

COMMITTEE ON COMMUNITY IMPROVEMENT

June 15, 1999

6:15 PM

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

Present: Aldermen Reiniger, Clancy, Pariseau, Girard

Absent: Alderman Wihby

Messrs: R. MacKenzie, M. Lopez, F. Thomas, S. Thomas, T. Bowen,
R. Sidore, T. Lolicata, M. McDonough

Chairman Reiniger stated that Item 13 will be addressed first.

Communication from Mike Lopez submitting a proposal to the Board regarding the construction of a Senior Citizens Center at Veterans Memorial Park.

Alderman Pariseau moved the item for discussion. Alderman Clancy duly seconded the motion.

Alderman Pariseau stated my concern is I think that it is a good proposal, but the location I don't think is really where it should go. Don't ask me where it should go but to take over part of Veteran's Park for an elderly center...I don't feel it should go there. I know that other people have other concerns, but we did have a parking lot over there and that received a vocal outcry from citizens and I think that to take it and put in an elderly center is not appropriate.

Alderman Clancy stated first of all we don't have that many parks here in the City. It is a beautiful park and people during their lunch hour go there and eat their lunch. I am not in favor of putting an elderly center over there. It is a good idea, but lets find another location. I see people go up there like lawyers and others to walk around and get some fresh air at noontime. I think if this 60 x 100 ' building gets built it would take up more land and then they would probably look for parking and everything like that. Let's leave the park as it is. It is beautiful for graduation. It is beautiful for concerts and stuff. We don't have many nice parks here in town. Let's leave it like it is.

Chairman Reiniger stated it is my understanding that Alderman Thibault has been working with some people on the Brown School building and the possible use of that building as a senior citizen center. Is that correct?

Alderman Pariseau replied that is to replace the West Side Center.

Mr. MacKenzie stated I know there was some discussion at one point as to whether that would actually satisfy the entire elderly community and have one center, but I think that the ultimate intent was to look at keeping an east side and west side center and that Brown School could possibly satisfy the west side elderly center.

Chairman Reiniger asked at present we are renting space on Hanover Street so there is no question of the need to do something about that. It sound like there needs to be more work on a location.

Alderman Clancy replied like I said I am not against building the center but the location.

Mr. Lopez stated I presented this plan and I will present it to you now. I presented it to Bob MacKenzie for the simple reason that there is an area of Veteran's Park which is approximately 40' to the left of Merrimack Street that has never been used in all the years that I have been on the Parks & Recreation Commission. It would not deter from the park and it would give the senior citizens an opportunity to have fresh air and grass and an area where they could go and really relax. I agree with the Aldermen that it is a place where people go and have lunch. This would add to it and be a central location. If the location is not acceptable, as long as there is a senior citizen center in the City, that is what I am striving for.

Alderman Clancy stated I am not against the senior citizens having a building, but I think the location is bad. I would like to maintain the park as it is right now.

Alderman Pariseau moved to table this item and ask the City Planner to look at a possible alternative location. Alderman Clancy duly seconded the motion.

Alderman Pariseau stated I know we need one because we are spending \$66,000 a year on Hanover Street and the elderly can't get there. There is no parking. We used to have some agreement with the bank but that is...

Alderman Clancy interjected and we have to pay electricity there too. I think it is heated by electricity. Is that right? Does anybody here know that?

Mr. MacKenzie stated I think we do pay the electricity.

Alderman Girard stated if I am not mistaken, one of the reasons why we are building a new police station is so that we could use the old police station to house Health, Welfare, Elderly and Youth Services operations so I think somewhere someone has already envisioned moving the elderly center from the east side into that new facility which presumably will be less expensive for the City and better suit the needs of the citizens that use it. Is that not on the table, Mr. MacKenzie?

Mr. MacKenzie replied it is on the table to use the old police station for in essence a human services building that would house several organizations. I think it is clearly the intent to put the administrative offices of Elderly Services in there and it was intended, since there would be enough room in the building, to house a senior citizen center. There is some parking on-site, both underneath the building and adjacent to the building. I think the real issue is we have not had an opportunity to have an architect review the building and make sure that it would be reasonable and appropriate to put those uses in there. I do envision having different doors for different departments and that is possible in that building I believe. We are going to be looking at the center in the next few months and be able to tell better whether these different departments will fit in here, but that was the vision that was created and that was the ability to save a lot of money as the City does rent several different departments, i.e. the Health Department, OYS and Elderly Services.

Alderman Girard stated that answer leaves me with some serious concerns. I voted for that police station reluctantly based on the assertion that all of the departments that you and I have both mentioned were going to be relocated in their entirety to the existing police station. It was sold to us as a way of reducing the debt service cost on a new police station because we would have the rents from the existing departmental operations offsetting the debt service. Now it seems that you are saying that we may not put the elderly center there and that we have not done the due diligence that we need to do to know whether or not it can actually go there. If that is the case, then I think I would like to reconsider my vote on the entire matter on the new police station because there is \$70,000+ of rent and other utility costs that we put into the east side center which is a significant part of the money that would go to amortize the debt on the new police station. If you are telling me that this was just a nice idea and we really don't know if it could work, then I think we are going to have to reconsider an awful lot of actions that this Board has taken.

Mr. MacKenzie replied just to be clear again, it has always been the intent and the vision that you would have at least four departments in there. That would be the Health Department, Welfare, OYS, Elderly Services and there was a potential demand for a few other type of functions including Information Systems which needs additional room, a training room and facility for the City, and potentially a

central location for MCTV in terms of a studio. It has been, as I understood it, the location for certainly Elderly Services Administration and it was also my impression that that would be the Elderly Center as well. What I am saying is that those are perhaps separable functions and that you could have Elderly Services Administration and a Senior Citizens Center elsewhere.

Alderman Girard responded I understand that, Mr. MacKenzie, but again the idea of rent being used to offset the debt service on the facility was one of the few attractive things that I found in building a new police station and I don't know how cost effective it would be to have the administration or how practical it would be, frankly, to have the administration for Elderly Services in one place and the senior citizen center in another. I would be willing to bet that the department would come in looking for additional help for staff, etc. because their administration is now removed from that operation. I think in my own humble opinion that we are either going to do something to relocate the senior citizen center at the police station or...I think that is the direction that we should be going in with all due respect to the proposal that is here on the table. To entertain anything else which would take away from our ability to underwrite that new building would be financially foolish. I don't want people here to think that there hasn't been a proposal on the table to address the concerns of the senior citizen center. The Board has already cast a direction on that.

Chairman Reiniger called for a vote on the motion. The motion carried with Alderman Girard being opposed.

Alderman Girard stated I think the senior citizen center should be located at the police station.

Chairman Reiniger replied that is why I am saying we should let Mr. MacKenzie confirm that.

Alderman Girard responded I understand, Mr. Chairman, but I am concerned that the Board's original intent and what was presented to us to relocate the senior citizen center at the police station may not happen.

Alderman Pariseau stated I don't think that was part of the original plan.

Alderman Girard replied it certainly was Alderman.

Alderman Pariseau stated it was Youth Services, Welfare, Health and ...

Alderman Girard interjected and Elderly Services. They were definitely part of this mix, as we MCTV.

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. Resolution:

"Amending the 1999 Community Improvement Program, authorizing changes in project numbers, authorizing and appropriating funds."

B. 1999 CIP Budget Authorizations:

420799	STOP Violence Against Women
831699	City Space Improvements

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN PARISEAU, DULY SECONDED BY ALDERMAN CLANCY, IT WAS VOTED TO APPROVE THE CONSENT AGENDA.

C. Communication from the Director of Planning requesting that a listing of project extensions as enclosed be approved through December 31, 1999.

Alderman Girard asked, Mr. MacKenzie, we have an enormous number of projects being continued dating back to 1994 and I am wondering why they need to be continued. Not each one individually.

Mr. MacKenzie answered there is not one simple answer. Let me give you a couple of answers. One is that most projects now are so complex and the hurdles that we have to jump are so many that the projects cannot be done in a year. That is why you will see that almost all of the 1999's have to be carried over because they are simply not done. The first page, for example, you do see some older ones and there are usually different reasons for this. 1994, the oldest one, South Willow Street Area Improvements, that is really in essence a holding fund for all developer contributions that we get on South Willow Street and then they are used for different projects. A number of the projects are in that category. They are actually holding funds so that projects can get done over time.

On motion of Alderman Girard, duly seconded by Alderman Clancy, it was voted to approve Item 3.

Chairman Reiniger addressed Item 4 of the agenda:

Communication from the Director of Planning seeking authorization for staff to execute an agreement with Intown Manchester so there is no interruption in service.

Alderman Pariseau moved the item for discussion. Alderman Girard duly seconded the motion.

