

COMMITTEE ON COMMUNITY IMPROVEMENT

**November 17, 1998
PM**

6:15

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

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

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

- C. Communication from the Planning Director seeking authorization to apply to the CDFA for \$500,000 under the Community Development Investment Program for the Riverwalk.

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN WIHBY, DULY SECONDED BY ALDERMAN GIRARD, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

- A. Resolutions:

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Three Hundred Fourteen Dollars (\$4,314) for the 1998 Community Improvement Program 2.20715 Refugee Health Program.”

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of Three Thousand Three Hundred Seventeen Dollars (\$3,317) for the 1998 Community Improvement Program 4.10115 Cops Ahead.”

“Amending the 1998 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the 1998 8.30341 City Hall Security/Audio/Visual/Other.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty-eight Thousand Dollars (\$68,000) for the 1999 Community Improvement Program 410304 MHRA Public Housing Drug Elimination Program.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for the 1999 Community Improvement Program 710599 LED Replacement Program.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for various School Department Projects.”

B. Budget Authorizations:

- 1995 740370 Sanitary Landfill Closure - Revision #6
- 1998 220715 Refugee Health Program - Revision #1
- 1998 4.10115 Cops Ahead - Revision #1
- 1998 8.30341 City Hall Security/Audio/Visual/Other-Revision #3
- 1999 410304 MHRA Public Housing Drug Elimination Program
- 1999 710599 LED Replacement Program - Revision #2
- 1999 830399 ADA Transition Plan - Revision #1

Deputy Clerk Johnson noted that A&B can be taken together. The only changes are on the second page of the agenda the resolution referring to MHRA Public Housing Drug Elimination Program should read MHRA Community Policing Services. That was at the request of the CIP staff and the same for the budget authorization if you could move it with that change.

On motion of Alderman Wihby, duly seconded by Alderman Clancy it was voted to approve Items A&B with the changes in title noted by the Clerk.

Chairman Reiniger addressed Item 4 of the agenda:

Petition for discontinuance of a portion of Elton Avenue at Waverly Street.

Deputy Clerk Johnson noted it would be a finding of released and discharged and to recommend that finding.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to recommend a finding of released and discharged.

Chairman Reiniger addressed Item 5 of the agenda:

Petition for discontinuance of James Street.

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to recommend a finding of released and discharged.

Chairman Reiniger addressed Item 6 of the agenda:

Communication from the Deputy Finance Officer submitting a resolution relative to the next step in the acquisition process of the Amoskeag Hydro Station Dam:

Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of one hundred forty thousand dollars (\$140,000) for the further investigation into the purchase of the Amoskeag Hydro Station.”

Alderman Wihby moved to approve the resolution. Alderman Girard duly seconded the motion.

Alderman Clancy asked are we going to have anymore people assigned to this other than the three people that the Finance Department assigned. Are they going to hire anybody else?

Mr. Sherman answered what you are talking about, Alderman, is the Aggregation Program. That is not what this is. This is the acquisition of the Amoskeag Hydro Station. Right now, under the Aggregation Program, we only have one employee at this point and we are waiting for a settlement with PSNH to open up the competition in the electric industry but what we are here for tonight is to talk about the Amoskeag Hydro Station. What we are asking for, in short, are funds to go through what we are considering a Phase I due diligence. Get some engineers in there, take a look at the dam, take a look at the facility, make sure that it is structurally sound and then actually come up with a value that they think the facility is worth for us to bring back to the Board. Bring a report back to the Board and get a vote on whether we should proceed or not on the acquisition.

Alderman Clancy asked but where did you get this figure, \$140,000.

Mr. Sherman answered there is a budget attached to the agenda. It is based on mainly the bid that we got from the engineering consultants on what he thought it was going to cost him to come in and do his due diligence. Again, out of the \$140,000, all we are asking for is for CIP to issue a start-up for is \$63,000 which will be enough to get us through what we are considering Phase I and to get us back to the Board to decide whether we should go forward or at least get into a Phase II due diligence.

Alderman Clancy asked how many bids did you get on this.

Mr. Sherman answered we got five engineering bids. We got five bids and we qualified three of the firms and then after interviews we negotiated with just this one.

