

COMMITTEE ON COMMUNITY IMPROVEMENT

December 15, 1998

6:15 PM

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

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

Messrs: R. MacKenzie, M. Hobson, Asst. Solicitor Arnold, D. Clay,
F. Rusczek

CONSENT AGENDA

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.

A. Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Five Hundred Thousand Dollars (\$500,000) for various water distribution improvements.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds for the 1999 CIP 420699 Local Law Enforcement Block Grant Program.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Four Hundred Dollars (\$1,400) for the 1999 Community Improvement Program 510999 Fun in the Sun Program.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Million Dollars (\$50,000,000.00) for the 1999 Community Improvement Program 650699 Manchester Civic Center.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Eight Hundred Seventy-five Dollars (\$10,875.00) for the 1999 Community Improvement Program 711099 Hackett Hill Road Area Improvements.”

B. Budget Authorizations:

1997	650128	Enterprise Community Grant
1998	511599	McIntyre Ski Area Rehab-Phase II - Revision 1
1999	420699	Local Law Enforcement Block Grant
1999	510999	Fun in the Sun - Revision 1
1999	511599	McIntyre Ski Area Rehab-Phase II - Revision 1
1999	650699	Manchester Civic Center
1999	711099	Hackett Hill Road Area Improvements
1999	830399	ADA Transition Plan - Revision 2

C. Communication from the Director of Planning requesting project extensions as outlined herein.

The Clerk noted that the first Resolution listed, that \$500,000 has been pulled from the agenda at the request of the Water Works Department.

THE CONSENT AGENDA HAVING BEEN READ, ON MOTION OF ALDERMAN PARISEAU, DULY SECONDED BY ALDERMAN GIRARD, IT WAS VOTED TO APPROVE THE CONSENT AGENDA WITH ALDERMAN CLANCY BEING DULY RECORDED IN OPPOSITION TO THE CIVIC CENTER RESOLUTION.

Chairman Reiniger stated that Items 4 and 5 of the agenda would be skipped.

Chairman Reiniger addressed Item 6 of the agenda:

Communication from Jane Beaulieu, Chair of the Manchester Conservation Commission seeking the Board’s approval to accept an offer of a conservation easement from Greenview Associates for a portion of Map 767, Lots 7-1 and 7-2, corner of Hackett Hill Road and Front Street.

Alderman Clancy moved to approve this item. Alderman Girard duly seconded the motion.

Alderman Pariseau stated I was going to make a reference that it be referred to the City Planner. I don't know how that affects the tax issue on this property if they are trying to get rid of it, looking for an abatement or any of that stuff. There was no investigation as to why they are going to give us something and I would be a little cautious.

Alderman Clancy stated I thought it was to beautify the corner lot.

Alderman Pariseau replied I don't know. There was nothing in that thing. It was just saying that we nor they can remove or permit removal of plants, shrubs, trees from the conservation area and they may plant and replant and selectively cut or prune trees but they are not giving us something for nothing and I just want to know what effect that has on the tax base. If they are going to give us...there has to be an appraised value deducted from their entire value of their property that I think we would want to see in my opinion.

Mr. MacKenzie stated I don't happen to know the details of this. I know generally where it is and I suspect I know why they are granting a conservation easement, but I don't have an answer on the tax base and we could research that.

Alderman Clancy withdrew his motion to approve.

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to refer this item to the Planning Department.

Chairman Reiniger addressed Item 7 of the agenda:

Communication from Thomas Seigle, EPD, requesting permission to obtain an additional set of plates for a crew cab pick-up truck for EPD to be funded in the FY99 budget to cover costs of registration and repairs.

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

Chairman Reiniger addressed Item 8 of the agenda:

Communication from the Chief of Police requesting approval to add a new speed monitoring trailer to their fleet.

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

Chairman Reiniger addressed Item 9 of the agenda:

Petition for discontinuance of a portion of Westland Avenue westerly of Dunbar Street.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to deny the petition and find that same has been released from public servitude under the provisions of RSA 231:51.

Alderman Wihby asked we are not discontinuing it, it is already done.

Deputy Clerk Johnson answered it has already been released and discharged and you are coming to that finding.

Chairman Reiniger addressed Items 4 and 5 of the agenda:

Communication from Alderman Shea requesting the Board look at a reorganization or solution to the severe morale problems at the MTA.

Communication from Louise Gazda, Charlotte Sartell, and employees of the MTA relative to recent incidents and poor relations between management and employees.