Mr. MacKenzie stated I would like to give a little bit of information. The current contract expires June 30. It was a three-year contract. Originally, they went through a competitive process to get this which was kind of awkward because actually the owners in the area who were paying the fee were actually competing against an out-of-town operator which was unusual but it is a creature of the procurement code. The procurement code has now been modified so that at the Committee's discretion, the Committee can authorize contracts for non-profit organizations that carry out a City function. That is what Intown does. The property owners in the Intown area assess themselves and pay themselves into a fund and through contract with Intown carry out these services that are needed. In this case, we also felt it was appropriate after this first three years that we do some self-evaluation so that the property owners and the businesses get a chance to evaluate how well Intown Manchester has done and what we are suggesting here is that given that the contract runs out on the 30th, I have spoken with Rich Davis about perhaps getting an extension for about six months with the understanding that we would be rolling that into a longer term extension of perhaps two and a half to four and a half years but that the six month period would be used for us to better define the contract, ask the business and property owners how they feel about the services, and what needs to be changed. Really, an opportunity for the people who pay the fees to evaluate the service and after that period we will go, once we get the information, and roll that into a new contract for a total of three, four or five years. I think tonight we would be hoping, so that services are not interrupted, for an extension of at least six months with an opportunity to enter into a longer-term contract at a later time.

Alderman Clancy asked does that have anything to do with the back streets over in the center city and downtown. I know there is some graffiti over there and I have been working on that with Aldermen Shea and Thibault and of course you know that the back streets over there are not in the best shape. Frank, have you done anything as far as the trash over in those back streets?

Alderman Pariseau answered it was in Committee and was tabled yesterday.

Chairman Reiniger asked what was tabled yesterday.

Alderman Pariseau answered the new program for downtown trash pick-up per the Public Works Director's request.

Mr. Thomas stated we will be covering it next week and will be coming in with a revised proposal that was put together between the Highway Department and Rich Davis.

Mr. MacKenzie replied what happens in this instance is that it is still the City's responsibility to provide a basic level of service so the Highway Department is still working in this area. Intown Manchester is attempting to provide additional services to the property owners given that it is a rather compact urban area and there are additional services needed. In the alleys for example, the Highway Department is working with Intown to work out the problems. There are problems, but they are likely solvable.

On motion of Alderman Girard, duly seconded by Alderman Clancy, it was voted to extend the contract with Intown Manchester for six months.

Chairman Reiniger addressed Item 5 of the agenda:

Communication from the Director of Planning submitting a report as a result of a recent SCIP team meeting relative to funds for the fitness center at West High.

Alderman Clancy moved the item for discussion. Alderman Girard duly seconded the motion.

Alderman Clancy stated I happen to know some of the people from Central High School and they have had fundraisers and stuff and they have a booster club and that is how they get most of their money for all of their fitness. In fact, I was told that they just bought three new machines for the football players and everyone who works out over there. I wanted to know what West High School has done as far as its fundraising.

Alderman Pariseau replied the boosters or whatever they call them are doing fundraisers to seek equipment for this facility and even assistance with construction. We are taking care of Central with Livingston. Central is not going to be neglected or Memorial. I think the City has done its share with Livingston Park, which is an ongoing project. West is just looking to get equal time and they, to, have gone out and solicited funds on their own.

Alderman Clancy stated like I said I am not against anybody as far as fitness and stuff like that. If the City can help in any way, I am for it.

Alderman Girard stated I believe the boosters at West have committed to raise either in cash or in kind services I think \$150,000 to \$175,000 to do work over at West. If you recall, last August they came looking for \$25,000 from us to handle some of the bigger problems with the building. I think there were some fire doors and some other structural issues that they were looking for some help with and back in August this Committee agreed to their request, which was forwarded by Alderman Hirschmann and asked the Planning Department to take care of it. I guess the question I have for Mr. MacKenzie is why has it taken so long for the SCIP Committee to address this matter? This Committee did forward it some 10 months ago. I know that the reason this is back on the table now is because I received a phone call from the people raising money wondering what the status was. I have spoken to you, Mr. MacKenzie, and apparently the Clerk didn't submit a letter formerly but I am not sure...I mean I know that you attend these meetings and I am wondering how that one slipped through the cracks basically.

Mr. MacKenzie replied normally we do track things on a paper trail. I guess I don't want to say who did what or who didn't do what but we didn't receive the paper trail until later, much later so that is when we would normally schedule it for the SCIP Committee to review and we didn't get that letter.

Alderman Girard asked does the City Clerk, after every CIP Committee meeting, send you a letter regarding every action that the Committee has asked you to look into.

Mr. MacKenzie answered yes.

Deputy Clerk Johnson stated no. We do on any Board action.

Alderman Girard stated given that this has been 10 months in the offing here, I would hope that every effort would be made to assist these parents at West High School given the enormous effort they have undertaken and given the fact that somewhere along the line we had a snafu that has probably held up and hurt their project.

Alderman Pariseau asked do we know if the School Board approved a fitness room.

Alderman Clancy answered I was on the Joint School Committee when that happened. That was okayed.

Mr. MacKenzie asked could I clarify a couple of those issues. One is I wanted to make sure that you understood what the recommendation of the SCIP Committee was. They are not saying at this point that they are guaranteeing \$25,000 towards the fitness program. As you may know, this year the City has been faced with a couple of late breaking crisis including the roof at Northwest and the additional special life safety code requirements at Parkside. Those together accounted for about \$1 million. Those came out late in the process and it was very difficult for the City to adjust to those additional demands. We have been struggling. The Highway Department working with PBS is trying to make all of these projects work this summer. If we don't get Parkside done and we don't get Northwest done, we don't open Parkside and we don't open Northwest so those are critical projects to get done and everybody is trying to expedite those. It also means that any margin that we had for contingency has been razor thin so the recommendation of the SCIP Committee, given the scenario that I outlined, is that it is reasonable to support and leverage projects where people are raising significant amounts of money. In this case, West High Fitness was a group that is raising somewhere between \$120,000 to \$170,000 and I did attend those meetings with the groups over there and at those times they never asked for any money. They were asking for some other funds, but not these. Our recommendation was that given that we have several large scale projects going on at West that if there is available contingency money after those projects are done, that could be used on a matching basis to go towards these projects at West High School. So there is not a guarantee at the present time, but I think and Frank could probably answer it better, but I think that by the end of the summer we will know better how the projects are going, and what the bids came in at. Again, it is critical to get those projects done. We will know in the next couple of months whether that money will be available.

Alderman Pariseau stated the motion should be that if any funding is left over from these other projects, it should go towards the fitness center for that \$25,000.

Mr. MacKenzie replied under State law, the School Board has to approve any changes to school buildings and there are certain projects, including this one I believe, where I know that it has been presented to the Joint School Building Committee but the final plans have not to my knowledge and we might want to check with Frank but they have not been approved by the School Board and that is a step that has to happen with that project and with several others that I know the Aldermen have been working on and interested in including the West High and Central High auditoriums. The School Board, by State law, has to approve the plans for those changes and that has not occurred. I just wanted to clarify that.

Alderman Girard stated I understand what you are saying, Mr. MacKenzie, but there are a couple of other things that I would like to see first like if there are any available bond balances outside of the SCIP account that we could look at for this money, I think we should take a look at those. It is not unheard of for the City to do that. It has been done many times in the past. The other thing here is you made points about the roof at Northwest and the sprinkler system and the asbestos problem at Parkside and if I am not mistaken, through this last budget process, we added appropriations to the CIP to the tune of, I think, \$750,000 for Parkside and I believe it was at least \$150,000 for Northwest Elementary so I understand your concern about the money and where it is coming from but this Board also made appropriations to handle those things and to somehow tie a request that was made 10 months ago to the crisis we are not experiencing knowing full well that appropriations have been made to handle those I don't think appropriately addresses the issue which is 10 months ago we said okay to this money and now that we have crisis that perhaps are taking other funds but we made appropriations for those.

Mr. MacKenzie replied I do think it is appropriately addressing the issue. These are issues that came up in the budget process at the very last minute. In fact, the last day when the Mayor was putting together his CIP program was the day that we got a very rough estimate of what it would cost to fix the roof at Northwest. There was clearly not enough time to get detailed engineering estimates of either the Northwest roof or the improvements at Parkside and that is why it does take time to go through the proper steps in due diligence to get the engineering work done and the cost estimates done. It can't be done in one day. That is why we have been operating under the assumption that we gave our best guess at the time to the Aldermen. Everyone worked very hard to try and get the best guess in as to how much it was going to cost. Even the Highway Department and PBS indicated that it was only a guess. Now the costs are going higher for Northwest, but the costs are coming in better for Parkside. We haven't begun construction yet though and until you do that you don't know what the contingencies are on those projects. Those are critical projects that we have to get done and again we used the best available information that we had at the time we budgeted some money. It was not very good information. It was the best available, but not very good.

Alderman Girard moved that in addition to having any leftover monies from these projects allocated to the Fitness Center Project, the Planning Director review existing bond balances on CIP projects that may be transferred. Alderman Clancy duly seconded the motion. Chairman Reiniger called for a vote. There being none opposed, the motion carried.

Chairman Reiniger addressed Item 6 of the agenda:

Communication from the City Clerk seeking approval for the installation of an outdoor surveillance system at the City Hall Complex.

