

COMMITTEE ON COMMUNITY IMPROVEMENT

October 4, 1999

Immediately Upon Conclusion
of Riverfront Committee

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

Present: Aldermen Reiniger, Wihby, Pariseau, Girard

Absent: Alderman Clancy

Messrs: R. MacKenzie, Asst. Solicitor Arnold, F. Rusczyk, S. Thomas,
J. Brisbin, T. Parsons, F. Thomas, B. Nardi, Mr. Clark, R. Johnson,
and J. Taylor

CONSENT AGENDA

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

A. Resolutions:

“Amending the 1998 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Dollars (\$5,000) for the 1998 Community Improvement Program 5.30103 Historic Preservation Fund.”

“Amending the 1999 Community Improvement Program, authorizing and appropriating funds in the amount of Four Hundred and Five Thousand Dollars (\$405,000) for the 1999 CIP Project 310199 School to Work.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating Seventy Eight Thousand Six Hundred Thirty-nine Dollars (\$78,639) in various Health Department Grants.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Fifty One Thousand Five Hundred and Fifteen Dollars (\$151,515) for various Police Projects.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Eight Hundred Dollars (\$4,800) for the 2000 CIP Project 510600 Park Improvement Program.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Fifteen Thousand Dollars (\$15,000) for the 2000 CIP Project 640200 Project Greenstreet.”

“Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Thousand Dollars (\$10,000) for the 2000 CIP Project 710300 LED Replacement Program.”

B. 1998 CIP Budget Authorization:

5.30103 Historic Preservation Fund - Revision #1

C. 1999 CIP Budget Authorization:

310199 School To Work Grant - Revision #1

D. 2000 CIP Budget Authorizations:

220900 Homeless Health Care - Revision #1

221000 Refugee Health - Revision #1

410200 Operation Street Sweeper

420100 Juvenile Jail Removal

420200 Tactical Team Response

510600 Park Improvement Program - Revision #1

640200 Project Greenstreets-Cash - Revision #1

710300 LED Replacement Program - Revision #1

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

Chairman Reiniger addressed Item 4 of the agenda:

Proposed Intown District Graphic Ordinance submitted by Alderman Reiniger.

Chairman Reiniger stated this is an ordinance, which is based on a National Planning Association model that Rich Davis of Intown Manchester has been researching. They were concerned about this issue because of the possible civic center and result of influx of a lot of money to the downtown. We need to start considering stricter controls on signage downtown because we don't want it to turn into Las Vegas or something else.

Alderman Wihby asked has Planning looked at it yet.

Chairman Reiniger answered I believe that Planning was in the process of looking at it.

Mr. MacKenzie stated yes. I know that we took a look at it when the Planning Board was looking at the overall zoning ordinance so I am at least familiar with it.

Chairman Reiniger stated it looks like there still needs to be some...there is a section for fees which would have to be inserted in Section 1.17, Permits. I guess to the extent that is done, the Administration Committee would have to approve it.

Alderman Wihby asked should we send this to Planning and have them come back with suggestions.

Chairman Reiniger answered well Planning already has it so maybe we could send it to the Administration Committee.

Alderman Girard stated this is a Zoning Board issue if I am not mistaken. Why would we send it to Administration instead of Bills on Second Reading? Bills on Second Reading has jurisdiction over Planning and Zoning.

Chairman Reiniger replied there is a section concerning a fee schedule.

Deputy Clerk Johnson responded that would be Revenue Administration. My suggestion would be to have the Committee on Accounts, Enrollment & Revenue Administration look at it and then we would need to have a public hearing anyway.

Alderman Girard stated I understand that Revenue has jurisdiction over fees and things but it seems that as a policy matter first, it should be sent to Bills on Second Reading because they have policy jurisdiction in this area. If you want to refer it concurrently so that Revenue Administration can take up the fees at the same time, I have no problem doing that but Bills on Second Reading might do something to it that Revenue can't account for in its deliberations.

On motion of Alderman Girard, duly seconded by Alderman Pariseau, it was voted to refer this item to Bills on Second Reading and the Committee on Accounts, Enrollment and Revenue Administration.

Chairman Reiniger addressed Item 5 of the agenda:

Communication from the ADA and Training Coordinator recommending that the Universal Accessibility Advisory Board be amended to include representatives from the School District and the Parks, Recreation and Cemetery Department, and that representatives of the disability community comprise a minimum of 50% of the Committee membership.

Alderman Pariseau stated I have a question as to a non-resident being on that Committee. It is Diane Boisvert. I don't know the lady, but I think there is something in the Ordinance that says that people serving on the committee should reside in the City. I don't know unless maybe this is a special committee.

Alderman Girard replied it looks like she is on there representing the Moore Center.

Alderman Pariseau responded she is there, but I didn't know that she was an employee or a student there. I don't know. If she is a Moore Center designee because of the ADA situation, then fine, I guess I don't have a problem.

Alderman Pariseau moved on the other three individuals. Alderman Girard duly seconded the motion.

Alderman Girard asked has anyone, now that we have had this meeting or this court decision regarding the schools, has anyone figured out what kind of jurisdiction this Committee is going to have regarding School projects versus City projects. Is it appropriate to have somebody from the School Department or the school district sitting on a Committee that is overseeing City projects with City funding or vice versa? I don't know if anyone has worked out those jurisdiction issues, but candidly I am not sure that I want somebody from the School District with its own interests weighing in on prioritizing the City's projects.