Alderman Wihby stated I know that we had a discussion that you were supposed to include other people to help look at this. Rich was one of them and...

Mr. Sherman replied in the Committee Report it lists out everyone that has been a member of the Committee. It includes Frank Thomas, Bob Beurivage from Water, you got the list.

Alderman Pariseau asked wasn't this supposed to be tied in with the Aggregation Program.

Mr. Sherman answered we have yet to determine what to do with the power, the output of the facility if the City should happen to buy it. The folks that are talking to us on providing power to the Aggregation Program are also going to make proposals on what to do with the output of the facility. Again, we may decide to actually roll it into the program. We may decide to sell it outright. Because it is qualified as a green power, you probably can get a premium for it versus what we would pay under the program so you actually may be better off selling it. We have also had some proposals that maybe we should use it as an economic development issue and maybe just use it in the Millyard to try to entice people into the Millyard and give them cheaper electric rates. There are a lot of options out there. That again, has not been decided and to the point where it does get decided that is going to have to be something that the Board will make a decision on.

Alderman Pariseau asked if you tie it into the Aggregation Program couldn't we use some of that funding that is in that program already instead of issuing new bonds for \$140,000.

Mr. Sherman answered well right now the program has no revenues. Until the program is up and running and you actually have participants there are no revenues. One thing we were cautious of doing is because we have an agreement with other communities to be part of the Aggregation Program if there is a real benefit from owning this facility, we are not sure you want to share those benefits with the other communities so we have kind of kept it separate from the Aggregation Program at this point. Again, at some point, if that is really the best avenue for the City to pursue, I mean that recommendation would come forth.

Chairman Reiniger called for a vote on the motion to approve the bond resolution. There being none opposed, the motion carried.

Chairman Reiniger addressed Item 7 of the agenda:

Request of the Committee on the Preservation of Pine Island Park to make a presentation.

Alderman Pariseau stated in talking with Alderman Rivard, we both recognize the importance of Pine Island Park and also in fairness to the Y we plan on having a neighborhood meeting dealing with the issue where representatives from the YMCA would be invited to make their presentation and people from Save Our Park would make their presentation. I think Alderman Rivard is making the arrangements with Highland Goffs Falls School. If that is not available, we are looking at Memorial.

Ms. Morrissette stated thank you for the opportunity to appear before you this evening. I would like to start by saying before you vote on a public forum, you need to hear some information. Our Committee came about because of Alderman O'Neil's comment to me "Things happen because no one speaks up and says anything about them." So I began to investigate the YMCA proposal in great lengths to learn everything I could about it. I also spoke to neighbors about forming a Committee to oppose the Y's proposal and offer a counter proposal. After endless phone calls and a meeting with Hal Jordan, President of the Y, our Committee unanimously voted that we were not interested in the Y developing our park for the following reasons: 1) and most important, we would be denied access to the park during camp hours, June 15 through August 31 from 8:30 a.m. until 5:30 p.m. After our meeting with Hal Jordan, he claimed that a playground could be built away from the day camp and open during the day. That is on page 2 of the document that I gave to you the other evening; a) we would still be denied access to areas which the camp program is utilizing; b) with 125 campers and 30

11/17/98 CIP

6

staff members, a swimming pool, a bath house, a recreation center, an arts & crafts center, a multi-use play area, basketball court, volleyball court, parking for 55 cars