Alderman Pariseau moved the item for discussion. Alderman Girard duly seconded the motion.

Alderman Girard asked did this go through the bid process.

Alderman Clancy answered well they are just asking for an okay first.

Alderman Girard replied no, they are asking us to approve an installation and there is a contract here from SecurityNet for almost \$3,000 to do the work. I wanted to know if this went through the bid process.

Chairman Reiniger responded maybe Deputy Clerk Johnson could answer that.

Deputy Clerk Johnson stated I am not sure that I can answer that. I know that this is a project that Clerk Bernier had been working on. There have been problems with the benches outside. I know that he had called around to see what could be done about the situation and he worked with the Police Department on part of it. I am really not sure. Certainly if it hasn't met the procurement code we would not install. That would be my answer but beyond that I can't tell you because I wasn't personally involved in it.

Alderman Pariseau stated didn't we just pass something that allowed the department heads up to \$10,000.

Alderman Clancy replied right. Clerk Bernier took us all out here on night and showed us the damage that the children are doing.

Deputy Clerk Johnson stated there is severe damage being incurred to the benches that were just installed outside. That is the concern and that is why the equipment is going to be installed.

Alderman Clancy duly seconded the motion to approve the contract.

Chairman Reiniger asked, Mr. MacKenzie are you okay with this.

Mr. MacKenzie answered I am not really familiar with it.

Alderman Clancy stated they are going to put some cameras around City Hall and if the Police see anything happening to these benches and stuff, they can get a hold of the children and bring their parents down and slap their wrists or something.

Alderman Girard stated I don't necessarily have a problem with the project. Something just doesn't strike me right here.

Alderman Clancy replied well they can spend up to \$10,000.

Alderman Pariseau stated I understand the nature of your concern, Alderman, but let's go on with other things.

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

Chairman Reiniger stated I think before it gets to the full Board there should be a fuller explanation of the procedure.

Alderman Girard stated it would be nice if we could see that there were other quotes also.

Deputy Clerk Johnson stated this would not go to the full Board. The request for the installation is because it is going on a City building. That would be the purpose of bringing it to CIP. If it is funding within a budget...

Alderman Girard asked where is the money coming from for this.

Deputy Clerk Johnson answered from the City Clerk's budget. It is my understanding that he has placed a PO in the system to hold it pending approval to have them installed because you are installing them on a City facility, which is under your control.

Alderman Girard asked is there anyone from the Solicitor's Office here.

Deputy Clerk Johnson stated he is requesting approval for the installation. It isn't a request to approve the contract.

Alderman Girard replied I understand that. My curiosity here is to know whether or not there were other bids solicited.

Deputy Clerk Johnson responded my suggestion would be that the City Clerk will return next Monday and the Alderman is welcome to contact him or I can have him contact you.

Alderman Girard moved to table this item.

Deputy Clerk Johnson noted that a motion was made, seconded and that it passed.

Chairman Reiniger addressed Item 7 of the agenda:

Communication from the Conservation Commission seeking the Board's acceptance of the Derryfield School Conservation Easement.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to recommend acceptance of the easement.

Chairman Reiniger addressed Item 8 of the agenda:

Communication from the Director of Public Works requesting that all but 5 of the 15 surplus vehicles be sent to the next State auction, authorization to allocate the five remaining and requesting that an approximate \$51,000 in the FY99 MER Cash account be utilized as outlined herein.

Alderman Clancy moved the item for discussion. Alderman Pariseau duly seconded the motion.

Alderman Clancy asked, Frank, the five cars you are going to buy I hope you are going to buy 5 Chevy Celebrities or Ford Taurus or something like you have yourself.

Mr. Thomas answered the cars we are buying are...one is going to be a station wagon for the City Clerk's Office. The Mayor's car will be the same size as he has now. One will be a small, cheap pick-up truck.

Alderman Girard asked, Mr. Thomas, what is the need to replace the Mayor's car.

Mr. Thomas answered it is more of a need to furnish a car for the Director of Parks & Recreation.

Alderman Girard asked why don't we just get a car for the Director of Parks & Recreation.

Mr. Thomas answered for approximately the same price we can replace the Mayor's car, which is a 1995, and give the Mayor's car to the Director of Parks. You are not going to realize that much of a savings.

Alderman Girard stated does the Director of Parks & Recreation, and this is getting back to something, somewhere and I think we are still waiting for the receipt of it but there was a report done by the Fleet Committee I believe that Alderman Clancy led that said which vehicles each department should have, who should have them and what they should be. The Director of Parks & Recreation to me, and even yourself, Mr. Thomas why a sedan for the Director of Parks & Recreation. That means that the car can't be used for anything other than passenger traffic. I guess that really kind of is the crux of my question. Why not a pick-up truck for departments that can use them for their actual purpose?

Mr. Thomas replied I believe the standard is a mid-sized car for the department heads. That was what the Fleet Committee has allocated and this is a mid-sized car.

Alderman Girard responded it doesn't make sense to give the Parks Director a sedan. How many times does he have four or five passengers with him.

Alderman Pariseau stated when he does he doesn't want to put them in a pick-up truck.

Mr. Thomas stated again we are just following the procedures that have been established.

Alderman Girard replied and you are following guidelines that the Board of Aldermen has not yet been presented with and we were told during the budget process some time ago that we would all receive a copy of it but we have yet to get it. I have no idea by what standards we are operating.

Mr. Sean Thomas stated it will be on the July 6 agenda.

Alderman Girard replied well I guess we will look forward to the July 6 agenda.

Chairman Reiniger asked, Mr. Thomas, is this consistent with the policy that we will be seeing.

Mr. Thomas answered yes.

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

Chairman Reiniger addressed Item 9 of the agenda:

Communication from the Deputy Public Works Director requesting disposition of Highway equipment through the next State auction as outlined herein.

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

Chairman Reiniger addressed Item 10 of the agenda:

Communication from Thomas Seigle, EPD, seeking authorization to purchase a cargo to replace a 1990 Ford F-150 van with funds approved in the EPD FY2000 budget.

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

Chairman Reiniger addressed Item 11 of the agenda:

Communication from the Manchester Water Works Director submitting a renewal lease between the City, Manchester Water Works and Fairhaven Baptist Church.

Alderman Pariseau moved the item for discussion. Alderman Girard duly seconded the motion.

Alderman Pariseau asked is the City responsible for any insurance on that building.

Mr. Bowen answered no. They actually own the building. All we are leasing is the land that it sits on.

Alderman Pariseau asked are they a non-profit entity.

Mr. Bowen answered yes.

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

Chairman Reiniger addressed Item 12 of the agenda:

Communication from the Board of Trustees of Holy Family Academy advising of their interest in obtaining the former Chandler School building on Ashland Street.

Alderman Clancy moved the item for discussion. Alderman Pariseau duly seconded the motion.

Chairman Reiniger asked would you like to hear from the Holy Family Academy.

Alderman Pariseau stated someone has to ask questions. Why are we dealing with the Board of Trustees and not the Bishop?

Chairman Reiniger stated why don't we take five minutes and let the group speak.

Alderman Girard asked is there a spokesman for the group here.

Ms. Mosier answered yes I am. I chair the Building Search Committee for the Board of Trustees for Holy Family Academy and serve as a Trustee member.

Alderman Clancy asked is that St. Marie's or something, Holy Family Academy.

Ms. Mosier answered no. This is a private, independent school. It just happens that all of the members of the Board of Trustees who originated this are members of St. Marie's Church, that is correct. We are not associated with St. Marie's parish nor are we associated with the diocese.

Alderman Pariseau asked you are not associated with the diocese of Manchester.

Ms. Mosier answered in terms of the academy, that is correct, Sir.

Alderman Pariseau asked you are not associated with them.

Ms. Mosier answered that is right. We are a private, independent school.

Alderman Pariseau asked for profit.

Ms. Mosier answered not for profit.

Alderman Pariseau stated go ahead with your presentation.