Asst. Solicitor Arnold answered I think it is basically a policy decision. I don't see any problem with having someone from the school district on that committee, but whether you wish to or not is a policy decision.

Alderman Girard stated the question more specifically is has anyone given any thought to how this specific committee and the recommendations it makes can effect what the School Department does with its improvements now because as you know we don't have any more control over anything except the bottom line. The School Department can tell us to shove it in our hats and pull it over our ears if they want.

Alderman Pariseau stated couldn't we designate a member of the Lands & Buildings Committee representing the School Department.

Alderman Girard replied that is the question. What effect is this committee going to have on what the School Department does with the funds it gets through this committee?

Alderman Wihby responded well the School Department is on it.

Alderman Girard replied not yet. They are asking for it to be added.

Alderman Pariseau stated the final approval has to come before the Board of Aldermen for funding.

Mr. MacKenzie stated there are really two separate parts to the ADA issue. One is the operational characteristics of an organization and whether they are meeting the ADA ordinance. I suspect those are under the jurisdiction of the School Administration if they want it. So far, they have followed the accessibility recommendations. The other part is construction. Construction of school buildings is under the jurisdiction of the Joint School Building Committee, which is comprised of three Aldermen and three School Board members and again the Joint School Building Committee may wish to continue the ADA group and accept those recommendations for improvements to schools.

Alderman Girard asked what is the need or the reason for pushing the membership of the so-called disability community up to 50% of the overall committee membership.

Alderman Pariseau answered we can eliminate the School District representative if you want.

Alderman Girard stated my question there was trying to get an understanding of how this committee works and impacts the projects that we do.

Deputy Clerk Johnson suggested tabling this item since Maureen McCarthy is not available and there are questions. We could invite her to the next meeting to answer the questions.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to table this item and invite Maureen McCarthy from Human Resources to attend the next meeting.

Chairman Reiniger addressed Item 6 of the agenda:

Communication from Assistant Fire Chief Monnelly submitting a copy of a letter relating to St. Marie's Parish Site Improvement Project and requesting permission to construct/maintain guardrail and vertical granite curb improvements along the westerly and southerly Engine No. 6 property boundaries.

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

Chairman Reiniger addressed Item 7 of the agenda:

Communication from the Health Officer seeking the Board's approval to enter into a three-year lease agreement with 795 Elm Street Realty Trust, Bernard Gasser, Trustee; and further to authorize a transfer of \$48,000 from Contingency to cover increased lease cost (estimated at \$18,000 for FY2000), computer and telephone rewiring (estimated at \$3,500), modular office work stations and office appurtenances (estimated at \$26,500).

Alderman Pariseau asked do we know what we have in contingency. Is that the Health Department contingency or the City contingency?

Alderman Wihby asked, Fred, on this are you still anticipating that it is going to take us three years to go ahead and do something somewhere. Is that why you are asking for three years?

Mr. Rusczek answered right. As you know, earlier this year the Health Department had a feasibility study done to examine the cost of staying in the Health Department space for a three-year period. Three years is what I have understood is the anticipated time to ready the Police Department for us or to relocate to another site. In comparison, the architect estimated to renovate our current quarters at a cost of about \$247,000 and to renovate the space we were looking at would be about \$361,000. So what we did is we took the list from the architect and looked at the very minimum of what we needed to do in our current space to make it suitable for the next three years and that is how we came up with \$48,000.

Alderman Wihby asked do we know what is in contingency.

Mr. Sean Thomas answered with what you put into contingency at the beginning of the year out of the Human Resources budget, you should have around \$310,000. You had \$200,000 in the budget and then you took \$100,000 out of HR.

Alderman Wihby stated that was for the Yarger Decker study and we voted that down. That is dead, right?

Mr. Sean Thomas replied we may bring something forward at a later date.

Chairman Reiniger asked what is the Mayor's Office recommendation on this issue.

Mr. Sean Thomas answered we did receive reports from the Finance Department asking that this be forwarded to them to report back, but certainly I think that we can defer to Fred if there are any serious concerns that he needs to address.

Mr. Rusczek stated the most immediate concern is that we have been living without a lease for some time. As you know, we have been looking to find a suitable home for the health department for years now. While we don't have a gun to our head, the longer that we go without a lease, the more difficulties we have with issues such as lack of hot water in public restrooms, the electricity in the building and things that make our operation difficult on a day-to-day basis.

Alderman Wihby asked so we are going into the same building so that we allow for more water and electricity. Why do you want to stay there? Doesn't our lease call for water and electricity?

Mr. Rusczek answered this is in public space outside the Health Department space where the public restrooms are. The electricity is old in that building. It was...as we moved into space on a temporary basis it wasn't fit for things like computers or copiers and such. I think I have come before the Aldermen several times seeking authorization to look in one place or another.

Alderman Wihby asked is he doing more electrical for you if you take this lease and if you don't take this lease he is not going to do the electrical for you.

Mr. Rusczek answered we don't have a lease and he is not going to upgrade without a lease. We have been living month-to-month for about a year now.

Alderman Wihby stated I don't know how we can okay this without knowing what is in contingency.

Alderman Girard asked Mr. Rusczek, there seems to be a pretty steep increase in the rent. It is going up \$18,000 from what you pay currently.

Mr. Rusczek answered right. There is a few hundred square feet more that we will be leasing, but we tried to consolidate. As we tried to make that space available, we rented space on floors as space was available so we are spread out now over three floors. We tried to fit into the space that was there. Our space that we will be leasing will still be less by a few hundred square feet from what the architect says that we need, but we will be able to consolidate the Health Department on two floors.