an extended play field, along with four open air pavilions erected along the shore of Pine Island pond, where would they put a separate playground away from the day camp which brings us to ask many other questions. How many trees will come down to develop such a day camp? What will be the environmental impact of any development on Pine Island pond's shoreline? Who will do the environmental impact study on this fragile ecosystem and who will pay for the study? Another question, does all the proposed development still fall under the guidelines in Appendix A, the letter written by John Grogan stating that the property was to become a natural, scenic conservation area intended to be predominantly of a passive type for informal enjoyment, picnicking and nature study for which federal grants of \$96,000 and \$26,000, for a total grant amount of \$122,000 were dedicated? See September 29, 1976, Page 7, and July 12, 1977, Page 8. Another thought which was discussed in much detail was, with all of these facilities and 125 children running around, is this the environment that parents are going to want to visit with their families when out to enjoy a day at the park. We do not believe it will be. We feel that parents will be discouraged and take their children elsewhere. In the master plan for the City of Manchester, we came across a sentence I would like to share with you. It can be found on Page 14, the rear side of the page. "If facilities are overcrowded, it will probably discourage some from making use of them and in effect deny equitable use by all residents." The reason I share this with you is because of a document we looked into. This would be the right of first refusal. The agreement between the City and Home Insurance, now known as Blue Cross/Blue Shield. The right of first refusal may be exercised by Home in any of the following events. You can read these on Pages 23 and 24. It is on Page 24, the sentence that most interested us, "abandonment shall also include formal action by the City denying public access to the area as park or recreation facility." We believe that leasing the land to the Y for the summer months in which we would be denied access to certain areas during the day fall under this statement. Now gentleman, I would like to share with you our vision. Over the last few years, I have been traveling at least 30 minutes away to towns to play in their playgrounds. Here are a few pictures of these playgrounds that most families of young children visit. We would like to see a similar playground in our park in the very spot the old house used to stand. We would like to see the trails cleaned up and the park restored to its original beauty. We would like picnic tables and barbecue pits and we would like it to continue to be an open, free access park for all. Here, gentleman, is a conceptual drawing of our idea. If given a few months, say until February, taking the holidays into consideration, we would be able to, with the help of Ron Johnson and Mike Lopez, be able to give you a more detailed proposal. In your packets is more information for you to read and think about, including a list of parks in which Pine Island Park is listed as having a playground. I would like to close with this. When

11/17/98 CIP

8

I first began this adventure into the political realm, it was an eye-opener as well as a disappointment to the fact that

politics aren't always what we, the laymen, believe them to be. But as I sit here before you, the fathers of our City, I hope that my faith will be restored. That if we, the people, gather together for a cause we believe in, our wishes will be respected. I thank you gentlemen and the Committee for the Preservation of Pine Island Park thanks you.

Alderman Wihby asked is Tom Arnold here. On Page 2 that was just handed out, the question about the guidelines under Appendix A and John Grogan stating that the property was a natural, scenic conservation area, has anyone looked into that. It seems pretty clear that it is supposed to be used for that type of purpose and not for something that we give the lot away to the Y or anyone else and that we keep it in its natural state. I would like to have Tom Arnold, and I don't know if he has done this before. Is this the first time this has come to this Committee? I would like Tom Arnold to at least look at that to see if, in fact, there is even a chance that we can give it to the Y because I don't think we can.

Alderman Pariseau stated this was discussed at the initial presentation made by the Y and it was felt, I think, by the City Solicitor's Office that what was being proposed was in agreement with that statement.

Alderman Wihby asked that was an opinion from the City Solicitor.

Alderman Pariseau answered I believe it was, but there again we need to have a forum to discuss this further.

Alderman Wihby stated I would like to have him investigate that. I mean I wasn't at that meeting so I don't know but it seems to me it is pretty clear that it should stay in its natural state and not be given away and made a fool of. I agree with the residents that are there that if we are going to put a pool in that area then we ought to just fund a pool for South Manchester, spend the million and let it open for all residents.

Alderman Pariseau stated, Alderman Wihby, I just want you to know that the Aldermen representing Ward 9 and Ward 8 have been working on a proposal to get a pool in South Manchester with the assistance of Parks & Recreation and Mr. MacKenzie, not necessarily there on Brown Avenue but it is in a discussion stage and we haven't neglected those people.

Alderman Wihby stated I certainly would support you on that, Alderman Pariseau, because I think you need one in South Manchester.

Alderman Clancy asked where is the nearest pool that South end residents have right now.

Ms. Morrissette answered I believe Hunts Pool would be the closest, but I do like to point out that we are not interested in having a pool built at Pine Island Park. We want to preserve the park and keep it the way that it is now with the exception of a playground, but a playground is listed in the phonebook under the directory for Parks & Recreation and it is also listed in that same directory in the master plan that there is a playground there, so I think that a playground would still fit into that original statement by John Grogan.