Ms. Mosier replied thank you. I have other people here this evening as well who represent the Academy and can address any questions beyond what I can handle. As I said, I do chair this particular committee and we are made up or comprised of seven members, our Board of Trustees, and all are concerned parents of education in the City of Manchester and looking for a choice in education. So we came together and began to talk about what it was that we might like to do and all discovered that one of our greatest concerns would be to see a classical curriculum offered in the City. Certainly we are all Catholics and that was of great concern being able to do that within our tradition. Since then we have had 12 members of a Board of Advisors who have joined us. Some of them are here tonight and represent the building committee and educational groups. We have a lawyer, an accountant and a psychologist on board, all who have joined us to help aid us in the process of opening the school and who have joined us in sharing our vision for that. As I said we are a private, independent, not for profit entity. We are incorporated in the State of New Hampshire and we are incorporated as the Holy Family Educational Corporation. We are registered with NH Charitable Trust as well. We are also tax exempt by the federal government under the guidelines for a publicly supported educational organization as described in Section 501-C3 so we are tax exempt as a not for profit organization. We are here to ask you tonight to donate the former Chandler School Building to us so that we might be able to open and renovate that structure and use it to help our academy. We are looking, and perhaps some of you saw an article in the newspaper about Holy Family Academy a few days ago. There was an inaccurate statement there that I would like to correct. We are looking at this point in time to open in the Fall of 2000 due to how late it is in the year right now and in order to be able to register with the State and have everything approved, we are really past that deadline. We are asking you to do that. Our plan is to open with a 7th and 8th grade with a classical curriculum teaching in the Catholic tradition. We would be looking to add one grade a year through high school so through grade 12 with approximately 20 students in each grade level. At the end of the process we would be looking to have approximately 120 students in our school. We would like to keep it on a relatively small scale. We have looked at the Chandler Building and have been in it several times. Before we even came before you to make this proposal we wanted to make sure that we knew what the existing structure looked like, what the issues were there. We have been through it. Our building people have been through it. In fact, they have toured the building with Inspector Emanuelson from the Fire Department on the life and safety issues. I have a handout here for the Aldermen and you will find in there a letter from Inspector Emanuelson outlining the issues that were brought to our attention. Not a formal inspection, but that were brought to our attention as in need of repair. Before we came to you, we have done our homework in looking to see what would need to be done to this building.

Chairman Reiniger stated this would be part of a larger movement of schools, right.

Ms. Mosier replied there is a movement throughout the United States of these small, private independent schools starting and in your handout as well you have a letter from a group called NAPCIS. They are an accrediting organization that accredits small private independent schools or small private Catholic independent schools. Even though the State of NH does not acquire accreditation of the school, they only require approval, we plan to seek the State's approval but we also wanted to be associated in a way with a professional group that would hold us accountable to a high standard of educational issues. I think you can look at that and see the letter. It states that we are a member of this organization followed by a list of the things that we had to provide them with. I say that because we want you to know that we are a credible and solid group who have done our homework as we come before the Committee tonight. I think the question would be why would you want to do this. Why would you want to give the building to us and I would propose that there are great financial benefits. There is a whole financial package in there that you all are obviously attracted to looking at and there are great savings to the City of Manchester. We are all aware, as the article said in the *Union Leader* this week that the building is in a dilapidated condition and is in need of repair. There is a major roof issue at Chandler School that has caused exterior damage as well as interior damage and we have someone who can address those issues for you if you would like to more thoroughly. The City would need to do something about that and that would cost the City money. The ongoing upkeep of what the City has to put out just to maintain to heat and inspect the school certainly is an expense for the City of Manchester for a vacant building. In addition to that, we know that...we have become aware through the newspaper that you have what you are calling a bubble I believe in your school system right now. That is in junior high and headed towards the high school years and we are proposing to ease that by being able to educate some of those children in our school. I think the biggest and the greatest impact for the City of Manchester and the most profound reason why you would want to donate this building to us in addition to all of the things that I have said are the hard numbers that you can see in that handout. I will just quickly point out to you that if we look at starting with a 7th and 8th grade in the Year 2000, say 40 students and we look to add one class every year through grade 12, at the end of four years if only 60% of the students were from the City of Manchester the savings to the City would be \$934,000 based on your figures for what it costs you to educate children in your system. If the students were 100% from the City of Manchester, it would be \$1,556,000. One of the things that is attractive to us about the Chandler School, in addition to the fact that we have felt called to the City of Manchester as we have been looking for a year and a half to house ourselves but it is very expensive to rent commercial space in Manchester and to buy a small building of our own and renovate it is

exorbitantly expensive because of sprinkler systems, etc., all of which the Chandler School already has. They do need to be updated and they need to be renovated, but they are in fact there. Because the building is large enough and we wouldn't be paying anything additional to open another classroom, if we were granted the Chandler School the Board would seriously consider opening with three grades so we would open with a 7th, 8th and 9th in the Year 2000. Those savings are even greater for the City. Again, as a crude saving over the first four years starting with 60 students now and adding a grade each year, if 60% of the students only came from the City of Manchester, \$1,207,000 would be the savings in educational expenses for the City. If 100% of the students came from Manchester, you would be looking at a \$2 million plus savings to the City of Manchester in four years. We are also concerned about the community. It would renovate the building. It would bring new life to the inner City. We have talked about the possibility of offering a scholarship to a child from the inner City who could not afford to go to our school. We would like to have a good community relationship and be part of the renovation and rejuvenation that we have begun to see in Manchester. I think that those are viable reasons why the City would want to give us this building.

Alderman Pariseau asked what would the tuition be.

Ms. Mosier answered the tuition at this point in time is set at \$2,500 for junior high and in the high school years because of the additional expenses with the sciences, etc., it would be \$3,500. Those are very reasonable costs.

Alderman Pariseau asked what is the anticipated cost that you expect the City to expend to rehabilitate this building.

Ms. Mosier answered we expect nothing, Sir. We are asking you to give us the building and let us raise the money to do the renovation.

Alderman Pariseau stated I thought you had said that the City would have to renovate it.

Ms. Mosier replied no, we are offering to do that for you. That is one of the benefits to the City is that we are going to take a building that for our knowledge you have currently no use of. I know that the School Committee in fact has turned it over to the City and if you have a use for it I am unaware of that. A building that is not on the tax roles right now, we are a not-for-profit organization, we would take it and renovate it. Certainly we would love to enter into negotiations. Jim Doyle is here tonight representing us for our legal issues and we would certainly be glad to talk to the City about any issues that you might have.

Alderman Clancy stated but for sure you wouldn't pay any taxes.

Ms. Mosier replied that is right, we wouldn't but that building was not paying taxes to the City anyway. We would be saving you over \$2 million.

Alderman Clancy stated we have some portable classrooms over there. What would you do with those?

Ms. Mosier replied we were told that the City was in need of them and would be removing them. We would not be using them and we would, in fact, use that space to make adequate parking for the school so that is not an issue for the neighborhood. We checked it out and Mr. Hunter, the head of our Building Committee, was there today and yesterday and measured things out to make sure that there would be adequate parking so that it was not an issue for the neighborhood.

Alderman Pariseau asked adequate parking for the teachers and the students.

Ms. Mosier answered that is correct, Sir. In a small school, probably at maximum we would have 40 students able to drive. Our anticipation would be that they all wouldn't be driving.

Alderman Pariseau asked who is going to be your acting Bishop, Father Mark.

Ms. Mosier answered we don't have a Bishop, Sir, we are a private, independent school.

Chairman Reiniger stated I think this is a very exciting proposal. First because it is an interesting alternative for the Chandler School problem and it also provides a great educational alternative.

Alderman Pariseau moved to make the recommendation to the full Board to allow the Holy Family Academy to purchase Chandler School for \$1. Alderman Girard duly seconded the motion.

Chairman Reiniger stated logistically I guess we have to refer it to the Solicitor's Office.

Mr. MacKenzie stated there is a process for disposition of public property and certainly Carol knows it well. There will have to be a finding that the property is surplus and not needed for any particular purposes. Our department, for example, would have to find that. In this situation, I am not aware of any particular need for

the building. We might want to check with certain other City departments just to verify that consistent with the ordinance. Secondly, in the ordinance and there are other steps that have to be taken. It has to be referred to Assessors, Planning and Tax Collector. The Assessors have to come up with fair market value. Normally under the procurement code you would have to go to public auction to dispose of the property at fair market value for public auction or other means to sell the property at fair market value.

Deputy Clerk Johnson noted that it is not a tax-deeded property.

Mr. MacKenzie stated even under disposition of any public property, even not tax deeded, you do have to get an appraisal from the Assessors and you have to typically go through a public process to dispose of the property.

Alderman Pariseau stated if it meets all of these criteria, I move to recommend that we sell the Chandler School building to the Holy Family Academy for \$1.00.

Mr. MacKenzie replied I am just trying to help you expedite the process because you will have to make a finding that if you are not selling it for fair market value you have to make a finding that it meets certain public good and the Board would have to find that if there is a way to construct that you would have to have that as part of the Board's action also.

Alderman Girard moved that this Committee, in recommending to the Board that this building be donated, have the staff draft the appropriate findings so that we can donate the building and immediately initiate all procedures that must be satisfied. Alderman Pariseau duly seconded the motion.

Alderman Pariseau asked why wasn't this all taken care of before it even came to this Committee. What are we supposed to do know? Say it is good but you have to go through the hoops and these people are left hanging? I think once they made the approach to the City, efforts should have been made to work all of this stuff out to see how it would negatively effect us. Here we got their hopes up.

Mr. MacKenzie replied the codes are adopted by the Aldermen to protect the public interest. The Aldermen can change that. Those codes were designed to protect the public interest and insure that the City was not proposing to some profit organization for example at no cost. It does protect the public interest. As to the other question of why it did not go through the process, I did not see this until yesterday.

Deputy Clerk Johnson stated I think I understand that the Committee wants to recommend to the Board that this be done and a finding is easy because certainly I think she made just cause so that we can draft something up. I don't see that as a problem meeting the code. What has to occur is Mr. MacKenzie has to contact all of the City departments.

