under the CIP Cash portion of the budget. I can't see any other way.

Alderman Clancy made a motion to add \$15,000 to the CIP Cash portion for carpeting for the Library. Alderman Pariseau duly seconded the motion.

Alderman Wihby stated I was questioning Bob on that earlier and I guess that item wasn't forgotten. The Mayor did see that item and chose not to fund it. It is not a new item. He explained to me on the phone today that someone forgot to put it on the list and no one had seen it and it was something new and it should have been done, but that is not true. It was there with everything else. It just was not funded.

Alderman Pariseau retracted his second to the motion.

Chairman Reiniger called for a vote. There being none opposed, the motion carried.

Mr. MacKenzie stated one of the Aldermen requested a listing of all the projects requested, how much was requested and how much the Mayor was recommending on each of these in summary form. I do have these available for the Committee members.

Alderman Clancy asked would it be cash money or money allocated to the Library for the carpet. How would we go about that?

Mr. MacKenzie answered the only way that I would know would be to either put it in CIP Cash or somehow find it in the Library's operating budget.

Alderman Pariseau moved to recommend to the Board of Mayor and Aldermen that the appropriating resolution be referred to the Committee on Finance. Alderman Wihby duly seconded the motion.

Chairman Reiniger called for a vote. Alderman Girard being duly recorded in opposition, the motion carried.

Chairman Reiniger addressed Item 5:

Communication from Airport Director requesting a finding by the Board that the Airport's Wetland Mitigation Project is a "Public Need" and further requesting the Board to grant permission to acquire a fee simple interest in 56.652 acres of land described as Parcel "C" and Parcel "G" from its owners for Airport purposes using eminent domain pursuant to RSA 423:1 and RSA 498-A.

Alderman Pariseau stated Mr. King called this afternoon and asked if it would be all right if they could show up at 6 p.m. because his attorney had another engagement between 5 & 5:30 p.m. and wanted to know if there was any problem. In my wisdom, I said no not realizing that the Board of Mayor and Aldermen meeting was a 6 p.m. So I don't know if anyone is here on behalf of Mr. King.

Chairman Reiniger suggested that they skip this item for now.

## **OTHER BUSINESS**

Chairman Reiniger addressed Item 6:

Communication from Deputy City Clerk advising that following review of the Airport request regarding extension of Runway 6-24 and improvements to Runway 17-35 that *previous actions should be rescinded* and the following actions considered:

- 1) That the Board of Mayor and Aldermen order a petition for discontinuance of a portion of Harvey Road to Road Hearing on April 28, 1998 at 5:30 PM; subject to the Airport Director providing the Clerk a complete listing of all abutters, with mailing address, to the property in question on or before March 19.

(Note: petition enclosed)

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to approve the above action.

Chairman Reiniger stated I have a letter that was just handed to me from the Mayor who is writing in support of Item 6.

- 2) That the Board of Mayor and Aldermen order a public hearing for the purpose of determining "Public Need" with regards to the extension of Runway 6-24 and improvements to Runway 17-35 as requested by the Airport Director; such hearing to be scheduled for April 14, 1998 at 7:00 PM, at Memorial High School Auditorium, or other location determined by the City Clerk; subject to the Clerk's receipt of an abutter's listing on or before March 19.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to approve the above action.

- 3) That the Board of Mayor and Aldermen authorize the use of eminent domain (condemnation) to acquire the necessary property rights in the event good faith negotiations with the property owners fail, subject to the Board finding a "Public Need" following the Public Hearing on the Runway 6-24 and Runway 17-35 project.

Alderman Pariseau asked if Item 3 refers to the property on Harvey Road.

Deputy Clerk Johnson answered yes.

Alderman Clancy asked how many properties are involved in this eminent domain.

Mr. Testa answered I think there are 14 properties. There are different types. There are some small thin strips because we have to rebuild a roadway and make the curve. We have to rebuild Harvey Road. There are some slope easements. We already own the real property where the public storage buildings are, but we have to take the building which belonged to public storage.

Alderman Clancy asked how many are in Manchester.

Mr. Testa answered all of them.

Alderman Clancy asked how much tax base are we going to miss out on.