Chairman Reiniger stated I guess just as a preliminary matter, Asst. Solicitor Arnold could advise the Committee on the status of this and what the Committee's power is to handle this.

Asst. Solicitor Arnold replied the MTA is a separately organized corporation with its own Board of Directors. The City, of course, does pass on a subsidy and that is probably the extent of your powers it being a separately organized corporation.

Alderman Wihby asked so what are our powers, none.

Asst. Solicitor Arnold answered you don't have any direct power over that corporation, no.

Alderman Wihby stated we won't fund them anymore.

Asst. Solicitor Arnold responded that you can do.

Alderman Pariseau stated if people feel offended or whatever they, in effect, what you are saying is they don't have any recourse.

Asst. Solicitor Arnold replied their recourse is to the corporation.

Alderman Pariseau stated through management and the commission. Well I thought it would probably be nice if we were to form a sub-Committee of the CIP Committee to get both sides together and try to resolve whatever differences there are. Maybe we don't have any legal authority, but we have received plenty of correspondence from individuals at the facility and I think as a courtesy to them we ought to give them the opportunity to air their gripes face-to-face, bring in the commission and management and members of this Committee if it was forwarded to this Committee. I mean their letters seem to be that they are crying out for some type of assistance and they aren't getting it and I think that if we formed a special committee that it would eliminate that apprehension I think knowing that we are here and we know what you are saying and hopefully we can bump heads with the commission and management to smooth out the feathers. I know it doesn't have any legal authority, but I think it would be nice.

Chairman Reiniger asked what about having a member from the Personnel Committee.

Alderman Pariseau answered I don't know why it was sent here.

Alderman Girard stated it was sent here because Alderman Shea asked that it be referred here and because this Committee now has the Committee of Transportation duties under it but I would agree with the Chairman that perhaps some of these issues being personnel issues perhaps there should be representation from the Human Resources Committee on the sub-Committee. Is it your intent (Alderman Pariseau) that this sub-Committee be sort of like an arbitrator, in other words responsible for developing an agreement.

Alderman Pariseau replied yes, although we don't have any legal authority to do that.

Alderman Girard stated I guess if both parties accept us as arbitrators or accept whoever as arbitrators then that is fine.

Alderman Pariseau stated we could probably walk away after having a meeting of that type and have a gentlemen's agreement with management and union representatives.

Alderman Girard replied and given that the City does pay a substantial subsidy to the MTA, I would support what Alderman Pariseau is asking for if for no other reason then to see that these issues get resolved because it is a substantial amount of money and in all fairness to the MTA Administration, I have not had an opportunity to speak with them about any of the issues that have been raised by the employees. I have received phone calls and letters, I suspect, like everybody else has so I don't want to be casting any stones here but I would second Alderman Pariseau's motion to form such a Committee.

Chairman Reiniger asked, Alderman Wihby, since you deal with labor relations issues what are your thoughts on this.

Alderman Wihby asked is there a union involved in this or are these all non-union people.

Alderman Pariseau answered union.

Alderman Wihby asked what is the union doing.

A Union Representative answered we are following the process as far as...I think the reason for this being referred to the CIP through Alderman Shea is because it is not so much a union issue. I think the concern is what the employees are feeling. These are employees in Manchester who work for the MTA and these are the ones that have been responding individually to the Aldermen at different times. What you would be doing is supporting their efforts and we can do whatever we can in ours.

Alderman Wihby asked are you a union member.

A Union Representative answered yes.

Alderman Wihby asked so they are coming to you with their grievances and everything else and are you relaying that message to management at all.

A Union Representative answered yes.

Alderman Wihby asked what is management doing.

A Union Representative answered we have a substantial amount of grievances and we are following through. This has been going on for a year plus and we proceeded to deal with them in a timely process. We felt that as it being a quasi-public where the City subsidizes a good portion of this money to MTA that they

would at least look into the internal problems we are having and talk to the employees. We just want you to talk to the employees and hear the concerns they have and I think that the union is one voice, but if this Board or this Committee would individually listen to the employees and the concerns they are having then we would get a different inflection of what is going on.

Alderman Wihby asked what is management doing, just saying that there is nothing wrong.

Mr. Clay answered I am the General Manager and I can answer that. I don't believe that the issues that are on the table are being addressed through the union to us. The grievances on specific problems that are happening that involve people not doing what they are supposed to be doing when they are supposed to be doing it and how they are supposed to do it are grievances. I haven't got all the information that this Board has or the Board of Mayor and Aldermen because I don't get copied on everything that goes out to somebody else. As far as the union coming and sitting with us and actually sitting down and discussing these problems that is not going on at the moment. It hasn't been, but we have a new team coming in on the union side as of next month and we have already been doing some preliminary talking to try and get some time to sit down and start going over these problems to see if we can work out these areas of concern for these couple of individuals, three individuals who did this letter up.