Alderman Girard stated I would amend the motion so that all City departments be directed by this Committee to give the appropriate responses to Mr. MacKenzie in time to have this included on the July 6 agenda.

Deputy Clerk Johnson replied I don't think you have to give a directive to the department heads to cooperate. I think every department head will cooperate but that needs to occur. I just want to make sure that everybody understands that the reason nothing else was done is that it came in on June 1 to the Board and the normal process is to refer it here. Typically, you refer it to a department to look at after you decide whether or not you want to proceed. On that basis, there may be reverter clauses and other things that you want to put in there to make sure that that building remains an educational facility or it comes back to the City. Those kind of issues haven't been addressed.

Alderman Pariseau stated in looking at it, that should have been part of the agenda item.

Deputy Clerk Johnson replied normally what the Committee would do would be to refer it to Mr. MacKenzie and a few other people to look at it and get back to you if there are any problems so that you know exactly what you need to do and forward that document to the Board. We can put that all together but there may be other considerations that you want to bring into this. If you want to proceed, my suggestion would be that you refer it to Planning and the Solicitor and City Clerk and let us coordinate a report for the Board. If we find a problem, we will immediately report back to the Chairman of the Committee so that a polling or whatever can be done. That way, the report goes to the Board on July 6.

Alderman Pariseau moved that the Committee finds just cause to dispose of the property for \$1 as requested and that would be subject to the review and report of the City Solicitor, Planning, Tax, Assessors and City Clerk and authorize the Mayor to execute the documents to dispose of such property. Alderman Girard duly seconded the motion.

Alderman Clancy stated I feel sorry for the children of the Chandler School. For a number of years they were looking to have this building rehabbed and the City ignored their concerns. They are down to the Easter Seal building on Auburn and Lincoln Street now in some cramped up quarters and we have that building down

there being leased. Here is a non-profit organization coming in to renovate the building that you said was no good. How are the children of Chandler School going to feel now and the teachers and parents? It is no good for them but it is good for these people.

Chairman Reiniger stated I thought they wanted to get out of the building.

Alderman Clancy replied well maybe they did but still these people are going to come in and renovate it. Why didn't we do that?

Alderman Girard stated with all due respect to Alderman Clancy, there were some other issues there. That facility at Chandler School was simply too small for the population being served. We would have ended up spending a heck of a lot of money.

Alderman Clancy responded in the interim we could have done some work there and some minor repairs to keep the people happy and the children happy. You know they have lead paint problems up there and the roof is leaking. All kinds of problems up there.

Alderman Girard replied I know what the problems are Alderman but to somehow say that the City in giving, if it does ultimately give this building to these folks, somehow pulled a fast one on the Chandler kids is not fair.

Alderman Clancy stated I am sticking up for the Chandler kids and I will tell you that right now.

Alderman Girard replied I don't think anyone is trying to kick the Chandler kids.

Alderman Pariseau asked didn't the School Department say that it was surplus property.

Alderman Girard answered I think they did.

Chairman Reiniger stated it is my understanding that some of these individuals have toured the building and it sounds like if something isn't done pretty quickly it is going to deteriorate. That will give the City more problems if we sit on it and don't take advantage of this opportunity. We could be here five years later and having to find money for a new roof, etc.

Chairman Reiniger called for a vote on the motion. The motion carried with Alderman Clancy duly recorded in opposition.

Alderman Girard stated I think that these people should be thanked for the efforts that they have put into this and frankly I hope that we see more groups like this around the City trying to put some facilities to use and be a little more innovative with education.

Ms. Mosier stated Alderman Clancy I think that one of the issues when we began to look at the school we obviously were concerned with the fact that the School Committee had decided to move the children out of the school because of the conditions there. We asked to be provided with information about what the City's determination had been so it would help us to define whether this was a viable alternative for us and I think that one of the things we took good note of as we went through the school and heard the concerns that the City had about the building was that a very important factor in that is that we are dealing with a very different population of who is going to be in that school. We are looking at beginning with junior high aged students and going through high school students. A lot of concerns that the City had on the money that was going to be spent was because you had much younger children there. You had children who had needs that are beyond the needs of what our children would be. You had needs for expansion. You had needs for an elevator. Certainly, those are not needs that our school has and so as we looked through that we were able to determine simply from the fact that most 7th graders don't chew on the woodwork that probably a lot of the issues that the City had noted as determined for that school to be renovated for that population in fact really aren't the concerns for us that they were to the City.

Alderman Clancy stated well my contention is that the City should have built Chandler School into McDonough School up there because we had the land and we could also utilize the cafeteria and put up an alleyway because they can go at different times. We have the land up there on the corner of Lowell and Weston Road, plenty of land up there for the Chandler School but I don't know what the particulars are. We are down here now at Easter Seal on the corner of Auburn and Lincoln and that is cramped up quarters.

Ms. Mosier asked, Sir, would your concern be that you wouldn't want Holy Family Academy to use that school because you would like to see the City use it.

Alderman Clancy answered no I wish you luck in renovating the building. The thing is that I can't see why the City didn't put a little money into it to hold it together and let the Chandler School stay there unless we had something better.

Ms. Mosier asked given that fact, would you then approve for us to go ahead and have the building.

Alderman Clancy answered yes, you have my blessing.

Chairman Reiniger asked is the Mayor in support of this.

Mr. Sean Thomas answered the Mayor has not been asked yet, but I think he looks upon it as a really good opportunity for that school and he will make a more public statement later.

Chairman Reiniger addressed Item 14 of the agenda:

Communication from the Executive Director of the SEE Science Center requesting they be allowed to display the clock mechanism in their lobby area that is currently in storage at 200 Bedford Street; such mechanism having been previously on display at the main entrance to the old City Hall building.

On motion of Alderman Girard, duly seconded by Alderman Pariseau, it was voted to approve the temporary display of the clock mechanism in the lobby of the SEE Science Center.

Alderman Girard asked are we being asked to donate this.

Alderman Pariseau answered no.

Alderman Girard asked it is just on loan.

Alderman Pariseau answered yes.

Alderman Girard stated so there will be some notation that it is on loan from the City of Manchester.

Deputy Clerk Johnson replied I don't think Paul would release it from archives without something that guarantees that it belongs to the City.

NEW BUSINESS

Communication from John Brisbin, Manchester City Library Director requesting permission to use CIP funds from 820699, Adapt Lower Stacks for GMILCS Personnel Office for the GMILCS Dynix library automation system.

Some discussion took place regarding this item and the fact that it was not forwarded to the City Clerk's Office or the members of the Committee prior to the meeting. Mr. Brisbin left the meeting to retrieve the memo.

TABLED ITEMS

15. Communication from Ralph Sidore addressed to Jay Taylor requesting to acquire a strip of City-owned land between the western boundary of Canal Street and the railroad from No. Commercial to Kidder Streets.

On motion of Alderman Clancy, duly seconded by Alderman Reiniger, it was voted to remove this item from the table.

Alderman Girard asked don't we need Mr. MacKenzie here to discuss this item since his department came up with that rather interesting explanation of the pros and cons of whether or not it should happen.

Chairman Reiniger answered we are going to address Item 15 now.

Mr. Lolicata stated the letter I sent in originally was to cancel the meeting and during the second meeting we had very little time to get something together but I got mine together. It was tabled the last time because the others couldn't get their information together. What I got together, in time, is what we saw and what we would have to recommend if this went through. These are a must. There is an awful lot involved down there as far as the entrance, the exits, and the cost, etc. Since that time, I have had contact with Frank Sullivan from the State and Mr. Long also and they have voiced concerns with the entrance part, the upper part. It has to go eastbound we all know that, but it is the cars going down there that have to turn around and come in there would be another hazard. Quite frankly, Frank Sullivan doesn't like even the exiting.

Alderman Girard asked who is Frank Sullivan and why do we care what he thinks.

Mr. Lolicata answered Mr. Sullivan is with the State. He and the other gentleman are involved because I want them involved due to the right-of-way of the railroad and because of Canal Street and because of their expertise.

Alderman Girard stated my question is whether or not the State has any direct jurisdiction here.

Mr. Lolicata answered their jurisdiction is in the interpretation of the manual but I am stuck and I went to them for help because they know the situation. I have my own ideas and I wanted theirs also and theirs correspond with mine. You need a whole set of signals at the end and a few other things. After going through this and speaking afterwards, we are concerned with the U-turn and people going down and coming back up and Frank Sullivan is not very happy with it and quite frankly I am not too comfortable either. What you see in this letter is that if somebody or anybody or all of you happen to agree upon such a thing, these are going to have to be met as far as safety in entering and exiting, having lights there, the signs there and what is involved. That goes with Mr. Thomas' letter and his concerns, which are very viable regarding snow plowing, etc. I have some concerns about this because of the fact of the turning and going in there. I personally will say on record right now that I don't like this. I really don't, but the minimums are in this letter. What has to be done as far as signals and other things will have to be done if it goes through. I am saying that as far as the safety of the railroad.