Mr. Testa replied public buildings are going to be built at a storage space, they are going to be rebuilt at another public storage facility. I don't know what the taxes are. We have to rededicate some property from highway needs so the only real properties you would be losing would be the old Standard Fence property which is defunct anyway and the Rhine property which has two homes on it.

Alderman Clancy asked is there a third property there.

Mr. Testa answered no, that is it. We are taking little pieces here and there, little corners to make the road curve. Actually, we have to take some rights-of-way and then rededicate them back to the City as a public road and there is a portion of that road that becomes state highway because it is on South Willow, Route 28, which we have to rededicate to the state. Then there is a portion of that project that the state is joining us in because they want to improve the intersection of Harvey and South Willow.

Alderman Clancy stated so you are taking 14 properties, right.

Mr. Testa replied well the 14 properties are really only two. Standard Fence and the Rhine property. The other ones are small strips here and there and a curve that we come around on so it is a couple 100' of property here and 1,000' of property there.

Alderman Wihby stated last week it looks like we asked to authorize eminent domain proceedings and now we decided that that wasn't the right way so what we should be doing is scheduling a public hearing to look into it.

Mr. Testa replied my letter should have been to ask you to vote at the full Board for a request for a public hearing. At the public hearing, evidence is then heard on both sides as to whether or not public need is determined by the Board. The Board takes the testimony that night and then determines whether a public need exists.

Alderman Wihby stated so I can see how we are setting a date and having a public hearing and then all you are doing in number three is saying that no matter what happens at the public hearing we want the Board to do number three and authorize the use of eminent domain. That is what I get out of number three.

Mr. Testa replied no it is subject to the Board finding a public need. I really don't think that is necessary. Once a public need is found, that is the first step and you proceed. You need the authority from the Board to proceed in eminent domain.

Alderman Wihby asked why can't you come back to us at that point and tell us we have a public need, etc.

Mr. Testa answered you are the ones who are finding public need.

Alderman Wihby stated so you are coming back to us anyway. Why do we need number three here today?

Alderman Pariseau stated I have a conflict with the 14th. Could we move it up to the 20th or somewhere around there?

Deputy Clerk Johnson stated the Clerk's Office set that time based on availability of the auditorium at Memorial and trying to have certified notices.

Alderman Pariseau asked can you check to see if it could be on a later date.

Alderman Wihby stated I am not here from the 21st until the 27th.

Deputy Clerk Johnson stated if you want to try to change the date, we can check and see what is available. We won't be able to bring the report into the Board so we are probably looking at the first of May because we have to send out certified notices to all of the abutters and I don't know what that does to the airport project.

Mr. Testa stated I have until March 31.

Alderman Pariseau asked why is this contingent on Memorial High School. Why don't we have it here?

Deputy Clerk Johnson answered we have to send out certified notices to all owners of property, anybody abutting that property, it all has to go out in certified mail. It is presumed that there will be a substantial number of people there. It is located in the southern end of the City so the Clerk arranged to get Memorial High School.

Alderman Pariseau stated Item 1 is scheduled for here on March 28 so I don't know why we don't have all three of them here.

Deputy Clerk Johnson replied that is for a road hearing. A road hearing is not quite the same.

Alderman Pariseau stated I think because Alderman Rivard is unable to be here on the 14th, that I would appreciate it if the City Clerk's office could reschedule. It is his ward.

Deputy Clerk Johnson asked what dates Alderman Rivard is looking for.

Alderman Rivard replied before April 8 or after April 18.

Deputy Clerk Johnson stated we will reschedule it and try to accommodate Alderman Rivard.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to change the date of the public hearing to a date available after April 18.

Chairman Reiniger stated the Clerk has advised that she was involved in drafting this language if anyone has any questions about it.

Alderman Wihby stated if we are going to decide anyway at another hearing, why do we have to have number three in there now to vote on.

Deputy Clerk Johnson replied I put number three on there based on the action of the Committee the last time. When the Committee met the last time, it took up a request from the Airport Director and then authorized him at that point to go forward, but in reality you couldn't do that without setting the public hearing. So what we did was we said "subject to the Board finding a public need". After the public hearing, the Board of Mayor and Aldermen will have to meet and they will have to determine whether or not they are going to do it.