Alderman Wihby stated I just want to clarify my comments if you took them wrong. I believe that South Manchester should have a pool. I am not saying it should be there, but it is being presented to us that this is great for South Manchester because we are going to give you a pool by doing this even though we are going to give you just two days a week to use it. My feeling is that if we are going to have a pool, lets go with a full size pool somewhere and let the residents use it. That is why I agree it should stay in the state that it is in and have a pool somewhere else and not be drawn into letting this development go because it would supposedly offer something for the residents.

Alderman Clancy stated my opinion is that everybody down in the South end and everybody in the City pays their taxes. This park should be for free. Everybody should be entitled to come down. If they want to come down and bask in the sun, sit and play with their kids, have swings and stuff like that. I am with that 100%.

Ms. Morrissette replied I tried to stay away from bringing a lot of little things into my speech but one thing I know that was discussed with the Y proposal as far as us being able to use it on the weeknights and on the weekends was that there were to be no fees involved, but the Y said that it would cost them \$20,000 for it to remain open in the evenings and on the weekends and so Mr. Jordan told me that they would be splitting the cost. \$10,000 the Y would pay and \$10,000 the City would pay and I don't think that it is right for the City to pay an additional \$10,000 for the residents to get into a park that is already City owned.

Alderman Clancy stated I am for having all the parks the same in the City. In other words, treat that like any other park in the City.

Deputy Clerk Johnson stated I believe that Alderman Wihby has requested that the Solicitor look at a certain portion and we can certainly refer that to them. The other is my understanding is there is supposed to be a community presentation to get some input from the public in that area and certainly when that is scheduled we will see that it is publicized in the newspaper and will coordinate it with the Aldermen in that area so that the public is aware that there is one and we will contact you as well so you can get the word out to the neighborhood.

Mr. Dionne asked if as Alderman Wihby says, if there is an investigation into our City plan that results in a finding that we should not allow the Y under these guidelines to enter the park, would there still be a request for a public forum if it is against the City plan.

Alderman Wihby answered you should still have one.

Alderman Pariseau stated the reason for the public forum wouldn't be to take a vote on anything. It would just be to inform the neighborhood of what the actual proposal is by the Y. I have heard things that have never been discussed in this Committee and I don't know if the Y has said that to anybody or not. Your thing with the \$20,000.

Ms. Morrissette replied the \$20,000 was put in the newspaper article and Alderman Rivard said if worse comes to worse the City will pay for the residents to go in and use the pool during those hours and like I said, I did meet with Mr. Jordan, and there were two other Committee members and that is what he said that fee would be about, the extra money that it would cost to keep it open.

Alderman Pariseau responded that is why the rumor mill goes and loose lips sink ships. I know that when the Y made its presentation to this Committee back in August I think it was, I had questions relative to the need for some type of activity for the kids in South Manchester. I had several questions in fact and the item was placed on the table until the Y comes back to this Committee with answers to the questions that I brought up. They haven't made an effort to come back. I applaud your efforts, but I think they are a little too premature with regard to the rally on the weekend. We don't know what they are going to be coming back with. At least I don't as a member of the CIP Committee. We didn't initiate it. They came to us. I don't know where all of these things are coming from. I don't believe half of what I read in the paper anyhow. Until we get the Y's proposal out to the general public...I have had members of your Committee call me saying that they are in agreement with Alderman Rivard's request for a neighborhood meeting and we hope that we can go ahead with it.

Deputy Clerk Johnson stated I just spoke with Alderman Rivard who was the one who was going to try to coordinate that with the Clerk's Office. If, in fact, it is ruled by the Solicitor that the Y proposal can't go forward and the City couldn't do that then he sees no reason to hold a neighborhood meeting on the Y proposal at all. It is not necessary at that point. He is thinking that these people have made it pretty clear what they are looking for in the neighborhood so I think Parks could probably work from there. If, in fact, the Y can do that then he is saying there should be a hearing.

Alderman Girard stated I see that Mr. Ludwig and Mr. Johnson from Parks & Recreation are here. If I could have one of them come to a microphone, I have a couple of questions about how this Y proposal was developed. Mr. Ludwig when you were developing this proposal in conjunction with the Y, did you speak with the City Solicitor about the proposal to check whether or not it conflicted with the conveyance at Pine Island Park.

Mr. Ludwig replied no.