Alderman Girard stated I hate to ask this, Mr. Rusczek, because I have seen your offices and I know what your difficulties are, but if you didn't expand your space, what would the increase in rent be. My concern, here, Fred and I have a couple but first of all I have a problem putting this kind of money into a space which hopefully we won't need in three years but my other problem is that the \$48,000 that you are asking for for contingency is literally a quarter of the unreserved balance that was originally budgeted and to be candid at this point I don't remember but I think we have already tapped contingency for a couple of things like clearing the hill down by Electric Street and things like that. That is a pretty big chunk in a fiscal year that is only a couple of months old. My question is what would your rent increase be if you just stayed status quo?

Mr. Rusczek replied if we stay status quo, keep in mind that we have problems with computers that crash all of the time. We are constantly blowing circuits. We have problems being laid out on three different floors. If we stayed status quo and go month-to-month, I guess our monthly costs would be the same.

Alderman Girard asked I meant if you stayed status quo, but sign a lease. It seems to me that if you sign a lease, you have indicated that you will get your electrical problems taken care of but if you sign the lease for the space you currently have, what is going to be the increase that we will be looking at as opposed to this \$48,000?

Mr. Rusczek answered it is not going to be far off of that. That lease cost is an estimate. I haven't completed the negotiations with the owner yet because he is still waiting on one cost to do some renovations that are included in that. I am estimating the cost for the increased lease would be about \$18,000 but it is based on the fact that at this time for some of our space we are paying about \$8 a square foot because we took it as is and to upgrade that, the owner is going to be looking for an increase in lease costs as well.

Alderman Girard asked if you don't consolidate your space on two floors and you don't expand the amount of space that you have, and you sign a three-year lease, what would the cost to the City be in that case. I know you don't have the answer for that, but that is the question I am asking and that is the answer I want to have before I cast a vote here.

Mr. Rusczek answered you are right. I don't have that answer.

Alderman Pariseau asked it wouldn't be any different than what is already budgeted, would it.

Mr. Rusczek answered yes. If we want to upgrade our space so that we can put computers in offices where we haven't been able to in the past and right now we have people who are literally in rooms that are used for corridors to get into other offices. We have space rented up on the fifth floor where we have had doors kicked in and they now have plywood nailed across them. We are trying to improve our security, upgrade our space, consolidate on two floors and improve our operations at a cost, by the way, that I know is steep but it is much cheaper than what was recommended by the architect.

Alderman Pariseau asked so the lease is really just an \$18,000 increase over the three years.

Mr. Rusczek answered no that is per year.

Alderman Pariseau asked and the rest of it is upgrading computers.

Mr. Rusczek answered the rest of it is to try to fit into the space we have to buy some partitions and such between desks and offices so we can make more private workstations.

Alderman Girard asked how much more space would you be adding to the Health Department if you went through with this plan as presented.

Mr. Rusczek answered it is about 200 or 300 square feet. Now you are going to say you should have an accurate answer but the problem is there is nothing in that building that is real accurate when you are looking at it until it is all measured out. It is not a tremendous increase in space. It is a few hundred square feet.

Alderman Girard asked if we were to not consolidate your department on two floors and keep your department laid out as it is now and sign a lease understanding that if we sign a lease you are going to get your utilities and whatnot taken care of by the building owner, would we then just be looking at an \$18,000 increase or would you still need the rest of the \$48,000.

Mr. Rusczek answered the rest of the money is what will make our space functional.

Alderman Girard asked space functional if you consolidate it down on two levels.

Mr. Rusczek answered even now, the way the building is laid out, every room connects to another so to get to an office say at the far end of our lease space you have to walk through everybody's private office to get there. The alternative to that is to leave all of the 13 doors open to the public space. For security reasons, we can't do that. We can't have all of the Health Department doors open out into the hallway where people can come and go as they please.

Alderman Pariseau moved to refer this item to the full Board for discussion tomorrow night.

Alderman Wihby asked why don't we just send it up there and have a discussion at the full Board as far as what the contingency money is. I am not going to vote to support it not knowing how much money we have.

Alderman Girard stated the crux of my concern is that we only have \$200,000 in contingency that is uncommitted. If the money that the Board removed from Human Resources for the reorganization study is released, in other words that we are not holding onto it for a later point in time, I would feel a lot better about spending this money because there would be a much greater cushion sitting in the contingency account. I have seen Mr. Rusczek's offices and I know that he needs

this. I don't know that Fred has ever come to this Committee or before the Board and asked for something that he didn't really need so that is not the issue. The issue is, I really don't want to take 25% of our uncommitted contingency, but I would be willing to take this money if that money that we set aside, that \$100,000+, were dumped into the pot as uncommitted money.

Chairman Reiniger asked do you agree with sending it to the full Board for discussion.

Alderman Girard answered sure and I don't know if anyone here would be willing to make the recommendation that this money be approved subject to the hold on that \$100,000+ being removed and that money being placed permanently in contingency. I don't think that the Board is inclined to do that study anyway.

Alderman Wihby replied well we could bring that up for discussion as a full Board.

Alderman Girard duly seconded the motion to refer this item to the full Board for discussion.

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

Deputy Clerk Johnson asked if the Committee were requesting that this be presented to the Board tomorrow night.

Chairman Reiniger answered yes.

Alderman Girard asked could Finance give us a report on contingency.

Chairman Reiniger addressed Item 8 of the agenda:

Communication from the Public Works Administrator seeking to amend the Library's CIP project for skylight repair to include the cost of implementing the Energy Efficiency Measures.