Alderman Wihby responded right, so why do we have to vote on number three today.

Deputy Clerk Johnson replied you are recommending that if the Board finds a public need that they authorize him to proceed.

Alderman Wihby stated we can do that the day we sit down and decide if there is a public need or not after there is a public hearing.

Deputy Clerk Johnson replied the Board can do whatever it desired. I am not trying to say that is not feasible. I am saying that usual the Committee makes a recommendation to the Board and if the Board does come out with a finding that there is a public need then it is appropriate to give the Airport Director the authority to proceed. If the Board does not find a public need, then nobody gets

authority to do anything. Do you want it to come back to the Committee or do you want it to stay at the Board level? All this is doing is passing it onto the Board.

Alderman Wihby asked so it is not coming back to the Committee.

Deputy Clerk Johnson answered no, normally it would not unless the Board decides it wants to send it back to the Committee.

Alderman Wihby asked so is the public hearing not just for our Committee but for the full Board.

Deputy Clerk Johnson answered it is for the full Board of Mayor and Aldermen that hold a public hearing and normally you would have a special meeting of the Board of Mayor and Aldermen immediately following.

Alderman Girard stated this action was approved by the Board at the last meeting. Obviously we didn't know we had to go to a public hearing so I don't know why we wouldn't just send this to public hearing subject to what we did last time.

Alderman Clancy moved to send number three it to the full Board. Alderman Girard duly seconded the motion.

Chairman Reiniger called for a vote on the motion. Alderman Wihby being duly recorded in opposition, the motion carried.

Chairman Reiniger addressed Item 7:

1998 Budget Authorization  
8.30397 ADA Compliance - Revision #1

On motion of Alderman Clancy, duly seconded by Alderman Wihby, it was voted to approve the revision.

Chairman Reiniger addressed Item 8:

Bond Resolution and budget authorization submitted to authorize expenditure of \$3,801,250. in bond funds for the 1998 CIP 7.30279 Relocate Airport Drive project.

On motion of Alderman Clancy, duly seconded by Alderman Wihby, it was voted to approve the bond resolution.

Alderman Pariseau stated we are moving ahead with this airport and there is a lot of concern being expressed by people within Wards 8 and 9 relative to this kind of movement knowing that stuff from 1992, 1993, and 1994 hasn't been taken care of.

Mr. Testa asked what "stuff" hasn't been taken care of.

Alderman Pariseau answered the sound proofing.

Mr. Testa replied it is almost all done. All of the houses that were identified in 1992, 1993, and 1994 as being in both sets of curves, have been done. There are 284 homes that have been done, 40 that have already gone out to bid and will be started next month and the other 40 are being designed now and that will take care of all of those homes. All we have left to do is go back and clear up the ones that we skipped over for various reasons. Some people decided to wait and see what the program was like, other people were living in homes that they didn't own or there were some multi-family units that have to be done at the end of the program because that was the policy to do owner occupied residences first.

Alderman Pariseau asked when are those people on Blackstone and Titus going to get their sound proofing.

Mr. Testa answered they are doing that next month on Titus.

Alderman Pariseau asked what about Blackstone which is closer to airport.

Mr. Testa answered there are two groups, 40 and 44. Forty in the first bunch which have already been designed and went out to bid and will be started next month and then the 44 which are currently in design that will go to bid this Summer and be done before November.

Alderman Clancy asked are you going to have sound proofing in the middle school.

Mr. Testa answered no. One of the flight patterns does go that way, however, we met with the Joint School Building Committee during the process of design and offered our engineers and our sound consultants to go over the plans to make sure that the building was designed with current standards in mind. Our people went over the plans, made the necessary changes to the design and the design

consultants then incorporated them so it is being designed with that in mind. Also, most of the flights that will go out that way we think will be either very early in the morning or very late at night when school is not in session. Also, the school is outside the curve.

Chairman Reiniger addressed Item 9:

Bond Resolution submitted to authorize bond issue in the amount of \$2,264,000. for the 7.30280 Construct Bridge for Taxiway "E" Project and a budget authorization allowing for expenditures totaling \$4,375,000. in federal, state and bond funds for such project.

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to approve the bond resolution.