Alderman Wihby stated, Sir, there are more than three individuals here. It seems like what is going on is affecting more than three individuals.

Mr. Clay replied but everything you have here is not going through the union. If it was going through the union it would have been presented to us and to you from the union on union stationary.

A Union Representative stated we have certainly been copying you on certain issues. These, we feel, are repeated harassment or they feel a personal concern where they are being dealt with individually. They are addressing that on their own. We are dealing with that on the grievance procedure. We are following through on grievances but they are going outside. They are asking for additional help. We are only held to a certain area. We are limited in what we can do.

Alderman Wihby asked can you give me an example, lets say, of a grievance you don't know about.

Mr. Clay answered for grievances. The grievances that they are talking about?

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Alderman Wihby replied one that is not grieved. What is an issue that is not grieved?

Mr. Clay stated one that is not grieved is the issue of harassment where we are getting complaints from a single individual.

Alderman Wihby asked has the union come forward with that harassment charge.

Mr. Clay answered no.

Alderman Wihby asked why hasn't the union come forward with a harassment charge.

A Union Representative answered we haven't at this point.

Alderman Wihby asked why.

A Union Representative answered we are certainly a publicly funded PLRV and we are looking at a six month period. We are in the process of filing a lot of grievances. These concerns are being addressed, but again there is a time period involved. What we are saying is a lot of these situations there is intimidation one-on-one how management is treating the employee, the morale, how they are treating employees individually. We are not there to see that they come back to us and when we talk to the council they say well there is really no substantive support grieving us and yet this intimidation is going on. At this point, one of the employees could give you an example better than I could of why we feel the morale is so low.

Mr. Clay stated we have been talking with Mark Hobson and trying to work out some areas where they can give us a little assistance in trying to rectify these problems. Nothing has been going on for a long period of time, but Mark and I have sat down and talked and I think that there is an area we can move forward given the right people and the right help.

Alderman Wihby asked Mr. Clay do you have a problem with Alderman Pariseau's recommendation to have everybody sit down and discuss this. Mark Hobson could be there too.

Mr. Hobson stated I just wanted to add that Alderman Pinard actually received some communication, called the Mayor's Office and asked to meet with us, Human Resources. So we met with the Mayor and the MTA management and then we had a meeting. We talked about a number of issues for about an hour and

a half and then from there the Mayor, myself and Don agreed that the best thing to do would be to go down to their site, sit with their team and try to talk through what these issues are in terms of what items will probably end up going before the PLRV, what items are union issues, what items are management issues, what types of things their management has to do, perhaps, in order to respond or change, etc. In defense, and I am not here to defend anybody, but in defense of what Mr. Clay is saying, that was about three weeks ago and I think some of this issue and no disrespect to anyone, but I think some of this is just a question of timing where they are doing some things, the union is acting accordingly and doing what they are doing, there is some change in the union's management and the letters, the individuals are still upset and so the letters are still coming in. I think they are attempting to put some things together and we can only act on a consultant basis, as well, because it is not our job as a City Human Resource Department to tell Don Clay what to do but he has been very open, in my opinion, in receiving information from us and in my opinion they are trying to build a modern Human Resources function within their business office and that is going to take a little bit of time to do. So I think they are on the right track but what the employees would like to see, I think, and that the union would like to see, is that happen faster and management probably wants to see some things happen faster from the union's perspective so a sub-committee might be a good idea, but I just wanted you to know that there are some things that have been in place and we are more than willing, from a Human Resource perspective, to continue to give them any kind of consulting advice, any information or anything within our powers and prerogatives we are willing to continue to do that.

Alderman Clancy asked, Don, how many grievances do you have right now that are outstanding.

Mr. Clay asked outstanding.

Alderman Clancy replied that haven't been talked about. Several?

Mr. Clay answered I don't think we have any that we haven't talked about.

Alderman Clancy asked how many that you haven't settled.

Mr. Clay answered maybe 10 or 15, something like that.

Alderman Clancy asked are they long lasting.

Mr. Clay answered we have some that are pending and going to arbitration.

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Alderman Clancy asked what is the hold up. Can you tell us?

Mr. Clay answered no, I can't. We have done our part to the point where we can go. Now it is up to the union's membership to figure out where they are going to go.