Alderman Pariseau asked where are we going to get the money.

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

Ms. Parsons stated we have all of these things going with a contract that was adopted in May by the Board with a company called Advantage for the energy efficiency measures. Having said that, all of these things are going in light of the fact that the CIP budget has already been adopted. Part of the other things that we started for the City in terms of energy efficiency measures is a contract out there with a company called NORESCO and presently that company has gone through the school buildings and replaced 99% of the lighting. Part of that contract, when myself and Dick Houle brought it before the full Board over a year ago, was to look at energy efficiency measures and some heating and ventilation system issues. That bond has been set aside and established for \$3 million. In review of that contract and the work that is progressing through that contract, included in that \$3 million is a \$45,000 maintenance payment that has to be made to NORESCO annually. Now what they did was they had taken that \$45,000 that is going to be the life of the contract which is 10 years and net present value of those operating expenses for \$321,000.

Alderman Girard stated I don't understand the term net present value.

Ms. Parsons replied you take a figure like the \$45,000 with an escalator times the 10 years and you bring it back to today's dollars so when they establish that value in the contract. So, the \$321,000 as I found out, cannot be bonded. Operating expenses, because of our non-profit status and bonding capabilities, you can't bond an operating expense so at the end of that project, when NORESCO has completed all of the work that they are doing, there is going to be \$321,000 there available for other energy efficiency measures. The whole idea with energy efficiency is that you get some construction issues or some maintenance issues completed that have a payback. They actually pay for themselves either out of electricity or gas or oil consumption. So the idea here is that as we work through the Advantage contract, we can still use that sum of dollars that we really technically cannot bond under the NORESCO contract to complete some of the work that the original audit ideas had given us. Plus, as we work through this contract, these original dollar values for the measures and the pay back period that were in the Request for Proposal when they gave us their RFP, they go through and do what they call a construction grade audit which means that at first blush they walk through a building and identify superficially, without a lot of measurement techniques and all of that, issues that jump out. When they come back and do a construction grade audit, they take that a step further and they actually put measuring devices on lights, on motors, and boilers and they measure their energy efficiencies and then they come back and make a second proposal to the City. So in fact the initial one says \$36,000 for the lighting with the payback annually of \$13,704. It may be even better than that. In addition to that, they could, as they go through with their construction grade audit, identify other things,

other replacement maintenance items in each department and look at them to save the City even more money. So, the idea being that some things need to be replaced because they are near wearing out anyway and as we replace them with the technology and all that is out there, you get energy efficiency out of what you replace it with and it has a payback period. Lighting tends to be in the average of three years. Motors are in the average of five years. What I would like the Board to do, instead of amending Mr. Brisbin's skylight repairs which are a structural issue and still need to be completed, what I would like to do is take that \$321,000 out of that CIP project and move it to maybe establish an additional CIP project for energy efficiency measures with these audits as we work through different departments. Just to give you an idea of how this works and how we tried to expand upon the original projects that were identified for this contract, the Fire Department Chief asked me about the fire stations so they have gone through, at no cost to the City, and they are in the process right now of doing a preliminary audit on all nine fire stations. One of the items that they spoke to me about and something that will save the City money and gain some kudos from firemen who work in those buildings is the way they heat them. When those bay doors come open in the winter time, the rush of cold air comes in and all of the hot air is immediately sucked out of those bays and the building then has to be reheated from ice cold air. What he is telling me is they have identified radial heating. They want to heat from the ceiling down and actually warm up the concrete so each time those bay doors fly open and that cold air comes in the concrete actually works to warm the air from the floor up and it cuts the heating costs in half. I haven't seen the audit yet, but it is a pretty neat concept.

Alderman Girard stated the only problem is that the trucks are in the way.

Ms. Parsons replied no the trucks have gone. When the bay doors fly open the trucks have left the building.

Alderman Girard asked so it would only kick in after they leave.

Ms. Parsons answered one would assume, or when they are working on the trucks.

Chairman Reiniger asked, Mr. MacKenzie, what is your opinion on this.

Mr. MacKenzie answered this is new tonight. I think that if the Committee does at least want to consider this they could modify that original \$3 million authorization slightly. Originally, I think it was NORESO for School Energy Saving Measures. I think if the Committee did want to proceed with this, they could authorize us to submit to the Finance Committee a minor modification of that

original project to incorporate this. As I understand it, she is not looking for additional money authorization but will utilize some of that \$3 million to do other buildings.

Mr. Frank Thomas stated I support the concept. I only suggest that any action be contingent upon the City Solicitor's review. Keep in mind, and I don't have all of the details, but again this is new to me tonight, the City entered into a \$3 million contract with NORESCO and bonded that project. Just recently, it has been determined that yes there are some operating expenses over that 10 year period of the contract which is not bondable, however, there is still a \$3 million commitment to NORESCO. I guess what I am saying is if you take \$300,000 out of that bond appropriation, somewhere along the line there is going to be a \$300,000 appropriation to make that contract whole again. I think what Tina is proposing makes sense. If you can't spend that money on that O&M for the NORESCO contract then there is an extra \$300,000 but I think everybody has to keep in mind that somewhere along the line the \$300,000 has to come up to make that contract whole. Is that right?