Alderman Girard stated the letters that we are all talking about here that are dated May 17, Mr. Sidore once again has not seen the input from the City so he is not prepared to discuss what he needs to discuss with us tonight and I would think that after what we went through last time and the displeasure we expressed that Mr. Sidore did not have an opportunity to review the City concerns so we could discuss them and comment on them, we are right back in the same soup. How many times do we have to go through this before we get it right?

Mr. Sidore stated with all due respect to Alderman Girard, we would like to try and proceed with this issue tonight. I would like to make a couple of other comments. Mike McDonough is here. Mike is one of the McDonough brothers that own Fratellos. At the last meeting Alderman Wihby questioned whether it was conceivable that they would be involved in this. They are here. They are involved. We have an arrangement between us and they are fully supportive of this issue. Mike is here for that reason. The reason I am saying this is because he has to leave in three minutes.

Chairman Reiniger recognized Mr. McDonough.

Mr. McDonough stated my brothers and I had originally struck an agreement that Tradepoint Systems from Nashua was going to move into the third floor of our building so Ralph and Tradepoint were going to approach this together so that Tradepoint could have additional parking because we couldn't meet their parking needs on-site.

Alderman Girard asked he was doing this to help you put a client in your building.

Mr. McDonough answered half of the parking would help Ralph's 150 and the other half would help 155.

Alderman Girard asked but the initial push was for a client for your building.

Mr. McDonough answered yes. Mr. Sidore asked if this deal falls through, that being Tradepoint Systems, do you still want to participate. We didn't think the deal was going to fall through and we weren't in the position to help out financially so we said no, proceed on your own. Subsequently the deal did fall through but we wanted that space and we are now in a position to proceed. What we are looking for with the space is we will not be able to park our employees on site. They are going to have to find alternative parking and despite the new parking arrangement on Commercial Street, it is still limited during the day. Nighttime is not an issue. During the day is a huge issue. It is not feasible to ask our patrons to park in the space that we are talking about acquiring because it means walking a great distance to get to the restaurant and people won't do that. For our employees, certainly we can tell them where they have to park. Our concern is that when our building is completely filled there won't be enough parking spaces to go around not knowing what the future holds for the Myrna Lot. We are on board now financially and we are also here to support Mr. Sidore. I called Alderman Wihby because he is in my ward and he apparently had some confusion as to what was going on.

Chairman Reiniger asked so you resolved the concerns that Alderman Wihby had.

Mr. McDonough answered I think so.

Chairman Reiniger stated Mr. Taylor sent a letter saying that "my sense is that most but not all of the issues raised by the department heads may be resolved with further collective discussions between the effected departments." Is that still your opinion?

Mr. Taylor replied clearly there are some legitimate concerns that have been raised by Mr. Thomas, Mr. Lolicata and Mr. MacKenzie. Concerns about the appearance are legitimate, however, going one step beyond that I think my letter also says that I don't believe that the City should assume any liability with this activity under any circumstance nor should the City absorb any cost. If there are ways of mitigating all of those concerns that are mentioned by the various departments, I see no reason why we shouldn't try to proceed with this. If some of these things are insurmountable, I am not going to sit here and recommend that we ignore the advice of the experts in these areas and do it. That is not in the best interest of anybody and we would just be paying for it down the road. If there is a way to deal with these issues by further discussion and negotiation fine. The other issue

is, and I would have to pass this on to Ralph, but you are going to have to deal with the railroad in order to make this work.

Mr. Sidore replied we are in active negotiations with the railroad.

Mr. Taylor responded I would suggest that any recommendation made by this Committee would be subject to your agreement with a railroad because I know how difficult they can be to deal with.

Mr. Sidore stated I think in my original letter to you it said that it would be contingent on our reaching an agreement with the railroad. We have had several negotiations back and forth. They have sent us two drafts of a Purchase & Sales Agreement. We haven't agreed to it yet. If you know the railroad, that is not unusual. We are actively working with them and we expect to resolve it.

Mr. Lolicata stated that is the other concern. If the railroad extends that right-of-way, that makes it even less feasible. It is 25' in the center of the track right now, right.

Mr. Sidore replied right.

Mr. Lolicata responded the State says sometimes the gentlemen can change their minds, like the telephone company. I think that if they go beyond 25' we are in trouble.

Mr. Sidore replied I don't disagree with you. What we looked at down there was the turning radius on the exit and if we don't have everything beyond the 25' right-of-way, it is a problem. I agree with you. In negotiations so far, there is no indication of anything but a straight strip. It is exactly the way it is laid out right now. There have been no changes. I would like to make a couple of other comments. I did get a copy of Mr. MacKenzie's letter and I met with him last week and reviewed it with him. His priorities were for green space and I said that is wonderful but lets look at the reality of this. Is the City going to spend money on this in order to have a 25' or 35' right-of-way next to it for the railroad track that looks like crap and no matter what you do is going to be a barrier between Elm Street and the Millyard. It doesn't matter what you do with the green space. The space we are talking about, that railroad track and the railroad's lack of maintenance and lack of care of it is going to continue indefinitely. I think anybody who lives in this City, and I grew up here, knows that nothing is going to change with the railroad. I think that while his priority may be green space, that it is not a practical thing to try and do.

Alderman Clancy asked what if the railroad wants to put this line back in service. What would happen?

Mr. Sidore answered they are selling us the land. They can't do anything. This line is in service.

Alderman Clancy stated well they are starting to expand the railroad service throughout New England.

Mr. Sidore replied if they want to try to buy the land back from us, they have to come to us with an offer to buy. Are you talking about adding another rail?

Alderman Clancy answered yes.

Mr. Sidore stated I think there is room there now for another rail without any change. In the old days when there were two tracks down there, there wasn't a lot of space.

Mr. Taylor stated if they had any idea of eventually reinstating another line there I doubt very much that they would even be considering selling anything.

Mr. Sidore replied right and I don't think that if they were going to add another line they wouldn't add it to the most expensive place to do it but would do it up the river or down the river where space is easier to come by. In our discussions with the railroad, there have been no reverter clauses or anything but just a straight sale. The discussions have to do with easements and everything else and they want us to do all the research and then give it over to them if we don't go through with the deal and we are saying if we do the research we are going to keep it.

Chairman Reiniger asked, Mr. Sidore, are you confident that this deal will happen.

Mr. Sidore asked with the railroad, yes. I will say that the other issue is environmental and barring some major disaster we will go through with this.

Chairman Reiniger stated so the City will be faced with enhancing the parking in the Millyard with your assistance.

Alderman Clancy asked what about the liability.

Mr. Sidore answered what liability.

Mr. Lolicata asked the signals.

Mr. Sidore answered Mr. Lolicata showed me his letter tonight and if there is a cost involved we always expected that we would have to pick that up. When you mention signals we will do that. Don't developers pay for signals?

Alderman Clancy answered 90% of the time.

Mr. Lolicata stated this has got to be done.

Mr. Sidore stated we are not asking for any special treatment here. We are trying to do a commercial piece.

Alderman Clancy how about snow plowing.

Mr. Lolicata answered that is Mr. Thomas's concern.

Mr. Sidore stated in the discussion we had in this office with the Mayor in December and some other department heads, we talked about plowing a little bit and my understanding was that the Mayor instructed the departments to work it out. I don't know how...we weren't aware there was a problem after that until we now here that Mr. Thomas does not feel it is appropriate.

Alderman Clancy asked who is going to pay for the plowing, you.

Mr. Sidore answered of course we will. It is our property.

Alderman Pariseau asked how about the snow from Canal Street coming onto your property.

Mr. Sidore answered we will help to clear that also.

Alderman Pariseau stated yes, after you complain to the City.

Alderman Girard stated I am not the Public Works Director and I certainly don't drive a plow but I have to tell you to throw it from Canal Street over the railroad track is not...

Mr. Sidore replied no, our parking lot is between Canal Street and the railroad tracks.

Alderman Girard stated we have been wrestling with parking in the Millyard for too long now and we have private owners who have come up with an idea that frankly nobody in City government has had in the last 20 years. It seems to me that we are trying to make a mountain out of a molehill and we ought to just ask

the departments to do what needs to be done and work with these people and work out the issues and get it done. It is in our best interest to make sure that we encourage the private property owners to develop the land as best they can to suit their needs. We are the ultimate beneficiaries.

Alderman Clancy stated but these department heads have some concerns.

Alderman Girard replied I understand that, but you know what, all concerns if we want to work them out, Alderman Clancy, can be worked out. I haven't heard anything here that cannot be worked out.

Alderman Pariseau stated bring it back when you have it all worked out.

Alderman Girard replied but I thought we asked them to work it out and come back to us last time.

Mr. Lolicata stated this is a rare case, Alderman, where we are looking at a piece of land between a street and a railroad track. You don't see that too often.

Chairman Reiniger asked would it be appropriate to ask Jay Taylor to coordinate the departments to work out these issues.

Alderman Pariseau answered that should have been happening since last time.

Alderman Girard asked the potential tenant that you had last time, did that deal fall through because you couldn't guarantee the parking.