Chairman Reiniger addressed Item 10:

Update from Assistant City Solicitor regarding 88 Lowell Street.

Asst. City Solicitor Arnold stated that 88 Lowell Street is the old school administration building that is presently in very rough shape. As you are also aware, we have been negotiating with The Sargent Museum to have them purchase that building for a nominal amount and transfer it to The Sargent Museum for housing of archeological artifacts state-wide. We do presently have a signed purchase and sale agreement with The Sargent Museum. However, there is one final sticking point. The City obtained 88 Lowell Street from the Amoskeag Manufacturing Company back in 1841. The deed to the City contained a reverted right, specifically if the building was ever used for any purpose other than school that the deed was void and returned to Amoskeag Manufacturing. The purchase and sale agreement provides that it is the City's duty to get Amoskeag, now Amoskeag Industries, to release that reverted right. There are a number of different circumstances which we have anticipated. In order to insure that The Sargent Museum completes the project and renovates the building to use as a museum, we have provided a time schedule in the purchase and sale agreement which The Sargent Museum is intended to meet. If they can't meet our proposed schedule prior to the year 2003, under the purchase and sale agreement they are given to the year 2005 to try and sell the building to recoup whatever expense they put into renovating it at that point. If the building were, in fact, sold prior to 2005, I had planned to go before the Board and propose that the City pay 20% of the net profit of that sale in payment to the reverted right. The purchase and sale provides

that if the building is sold by The Sargent Museum prior to 2005, that the net profit (being the cost of purchasing and renovating the building subtracted from the sale price) be split between The Sargent Museum and the City 50/50. The 20% reverted right as proposed would come to the City's 50% share. The other two possibilities are that if The Sargent Museum is not successful at meeting their scheduled renovations and are not successful in selling the building prior to 2005, the purchase and sale calls for the building to be returned to the City. What the Amoskeag Industries have proposed is that in that event, if the City ever sells that building that the City give 20% of the net profit of the sale to Amoskeag Industries again in return for the revert. The last contingency, which has not been worked out at this point is if The Sargent Museum is, in fact, successful and does operate a museum from that site and at some time in the future after the year 2005 chooses to sell the building for whatever reason, presumably because they have outgrown it, what would be paid to the reverted right. Amoskeag Industries has proposed that the payment for the reverted right be either 20% of the net profit again or \$20,000. I transferred that offer to The Sargent Museum who objected to it and that is where things stand. I did not have a chance to get back to Amoskeag Industries yet to try and look at how to work the problem out. That is presently where this project stands. I will be happy to answer any questions that anybody has.

Chairman Reiniger stated so the problem we have is that there can't be a closing on the property because there isn't a clear title.

Mr. Arnold replied right. The Sargent Museum does not want to close on the property without the reverted right held by Amoskeag Industries being released.

Alderman Clancy asked how much money did we spend on that building to date. I know we put a new roof on it.

Mr. Arnold answered I believe it was in the area of \$30,000 or \$35,000 to put a new roof on the building. I would note that the purchase of sale under a number of various alternatives calls for The Sargent Museum to reimburse the City \$25,000 for that expense. I will attempt to work out the problem and we will be back to the Committee and to the full Board with our proposal for consideration.

Chairman Reiniger addressed Item 11:

Communication from Ronald Ludwig, advising that the Oval Society

wishes to contribute \$30,000 to upgrade the running track, requesting the Committee approve acceptance of the funds and authorize CIP staff to submit appropriate amending resolutions.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau it was voted to approve the acceptance of funds and to send the Oval Society a letter thanking them for their hard work.

Chairman Reiniger revisited Item 5:

Deputy Clerk Johnson stated it is my understanding that the Kings are here, but their attorney is not.

Chairman Reiniger stated the Clerk has advised that we can choose to refer this item with the Kings to the full Board. Their attorney is not here yet. In the meantime, Mr. MacKenzie has another item.

Mr. MacKenzie stated this is a fairly quick item that I will hand out. This is a request by the Water Works to allow them or authorize them to apply for a state loan.

On motion of Alderman Girard, duly seconded by Alderman Pariseau, it was voted to approve this request.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to refer Item 5 to the full Board.

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

A True Record. Attest.

Clerk of Committee