Ms. Parsons replied yes, but the problem with the operating expenses actually...because what they did is they worked it up, they thought they could put it in a bond so as I have said they gave it a net present value today as if it were bonded today with the expectation that NORESCO would get their money today instead of over that 10 year period. In essence, because it is an operating expense, it will cost the City more because it is \$45,000 annually for 10 years with an escalator, a cost of living escalator. The operating side, whether it was for a NORESCO contract or like Frank's waste management contract has a 4% escalator, you can't net present value that because you can't bond it today. The concept was that they thought that they would just throw it in the bond and pay this company today that money in hand. It will be whole because you will have to appropriate that \$45,000 every year for the maintenance side.

Alderman Girard stated if we are not going to pay NORESCO their fees out of that \$321,000, from where are we going to pay them. It seems to me that we have that problem whether or not we do what Ms. Parsons is suggesting anyway but it begs the question.

Ms. Parsons replied it is a budgeting issue.

Alderman Girard asked would this come out of the PBS budget.

Ms. Parsons answered most likely.

Alderman Girard asked and when would we expect to start seeing it. Are we going to have to do a contingency appropriation this year?

Ms. Parsons answered it is actually contingent on when they finish putting in those systems. The motors they are almost done with. The energy efficiency system that they are putting in where the schools communication to a central computer, that probably won't be until the end of winter.

Mr. Frank Thomas stated it probably wouldn't be until next year.

Alderman Girard replied it sounds to me like we are going to have to deal with it in this fiscal year.

Ms. Parsons responded I don't believe so. I believe it is going to be in 2001.

Mr. Frank Thomas stated but there is a 10-year commitment. Now instead of paying for it up front, somehow it is going to have to be honored on a yearly basis for the next 10 years. In a way, this is not new found money. It was committed and it is still committed even though it is not being paid for this year.

Alderman Girard asked do we have the ability to get that money from the savings that should result from this work.

Ms. Parsons answered no, not entirely. Let me explain. The NORESKO contract had four components to it. The lighting component was a three-year payback. The motor component had like a five-year payback, but then ECM #3 was the energy efficiency system. This is a computer system. They are going to each school and linking them to a central computer where the heating turns down at a certain time of day and turns up in the morning. It is designed so that you can control your energy usage in the building. It is also used for air conditioning and summer usage. The fourth component of that is a security component. They are going through the schools and now looking at what kind of security systems they are going to place in each one of these schools. The energy efficiency system has a very minor payback to it. It is a huge dollar expense up front because it is all computerized and electronic and the last component, security, has no payback at all. That is another huge dollar component in that contract. So what they did and what was determined when we presented this contract a year ago was we took a three-year payback on \$1.4 million or \$1.2 million or whatever it is for the lights and extended that over a 10 year bond issue so that you could accomplish some of the other things that needed to be done in the schools.

Alderman Pariseau stated currently the Library CIP project amounts to \$175,000. Can we do anything with the lighting retrofits with that or is that all expended with the skylight?

Mr. Brisbin replied I expect it would be.

Alderman Pariseau asked there wouldn't be anything left over.

Mr. Brisbin answered no. As a matter of fact, I will be lucky if I can handle the circulation desk for \$29,000, which is supposed to be within that \$175,000 also. So we have painting, skylights, and circulation desk and that is tight.

Alderman Girard asked, Mr. MacKenzie, with that \$321,000 that we bonded and can't use for operating costs, what else could we use that money for. I realize that is a broad question.

Mr. MacKenzie answered I think you would be very limited as to what else you could use it for. The entire intent of the NORESCO program was in essence to be an enterprise program where it would pay itself off over a period of time. I think the last estimate of the number of years it would take was in a little over 12 years it would pay for everything and then be saving the City after that. It was not under the regular general obligation bond. It was placed on the table under payback by itself type of bond. You could not do it unless it is another enterprise project that would pay itself off.

Alderman Girard moved to approve the request of the Public Works Administrator to take the \$321,000 and establish a CIP account to do additional energy saving projects as allowed by this bond throughout the City subject to approval of all necessary City staff. Alderman Pariseau duly seconded the motion.

Deputy Clerk Johnson asked for clarification on whether they wanted to start a new project or modify the current project as suggested by Mr. MacKenzie.

Alderman Girard stated whatever is the most technically appropriate and expedient is the intent of my motion.

Mr. MacKenzie replied I would suggest or request that it be kept under the same program because we should be still looking at the same constraints on it in that it pay itself back over a specific amount of time. Any new projects that come in under that should be meeting that same stringent test so that the taxpayers don't have to fund it.

Deputy Clerk Johnson asked do you want it as a separate line item to the budget authorization.

Mr. MacKenzie answered yes. It would be specifically identified on the budget authorization as applied to other community buildings other than schools.

Alderman Girard asked does the motion that I made satisfy that.

Mr. MacKenzie answered yes.

Alderman Girard asked how did we not know that we couldn't bond those operating expenses. I hate to put somebody on the spot, but clearly somebody goofed somewhere.

Mr. MacKenzie answered I was on the original group that included Dick Houle and the Finance Director that reviewed the different teams that applied to the City. I never saw the final documents or the final arrangements of the contract, but I know that the Finance Director was there and I would normally rely on the Finance Director to understand those particular issues. So, it was clear at the time and did go to the City Solicitor's Office. I can't answer that.

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

Chairman Reiniger addressed Item 9 of the agenda:

Communication from the Board of Directors of the Mammoth Hollow Condo Owners Association requesting the installation of sidewalks along a portion of South Mammoth Road – south of Bodwell Road and north of Sheffield/Corning roads.

Alderman Pariseau moved to refer this to the Highway CIP Sidewalk Program. Alderman Girard duly seconded the motion.