Mr. McDonough answered it delayed the process. It was a factor. There is no question about that.

Mr. Sidore stated the delay had to do with the railroad. I didn't want to come to the City until I had at least received an offer to sell the land from the railroad and it took me four months after we met with the Mayor and Mr. Taylor and some other people to get the offer. As soon as I had that offer, I wrote that check.

Alderman Pariseau stated but your negotiations with the railroad aren't complete yet.

Mr. Sidore replied I can tell you with some reasonable confidence that we will be successful. Price isn't an issue.

Alderman Pariseau responded I don't know what the issues are or care whether price is an issue.

Mr. Sidore stated it is not an issue of price.

Alderman Clancy stated the City still has concerns so we should table this until they can come back with more information.

Alderman Pariseau moved to table the item and have Mr. Taylor, Mr. Lolicata, Mr. Thomas and Mr. MacKenzie get together and tell us whether or not this can be done. Alderman Clancy duly seconded the motion.

Mr. MacKenzie stated I know we are sending it back to departments. We have a lot of work to do and I guess I would just like to give you my opinion because that is all I can do. My opinion is that looking now 10 years down the line, we have evaluated and are working on putting parking in the Millyard. This is not the right place to put it. We need places that are appropriate for parking. Certainly in the downtown area you could convert Veteran's Park to parking and everybody would like the parking space but in the long-term that would detract from the downtown and ultimately perhaps destroy the downtown because all of the public green space has been turned into pavement. There is an important balance to make here between having a high quality urban area with parks and green space and having total parking. You look at the cities that have made it and they don't have the surface parking throughout the downtown. They simply don't do it. Most of it is underground structures, etc.

Chairman Reiniger stated but the railroad is an eyesore.

Mr. MacKenzie replied well it is an eyesore because it is not kept up.

Alderman Clancy stated that is not our problem, that is their problem.

Mr. MacKenzie stated looking 10 years down the line, in my opinion if you want to make that a quality area that is going to survive and reuse those mills, I think we are taking the correct path. We are working on bringing UNH down there and putting the Riverwalk down there. We are trying to attract solid tenants. We are working with business property owners to bring tenants in there. We have taken the right path but at some point you have to have certain amenities that creates this as a high quality urban area that has unique historic and cultural resources. I know that some people will disagree with me, but I have to give my opinion and that is not going to change if you send us back to review things. I think the City would be shooting itself in the foot in the long run if they were to convert an area that is potentially a nice tree lined boulevard into additional parking spaces.

Mr. Taylor stated it is clear that we have a divergence of opinion here and I think Mr. MacKenzie is right that sending it back around probably isn't going to change that. He has his legitimate reasons why he is opposed to it and I believe Frank Thomas does as does Tom Lolicata. I have my reasons why I think it is probably a good idea. Obviously we disagree and I don't know if the majority rules it sounds like I lose. I don't know where that leaves us. That is the point.

Alderman Girard stated we are the policy setting body. If we decide that it is something that we want the departments to come back and tell us how to work it out then whatever their opinion is I hope they are going to come back and tell us how it can be worked out. Mr. MacKenzie, you and I have talked back and forth on all kinds of issues for years and you know that I agree with you when it comes to open space and parks and stuff, but I fail to see how turning this particular area into parking space is going to make it any less or any more of an eyesore than it is now. I would be real hard pressed, since I am not aware of any plans on the table, to see any kind of landscaping scheme that is going to improve that ditch, that gully, that God awful open space that is inaccessible to anybody for any reason right now to any use 10, 20 or 30 years from now. I bet you by the time I have grandchildren it still looks like that if we don't do anything with it. I don't mean to in any way dismiss the seriousness of the department's concerns, but I think if this Committee as the policy making Committee says that we want to see these matters resolved so we know how we can do it to address the concerns, it is not unheard of to see parking lots with landscaping and trees. I am sure that Mr. MacKenzie would be able to use his persuasive influence to work with the property owners to maybe dress it up a little bit so that it is not just a strip of asphalt. I don't know, but it seems to me that if we want to see a resolution to this and we want to see it put to that use, then the departments have to come back to us and tell us how we can get it done.

Alderman Clancy stated we just heard a consensus of 3 to 1.

Alderman Girard replied they gave us opinions. I didn't hear anybody say that there is anything here that cannot be resolved. As a matter of fact, I think the Economic Development Director said that he believed the issues could be resolved if everyone got together and worked toward that end.

Mr. Lolicata stated I will not compromise safety on this issue.

Alderman Girard replied I am not asking you to.

Mr. Lolicata stated this is a very touchy case because of the location.

Alderman Girard replied nobody is asking you to but the concerns and issues you have with safety don't seem to me to be unaddressable. You gave recommendations of things that would need to be done.

Mr. Lolicata stated those recommendations are a real bare minimum and this was done quickly and I still have other concerns.

Alderman Girard replied I understand that and nobody is saying that you should put them in a closet and not look at them.

Chairman Reiniger stated it sounds to me like if an owner is willing to come forth and pay for these parking spaces...

Alderman Clancy interjected let them go somewhere and iron their issues out.

Chairman Reiniger stated it sounds to me like we have to make a decision. Do we want to add parking at the expense of this owner or do you want to make it a tree-lined boulevard. As a policy decision, I favor parking if they are going to pay for it.

Alderman Clancy stated but we have other department heads telling us they have concerns.

Alderman Pariseau stated those concerns have to be addressed.

Alderman Girard replied we are not saying they should be but we have to give them the direction to address them. We should either approve it tonight and have the departments work with everybody they need to and come back and tell us how they resolved the issues or we should take a vote saying we don't want it to be parking so that everyone can go home and we don't string these people along anymore and put departments through needless motions so we can argue about this a third time.

Alderman Pariseau stated if you want that kind of a vote, I would have to vote not to support parking based on the opinions of the Highway Director, the Planning Director and the Traffic Director.

Alderman Girard asked would you support a motion that had everybody get together to iron out their concerns and come back to the Committee.

Alderman Pariseau answered I think Alderman Clancy said put it back on the table. I have no problem with that, but I am not going to sit here and say tonight that I am going to support this when I have three department heads saying no.

Alderman Girard replied they are not saying no, they are saying that they have concerns.

Alderman Pariseau stated if the issues can't be resolved, they are saying no.

Alderman Girard asked would you like them to resolve the issues.

Alderman Pariseau whatever they say.

Chairman Reiniger asked so if they can resolve the issues, you are in favor of it.

Alderman Pariseau answered yes.

Mr. McDonough stated I think it might be wise for you to table this because I think that we would like to have a little more time to work with the Highway Department and anybody else who has legitimate concerns and I think they are all legitimate items. We are certainly willing to put up the dollars to make this thing work. Now my brothers and I spent \$4 million on that building in just improvements and you can see what can be done in the Millyard when it is done. We all know that the biggest issue in the Millyard is parking and it is not being addressed, frankly, by the City right now. We are forced to go out there and do our own thing and we are just looking for some support from you. We are willing to put this thing on the tax roles. We are willing to suck up this cost to make sure that there are no safety issues. I would just as soon take the time to meet with all the department heads, take whatever time it takes to get this thing done. Hopefully by the time it gets back to the table we will have a solid deal with the railroad and then we can move forward.

Mr. Lolicata stated there are going to be 150 more spaces when we are done with Commercial Street and 60 more coming in two weeks on Bedford Street so we are going to gain almost 250 spaces. I hope that is taken into consideration.

Mr. McDonough stated my feeling is that if that Mill is used to its full potential, even the additional spaces aren't going to cut it.

Chairman Reiniger called for a vote on the motion to table this item and have Mr. Taylor, Mr. Thomas, Mr. Lolicata and Mr. MacKenzie meet to see if the concerns can be worked out.

16. Communication from Wayne Vetter, Executive Director of the NH Fish and Game Department, requesting the City's consideration of entering into an agreement with the Department to construct a fish ladder at Pine Island Pond Dam.

On motion of Alderman Pariseau, duly seconded by Alderman Reiniger, it was voted to remove this item from the table.

Alderman Pariseau stated I spoke with William Ingram from Wayne Vetter's office and asked him what the City's liability would be relative to this issue and there isn't any. What it is is they get grant money to install fish ladders and this is what they want to do at the Pine Island Pond Dam. They stock that pond with herring and every four years the adult herring come back to spawn but they can't come back because there is no ladder for them to get there.