Alderman Girard asked there was no discussion with the Solicitor.

Mr. Ludwig answered no.

Alderman Wihby stated my understanding was you went out and asked for different proposals from different people. Is that true?

Mr. Ludwig replied no.

Alderman Wihby asked you weren't soliciting proposals for the site to see what could be put there.

Mr. Ludwig answered the last time we solicited proposals for this site was shortly after the fire destroyed the building that was there. There was some thought that the City could do some partnering on this site as it was attempted to do with the 4-H people and the Cooperative Extension and it might be a good idea given the fact that certain, that some people felt that there might be several organizations out there that might want to take a look at partnering with the City.

Alderman Wihby asked how long ago are we talking about.

Mr. Ludwig answered a few months after it burned.

11/17/98 CIP

13

Alderman Wihby asked since then, you haven't solicited proposals.

Mr. Ludwig answered no.

Alderman Girard asked what are we going to be asking the Solicitor to rule on. The Y's initial proposal, the Y's revised proposal.

Chairman Reiniger directed the City Clerk to ask the Solicitor for a ruling on the legal uses of the land.

Mr. Lopez stated I am the former Commissioner of Parks & Recreation. I am not a member of any Committee but I do want to set the record straight to the extent that I don't want the Y to come out as the bad guys in this whole aspect because the Y does great things for youth in the City of Manchester and Goffstown. I think it is important that on July 14 when the Y made a proposal to the Parks & Recreation Commission, some concerns were raised at that time and I believe when they appeared before the CIP Committee I don't know if all of those concerns were brought before the CIP Committee. I do know that Alderman Pariseau, as he so stated, got back to Ron Ludwig about some concerns. Unfortunately, the process of such a good plan as it has been called didn't hold a public meeting before. The results of all of this you have heard so I am not going to be redundant of the presentation. It was an excellent presentation, but as you go through your records you will see back when we bought the land for \$96,000 there was a building on that land and I was involved in the process at that time when the 4-H University came before the City and asked to lease it for \$1 for environment education and they had fulfilled a need. I believe that over the past few weeks what has transpired and probably in great secret to a degree that this land belongs to the City and it has become a more public knowledge to the City. I think that people felt that it was the University's land, 4-H land somewhere along the line but it is a great recreational environment for the entire City and for our school system and for the people in the South end. I was talking to someone earlier and I mentioned unfortunately that the situation has been that where the South end was developed and there was nobody building any parks in the South end. That won't happen anymore from what I understand because any development going in has to have open space. I did want to just mention those particular aspects of the presentation of the Y. I don't want them to come out as bad guys. They saw an opportunity, they presented an opportunity and the concept was sent downtown. I just want to bring that to your attention. There were good intentions from both sides that deserve consideration and more so the people in the South end.

Ms. Domaingue stated I come before you in support of the neighborhood committee's proposal this evening. If for no other purpose than historical because when I served on the Board the right of first refusal came before the Board and it is very important, and I know you are sending it to the City Solicitor, to keep in mind that the right of first refusal includes a clause that will kick in should the City be determined to have "abandoned or conveyed the property" and the clause that kicks in says that if it is deemed that the City has conveyed this property to another entity that the land will then by right of first refusal be offered to the owner of the property of record abutting that which is now Home Insurance. It is built into this, although it boggles my mind why it was, a specific figure of \$8,000 an acre which would allow the current insurance company to secure that property, that 8.3 acre parcel for somewhere in the neighborhood of \$65,000 or \$66,000. By your own City assessment records of 1991 when you revalued the City, that land, that 8.3 acre parcel was assessed to be valued at \$427,000 and that was in 1991. For all of the obvious reasons, the City Solicitor should be taking a careful look at the agreement and the impact of any proposal that would infer a conveyance of that property. I need you to know that I learned, just this past week because we all learn each day, that Pine Island Pond is a body of water of 42 acres and is second in fresh water in Manchester only to Massabesic Lake. It is fed by the great Cohas and it was deemed in our own Master Plan to be a very special natural ecological value. People who came before you tonight are obviously very concerned that we keep it a passive, recreational center which would be in conformance with the right of first refusal and I stand by their request.

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

A True Record. Attest.

Clerk of Committee