Mr. Frank Thomas stated that section of highway is under State jurisdiction. It is not within the City contract and it may be worthwhile to forward a copy of this request to the State of New Hampshire.

Alderman Pariseau amended his motion to include forwarding a copy of the request to the State Department of Transportation. Alderman Girard duly seconded the motion. Chairman Reiniger called for a vote. There being none opposed, the motion carried.

Chairman Reiniger addressed Item 10 of the agenda:

Communication from Bernard Nardi, VP of Promotions of Verres Media Corporation, submitting a proposal to make available recycling containers for use Downtown or at any other location (free-of-charge), however, Verres shall be able to produce and lease advertising space on the containers.

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

Alderman Pariseau asked do you expect the City to pick-up those things and empty those.

Mr. Nardi answered yes, we do.

Alderman Pariseau asked what is the City's revenue projection.

Mr. Nardi answered we look at one trash container generating about \$1,200 in advertising revenue in a calendar year. Depending on the number you use and let's say you have 100 containers, you are looking at \$120,000. 40% of those gross dollars would be given to the City for their involvement and participation. We would provide the containers free-of-charge.

Alderman Wihby stated it says 60%/40% but it also says that...first of all, are we considered the owner.

Mr. Nardi replied yes, you are the owner. You are considered the owner for purposes of the owner of the property. You will not own the trashcans.

Alderman Wihby stated but when you talk about owners, that is the City.

Mr. Nardi replied that is correct.

Alderman Wihby asked so the City is going to have to replace all the cans. You replace them, but we are paying for them?

Mr. Nardi answered no. We are self-insured. We are going to replace them at no cost.

Alderman Wihby asked are you going to maintain them. We have to have insurance ourselves so if we don't own them, how do we get liability insurance? Then it says any damage while in storage shall be compensated for by adjustment of owner's net revenues.

Mr. Nardi answered that is in storage. For the housing with the City, we discussed taking them off the streets during the winter and having the City store them for two or three months. We are just saying that while in your custody, any damage that happens you are responsible for.

Alderman Wihby asked so if something happens to them out on the street, you are going to replace them at your cost.

Mr. Nardi answered that is correct.

Alderman Wihby asked how do we get liability insurance if we don't own them. Is that possible?

Asst. Solicitor Arnold answered it is probably a more appropriate question for Harry Ntapalis. I would tend to doubt that we could get insurance on the actual structure. We could probably get insurance if we allowed them to be placed on City sidewalks.

Mr. Nardi replied that is what we are talking about.

Alderman Pariseau asked so they would replace those round things that we went out and purchased that are all over Elm Street.

Mr. Nardi answered we are trying to help the City generate an income that is going to help fund a lot of the different programs that the City is actively involved with. The trashcans are one of the vehicles that we use throughout the country to try and generate income. I saw a need in the City and I thought that the trashcans would be a good vehicle to start with to generate some needed revenue. We are proposing putting them downtown, but we also in parks and near municipal buildings.

Alderman Wihby stated but wherever you put them, we have to pick them up and there is a cost of doing that. Frank, have you come up with a number on what it is going to cost to pick these things up?

Mr. Frank Thomas replied I have never been asked.

Alderman Wihby asked you don't know anything about this. It says here that they talked to you.

Mr. Frank Thomas answered I have heard the proposal, but no, I have never been asked to generate that information.

Alderman Wihby stated it says that the contract was inspected and approved by you.

Mr. Nardi replied I met with the Highway Department down at Intown Manchester. We went over the design of it, etc.

Mr. Frank Thomas responded we could physically do it. I am not sure of the conversation that was held, but obviously if there are more of these containers out on the streets than we have now, there is going to be an additional labor commitment with that and I haven't calculated the cost. As far as inside municipal buildings, we wouldn't be collecting that. It would be whoever is responsible.

Alderman Wihby stated I think most of these are going to be put outside and that is the whole intention of having advertising on them. I think it should be businesses on there and we really don't have a say. I don't want to see political stuff on there. It just says reasonable advertising. Elect Wihby would be reasonable.

Mr. Nardi replied getting into a formal contract, we would give the City the final say and approval as to what was going to be placed on these.

Alderman Wihby asked so every single one we would be able to look at and say yes or no. It doesn't say that in the contract.

Mr. Nardi answered no, but we are going to be partners and you are going to have a final say as to what you feel is appropriate to see on the City streets.

Alderman Wihby stated I don't like the automatic renewal. Can we do it for one year and then have them come back for a second year?

Mr. Nardi replied absolutely. That is a contract negotiation that can be worked out.

Alderman Wihby stated I am reading page two here about the money these will generate and it sounds like a poker machine.

Mr. Nardi replied it is a good way for the City to control advertising. You talked earlier about signs downtown and this is a way for the City to say look we have a vehicle and we would like to have participation in this. It is very important that the City works with us and helps us.

Alderman Wihby asked are you replacing the trashcans there now with these or are these in addition to what is there.

Mr. Nardi answered I will put them anywhere the City would like to see them.

Alderman Wihby asked, Frank, do you have any suggestions. When we bought those brown trashcans it was to come up with a nice look downtown and go back to the old days and now we are coming in with something like this.

Mr. Frank Thomas answered the ones that are out there and in good shape; I wouldn't remove them because they blend in nicely with the downtown environment.

Alderman Wihby asked do you see a need for more downtown or do we have enough.

Mr. Frank Thomas answered there is always a need for more receptacles in the downtown area. A good example is Leo Bernier has asked for an additional one for the City Hall area. The containers that we have out there right now are quite expensive.