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

Mr. Bowen stated we have a meeting scheduled Thursday afternoon with Mr. Ingram. Mr. MacKenzie, myself and Bob Beurivage and Ron Johnson from Parks & Recreation. There are some concerns. I can't speak for the other agencies but one of the concerns that we have, pretty much our primary concern, is that there are Federal requirements that go along with the operation of fish ladders for minimum stream flows and this is kind of a new buzz word around the State for river management. We are concerned that there may be some requirement that may force us to continually discharge water from Lake Massabesic and that is something that we don't do now at all. There are essentially three streams that feed into Pine Island Pond. There is a slight little brook, the area that drains down from Industrial Park Drive, there is Little Cohas Brook which comes down from the south down by Hancock and around that way and then there is Lake Massabesic. The only discharge on Lake Massabesic is in the springtime when the dam overflows. Other than that, the dam is closed and we hold back all of the water. Now the last couple of years we have had some really dry periods in the lake, even with all of the water resource management type of activities that we have had. The lake has been down 3 ½ to 4 feet. We are concerned that there may be some strings attached and we have a meeting set-up with Mr. Ingram on Thursday to kind of explore some of these issues. His agreements are very simplistic too. I sent Mr. MacKenzie and Mr. Johnson copies of the agreements. The most recent agreement that he had is a 1974 agreement. They haven't had any of those since then. The technology and science of resource management has changed a lot since 1974 and I am a little concerned.

Alderman Pariseau stated he advised me that he had recent agreements in Dover, Newmarket, etc.

Mr. Bowen replied they are 1968, 1969 and 1974. That is how old the agreements are and they don't include anything about the new thinking in resource management.

Alderman Pariseau withdrew his previous motion.

On motion of Alderman Pariseau, duly seconded by Alderman Clancy, it was voted to put this item back on the table.

NEW BUSINESS

Communication from John Brisbin, Manchester City Library Director requesting permission to use CIP funds from 820699, Adapt Lower Stacks for GMILCS Personnel Office for the GMILCS Dynix library automation system.

Mr. Brisbin handed out his memo.

Alderman Pariseau asked what is GMILCS.

Mr. Brisbin answered Greater Manchester Integrated Library Cooperative System.

Alderman Pariseau asked is that outside the library.

Mr. Brisbin answered we are a member.

Alderman Pariseau stated I know we are a member and we pay most of it.

Mr. Brisbin replied we pay 23%.

Alderman Pariseau asked how much does Nashua pay.

Mr. Brisbin answered Nashua is not part of it.

Alderman Pariseau asked how about St. Anselms.

Mr. Brisbin answered they are not part of it.

Alderman Pariseau asked what about UNH-Manchester.

Mr. Brisbin answered I don't have the percentages here but there are 12 or 13 members.

Alderman Pariseau asked and we pay the most.

Mr. Brisbin answered we do but it is based on population and usage.

Chairman Reiniger asked so you just want to reallocate the money.

Mr. Brisbin answered that is correct for a Y2K upgrade which we hoped to pay out of the 0445 line but we didn't get as much as we were looking for. We asked the Aldermen to see if they could add it and they couldn't and the 1% would be cut and this is the way we came up with to creatively do an office and not need the \$7,000 from the CIP by using a closet and we would like to use the money for this instead.

Alderman Pariseau asked why can't the library operate without the Dynix system.

Mr. Brisbin answered there would be no patron records and no ability to monitor circulation. That is just the way libraries do it now.

Alderman Clancy asked so you do need this, right.

Mr. Brisbin answered absolutely.

Alderman Girard stated I have a problem taking money that was in the CIP for capital expenditures and moving it into an operating budget for operational expenditures even within the operating budgets of the departments the Board has got to approve shifts from capital to expenses to salary and to take it from CIP and put it into department operations is, in my experience anyway, unprecedented and I don't think we want to do that. I know that the money is in the CIP to do this but to go from CIP to capital expenditure to operating budget I don't think is appropriate and although Mr. Brisbin may not like it, there are other areas in his operating budget that he could take that money from to supplement his Y2K issue here. I don't support this. This is setting a bad precedent for the departments and I wouldn't be surprised if others tried to take CIP funds that they didn't expend for whatever reason and apply it to their operations.

Alderman Pariseau asked do you have the \$7,000 in your operating budget Mr. Brisbin.

Mr. Brisbin answered no I don't.

Alderman Girard stated he could take it out of his book account.

Alderman Clancy stated we are down to \$60,000 for books as it is and they have \$100,000 in Keene.

Alderman Girard replied they have \$150,000 in this year's budget.

Alderman Clancy stated at one time they only had \$60,000 and Keene was having \$100,000.

Alderman Pariseau moved to approve the expenditure of the CIP funds for the Dynix System. Alderman Clancy duly seconded the motion.

Chairman Reiniger asked, Mr. MacKenzie, is this unprecedented.

Mr. MacKenzie answered this is a case where it is a modest capital project, the original one actually was City cash. It was not a bondable project before. The Committee at times before in several cases reallocated money or bond balances for different purposes as long as those purposes are "CIP eligible" type projects it is an allowable process. In this case, the Y2K issue is a special project, which the City is also funding under bond monies because of the difficulties we have with Y2K. It is a one time and it is not an operating issue typically because it is a one shot deal. I don't necessarily have a problem as considering this a special project given that it is a one time only deal and we are not subsidizing or supporting a normal operating budget. The amount of monies initially of \$7,000 wasn't major and that is not normally considered a capital project. It was more categorized as a special one-time project.

Alderman Clancy asked so Mr. Brisbin you do need this to operate.

Mr. Brisbin answered absolutely.

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

Mr. MacKenzie stated I have two new items of business. I have to apologize for new business always coming in. It is your hope, I know, that we keep projects expedited as quickly as possible and that is the only reason we bring projects in under new business is because we don't often get it until the last minute. We are trying the best we can.

CIP Budget Authorization to Test, Seal and Repair Green Acres Sewers.

Mr. MacKenzie stated this is simply a start-up. We have been waiting to get certain things squared away. It is not suitable for start-up. The original appropriation and start-up for this was done awhile ago.

Alderman Pariseau asked why are we just sealing the sewers now after the school has been there for years.

Mr. MacKenzie answered this is for sealing generally in the Green Acres area. It isn't specifically for the school. It is for the neighborhood and Mr. Thomas may have a little bit more information but this comes from the EPD Division and has been approved. This money is not property tax based; it is sewer user fee based.

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

Stark Street Reconstruction Project.

Mr. MacKenzie stated we have good news and bad news. This is the Stark Street Reconstruction Project, the connector. This was one of the major recommendations out of the LDR report to connect for pedestrians primarily the downtown Elm Street area to the Millyard. This is all tying into a number of things that we are doing from the Elm Street reconstruction to the Riverwalk. This is going to likely be the main pedestrian connection between Elm Street and the Millyard. We are looking at and have been working for about a year on this. It is primarily the responsibility of the Highway Department. They have hired teams to do the sign work. They worked with our office and we have made suggestions. The good news is that the property owners are happy with what is happening. We are actually picking up 10 parking spaces.

Alderman Pariseau asked are they paying for any of this.

Mr. MacKenzie answered through their property taxes. This is actually all federally funded through CDBG monies that we are using.

Alderman Pariseau asked are you closing Stark Street.

Mr. MacKenzie answered no.

Alderman Pariseau asked what are you doing with the red there.

Mr. MacKenzie answered that is a crosswalk between one side of the street and the other. This is going to be a location for a statue that is being developed. This is right near the bagel shop. There is going to be an island. The heirs of John Stark are preparing a statue to donate to the City. We have determined that this is the best location for it because it is on Stark Street. We are trying to create a connection down to the Millyard and we will have a statue here near Elm Street and the Mill girl of course is at the other end of this pedestrian connection in the Millyard. We are trying to draw people down through. The statue will be a donation from the heirs of John Stark.

Alderman Girard stated interestingly enough the Mill girl is right next to Mill buildings that were owned by General John Stark.

Mr. MacKenzie stated the bad news is that the bids came in high. We do have a copy of the three bidders. They were very close which means that we don't have anything unusual about the bid process but they came in higher than anticipated. Contractors are very busy right now.

Alderman Pariseau stated send out for new bids.

Mr. MacKenzie replied I don't think we would get any lower bids, if you look at the numbers. The only two factors I would mention is that this is one of the projects that would help with our HUD expenditure rate. We are under the gun to expend money according to HUD and we have to meet a certain rate by a certain date. If we don't hit that rate we potentially could lose some of the money. We are recommending that some of these older projects, some that you saw earlier on the listing that we have contacted those people and will be reutilizing those funds to accomplish this.

Alderman Girard stated only the federal government would penalize you for not spending money fast enough. I do have a question and this is what I was driving at a little earlier when we were talking about West High. We didn't seem to have a problem coming up with line balances to take care of this project. I hope we can find something similar since it is so much smaller for West High School and I wonder whether or not any of these funds could have been programmed for that project.

Mr. MacKenzie replied the problem Alderman, and we could have accomplished West High much more quickly if it was eligible for CDBG monies. This is all HUD money.

Alderman Girard asked the school is not automatically eligible for HUD money.

Mr. MacKenzie answered no. We cannot use monies for schools other than for handicap accessibility or in very specific cases where we can document that there are special needs students or other students who may be eligible for HUD money.

Chairman Reiniger asked Mr. Thomas were you involved in the bid process.

Mr. Thomas answered yes. We had a contract with a consultant who drew up the design and the bids. This has been bid on previously at a slightly different scope and we agree with Mr. MacKenzie that we don't feel that advertising again would bring in lower bids.

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

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

A True Record. Attest.

Clerk of Committee