Alderman Clancy stated I am sure both sides have a lawyer, right.

Mr. Clay replied that is true.

Alderman Clancy stated so they ought to get together and try to iron these things out. That is my contention here.

Mr. Clay replied I agree and it is not insurmountable. It is something that is certainly possible.

Alderman Clancy stated I don't want to put the blame on anybody, but I was told that some of these letters are being sent to people out there that go on deaf ears. They go unnoticed. They are just received and filed. You know I think that anytime anybody sends a letter they should be called in and talked to, to find out what the problem is. Do you do that?

Mr. Clay responded I don't see all the letters that go out.

Alderman Girard stated one of the reasons that I seconded Alderman Pariseau's motion was because in some of the correspondence I have received there have been complaints about suggestions on how to change bus routes that would, say add a significant amount of trips to a place like the Airport without adding to the number of runs you have to do. There have been other issues about hiring consultants and, again, I haven't talked to Mr. Clay so I don't want to throw any stones but in as much as the City sends the MTA \$900,000 a year at current levels, those issues are also issues of concern and interest to me and I would like to be a little better informed about something like that and I suspect that Alderman Pariseau may have had some discussion of those items at such a sub-Committee in mind, the labor issues aside. To take a look at something like that, I would have a real concern if drivers, no matter who they were, were forwarding suggestions that were not being dealt with in an appropriate manner and again I don't know whether or not they have been and I don't know whether or not you have any opinion about whether a committee should look into something like that. Given all of the issues that have surrounded the MTA over the last four or five years and with public transportation with something like the civic center coming forward, I

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think we need to make sure that the system is working as well as it can and right now I don't think it is.

Mr. Clay stated I agree with you and letters that do come in to us with suggestions, they are being looked at. Right now we are looking at a whole restructuring and starting with a consultant firm that was paid for by the federal government and we have something we want to get started now. Now you are talking the civic center is coming in, we are stepping back and saying how are we going to improve this because it wasn't part of our original look.

Alderman Girard stated I would be concerned that the input of the drivers be taken because I know when the routes were reorganized last time the input from the drivers was critical to those re-routes and the drivers had some very good suggestions that I think you can only get from someone who goes out and does it everyday and not some consultant from wherever no matter who pays for it. I would be concerned that those suggestions aren't being taken with validity. Again, I am not saying that they aren't, I am just expressing my concern.

Mr. Clay replied as long as individuals who give suggestions don't expect all suggestions will be undertaken. We can't always do that.

Alderman Girard responded I understand that, but I think the back and forth we are having here goes to show that there needs, I think, to be an impartial body to perhaps have some of these discussions, an arbitrator.

Chairman Reiniger stated let me just ask the Committee here. The suggestion has been made that we form a sub-committee and I would ask do you want it to be a sub-committee of this Committee and do I, as Chairman, pick the members or do you want to go to the Chairman of the Board to pick a special Committee.

Alderman Wihby replied a sub-committee of a Committee is picked by the Chairman of the Committee. I ask that Mark Hobson be on the Committee too. As much as we are told by the Solicitor that they are not City employees and we don't have any authority, I still consider them City employees because whenever there is something wrong with the MTA, we get the phone calls and we do fund them almost \$900,000 so I think they should listen to us when we sit down and talk.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to form a sub-committee consisting of Aldermen Pariseau, Clancy and Girard with Mr. Hobson being the advisor.

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to refer Items 4 and 5 to the sub-committee.

NEW BUSINESS

Communication from Mr. Rusczek regarding the EPA Child Health Champion Grant.

Mr. Rusczek stated quite simply it is a line item adjustment. There is no further additional authorization of funds. It is simply a line item adjustment that Finance requires.

On motion of Alderman Girard, duly seconded by Alderman Wihby, it was voted to approve the line item adjustment.

TABLED ITEMS

10. Proposed ordinance amendment submitted by the City Clerk:
“An Ordinance establishing procedures for the use of the Public Areas and Facilities Maintenance of City Hall Complex.”
(Tabled 8/18/98)

This item remained on the table.

11. Communication from the Chief Sanitary Engineer submitting Amendment No. 3 to the Londonderry/Manchester Intermunicipal Agreement for Sewer Service.
(Tabled 8/18/98)

This item remained on the table.

12. Communication from the Director of Planning seeking the Committee’s acceptance of the assignment of promissory notes and mortgages from the Manchester Housing and Redevelopment Authority of various Housing Rehabilitation Programs.
(Tabled 6/24/97)

This item remained on the table.

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.

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Clerk of Committee