Mr. Nardi stated what you have now will not bring in \$50,000 to \$100,000 in added revenue for the City. I think replacing them will certainly help the City.

Alderman Wihby stated even if we break even that would be good.

Alderman Girard stated I understand that this proposal was made to the Intown Board of Directors and was not well received.

Mr. Nardi replied all I heard was they voted it down because they thought it was too commercial for downtown and I am still trying to figure out what they meant.

Alderman Girard stated, Mr. Chairman, I don't mean to put you on the spot but the downtown is your ward. Are you familiar with this or do you have any opinions?

Chairman Reiniger replied the Intown Board of Directors considered it. I think Mr. Clark is on the Board and he can speak for the Board.

Mr. Clark stated I think the Board of Directors of Intown Manchester considered the proposal and in a nutshell we didn't think they had a place in downtown. The City did invest a great deal of money in the trashcans that are there, that are attractive, that are expensive, and that are built to last. With all due respect to Mr. Nardi, Mr. Sullivan and that organization, we think that cheapens the improvements that were done and before you talk about how much money you will not get if you put them in, you might want to consider that if it cheapens the downtown, what potential effect it might have to the tax base of the buildings.

Alderman Pariseau asked what do you mean it would cheapen the downtown. I thought they looked nice.

Mr. Nardi answered they cost about \$750 to fabricate.

Alderman Girard stated it is not exactly in keeping with the masonry appearance of downtown; the brick. I appreciate Mr. Nardi's efforts to try and do something in the area, but I do have a concern that selling ad space on trashcans in the downtown I don't think would present the type of image that I think we want downtown to present and I don't see the containers as consistent with the architectural character of the area. If it were not for those reasons, I would be inclined to support this. While the City does stand to make some money doing this, the gentlemen that are proposing it will also stand to make out pretty well. If we are going to do something like this, we might better consider a Request for Proposals where competitive proposals can be brought to us for consideration instead of just one group's initiative.

Chairman Reiniger asked does the Committee want to refer this to Parks & Recreation.

Alderman Pariseau answered we can't keep anything in our parks now and if it is there they don't use it so I don't know if it would be worthwhile to send this to Parks & Recreation.

Mr. Johnson stated we had received some information and I don't know if it was from Mr. Nardi's company, but it might be more appropriate for some of the facilities such as the ice arenas and Gill Stadium but not out in the neighborhoods and downtown parks.

Alderman Girard stated based on Mr. Johnson's comments perhaps the Parks & Recreation Enterprise might find an arrangement with some of their facilities here that would be mutually beneficial.

Alderman Pariseau stated I don't think it is this Committee's responsibility to send this guy to Parks & Recreation.

Mr. Nardi asked could we look beyond downtown and in discussions think of areas that may be beneficial to generate some income for the City. I know that in Atlanta, the Mayor of the city went around to his malls and shopping centers and asked the owners of the property to participate with him in permitting these trash receptacles to be placed at malls and shopping centers which helped the City with the generation of advertising revenue from them. Just to let you know, there are other ways other than lining Elm Street to make this work if you would like to look at it.

Alderman Girard moved to receive and file this item. Alderman Pariseau duly seconded the motion.

Alderman Girard noted that if Mr. Nardi wants to pursue what Mr. Johnson has brought to the Committee's attention about potential use at the ice arenas, I would suggest that he do so.

Alderman Wihby stated I agree with that, but I just think that we could use those and we could generate money or not but we could use them for a message downtown like DARE or that type of thing. Rather than advertising we could maybe push different things. Maybe there could be a local message there instead of trying to advertise.

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

Chairman Reiniger addressed Item 11 of the agenda:

Communication from the General Manager of the St. Vincent De Paul Thrift Store requesting the City to donate a small parcel of land near their warehouse on Manchester Street in order to park two tractor-trailers which will be used for their recycling efforts.

Alderman Pariseau asked rather than selling it, couldn't we just come up with some sort of agreement or an easement to allow them to use that area but they will have to pave it at their own expense.

Mr. MacKenzie answered I am afraid that I am not familiar with this particular proposal.

Chairman Reiniger asked has the Highway Department had a chance to check this out.

Mr. Frank Thomas answered no.

Alderman Girard stated Mr. Hall contacted me some time ago and that is why there is a letter on the agenda. Basically, all they need is some space somewhere, preferably near where their shops are downtown, where they can park something. Whether or not the City wants to give them an easement or a parcel of property that it owns...they are not looking for the City to do anything other than give them space where they can put a couple of tractor trailers. It has become a critical need for them. They are just looking for a place to park.

Alderman Pariseau asked why couldn't the Catholics let them use St. Augustine's parking lot or the cathedral parking lot or any other parking lot that the church owns.

Alderman Girard answered I am not aware that St. Augustine's or the cathedral really has a parking lot.

Alderman Pariseau asked what about St. Cecilia Hall.

Alderman Girard answered that is not owned by the church anymore.

Alderman Pariseau asked the parking lot isn't. I thought we just got rid of the convent?

Alderman Girard answered no, I don't think so. Mr. MacKenzie, are you aware of any land in the area that the City might make available for this use?

Mr. MacKenzie replied not in the immediate vicinity of this property. I don't think those would be appropriate on any type of park or parking areas in the downtown. I cannot quickly think of any suitable sites right near that Manchester Street location.

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

Chairman Reiniger addressed Item 12 of the agenda:

Petition to discontinue a portion of Loring Street west of Faltin Drive by Attorney William Quinn on behalf of Donovan Spring Co., Inc.

Alderman Wihby moved to approve the recommendation. Alderman Pariseau duly seconded the motion.

Deputy Clerk Johnson stated I think there are two separate portions.

Mr. Frank Thomas replied yes. The first 90' was accepted by the Board of Mayor and Aldermen and the remaining 225' has been released.

Deputy Clerk Johnson stated so the motion is to refer one portion to a road hearing and report that the other portion has been released and discharged from public servitude by RSA 231:51.

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

Chairman Reiniger addressed Item 13 of the agenda:

Communication from the Deputy Public Works Director requesting replacement of a vehicle that was vandalized.

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

Alderman Pariseau stated they are getting \$13,500 from the insurance and the rest is coming out of MER.

Alderman Girard asked how much is the rest.

Mr. Frank Thomas answered probably another \$3,000 or so. We got three prices. One is a Cavalier, a Malibu on the high side or a Prism.

Alderman Girard stated I am not sure that the State bid price is always the good one to go with and I wonder if we could find a way around that.

Mr. Frank Thomas replied well we bid it ourselves on occasion. What I do is I have my garage superintendent actually go out and check around and the prices are cheaper with the State. We go with the State bid or bid it ourselves. We have no problem bidding it out if we feel we are going to get a better price.

Alderman Girard stated I wonder whether or not the process itself pushes up the price. If you were to send your garage superintendent down to Dobles to buy a car you would probably get a better deal than through any bid process.

Mr. Frank Thomas responded sometimes.

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

Chairman Reiniger addressed Item 14 of the agenda:

Communication from the Deputy Public Works Director requesting approval to assign a surplus police cruiser to the City's new Security Manager.

Alderman Pariseau stated I oppose the concept of assigning it to that particular individual. It should be the department to which this person is assigned, the City Clerk, because what happens is it is my car and if somebody in the City Clerk's Office or wherever needs a vehicle and this one is sitting out in the yard they can't use it because it is "my car." I would assign it to the department.

Alderman Wihby stated this guy is going to be on the road a lot. He is not going to be sitting in the office so every time he needs a car and someone else takes it, what is he going to do.

Mr. Frank Thomas stated the original request was made by the HR Director. This person does work for the Human Resources Department.

Deputy Clerk Johnson stated that position is under the HR Department and as I understand it he is doing work for HR as well as doing security management.

Alderman Pariseau replied I just didn't know where he was but that is coming up somewhere in Administration.

Deputy Clerk Johnson responded yes it is. My understanding is that it is before Administration.

Alderman Pariseau stated I just think it should be assigned to the department to which this guy is assigned rather than "my car."

Alderman Girard asked when this position was proposed, were there any budgetary accommodations made for a vehicle at Human Resources or anywhere else.

Alderman Wihby answered no.

Alderman Girard asked is there a particular reason why when this position was proposed no one said by the way he is going to need a car.

Alderman Pariseau moved to assign the car to whichever department the Security Manager is assigned to. Alderman Wihby duly seconded the motion. Chairman Reiniger called for a vote. The motion carried with Alderman Girard being duly recorded in opposition.

Chairman Reiniger addressed Item 15 of the agenda:

Communication from the Health Officer requesting approval to accept an award of \$53,639 for homeless health care services from the U.S. Department of Health and Human Services, Bureau of Primary Health Care.

Mr. MacKenzie stated that item has already been taken care of under the consent agenda.

Chairman Reiniger addressed Item 16 of the agenda:

Communications from the Director of Planning regarding funding for a Senior Center feasibility study.

Alderman Pariseau moved to approve the funding. Alderman Wihby duly seconded the motion.

Alderman Girard stated everybody here is well aware of my position on this so I will just state it. In brief, I do not support the Senior Center feasibility study. I don't support it for two reasons. First of all, the police department architects are supposedly reviewing the existing station to see how a Senior Center can be accommodated with the other uses that were supposed to be moved in there so in my opinion anything that comes forward that presents options other than what this Board agreed to when we approved this budget is, to me, undermining the foundations of the deal that was made to build the new Police Station and I don't and won't support that. Secondly, our agenda is full of all kinds of requests for money. Pine Island Park has a cost overrun. Mr. MacKenzie in a letter to us talks about all of the different cost overruns that we are dealing with as a result of the economy. I know that since August of last year that a request which this Committee approved to assist the parents at West High School in doing the fitness center still goes unfunded, but somehow we found \$15,000 to do a feasibility study.

Alderman Pariseau asked August of 1998 or August of 1999.

Alderman Girard answered August of 1998. I could go on and on and on about the non-school projects that this \$15,000 could be put toward. I don't have anything against a Senior Center, but this is not something that has been on the radar screen. This Board agreed to reconfigure the existing police station to address the Senior Center needs and I just really don't believe that this is fiscally responsible, nor do I believe that it honors what we agreed to in the budget. So, for those reasons, Mr. Chairman, I will not support it and I will not prolong this any further.

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

Chairman Reiniger addressed Item 17 of the agenda:

Communication from the Director of Planning requesting policy guidance on the evaluation of the Brown School for the West Side Library and the West Side Senior Center.

Alderman Pariseau stated I would recommend that we don't do anything with the West Side Senior Center and consider the Brown School a Library not to be mixed up with any other department. I pictured the Brown School Library being a Library with computers and all this other equipment that they have here on Pine Street. So to mix in an elderly center with the library, I don't favor.

Alderman Girard stated this kind of gets back to Item 16. I don't know right now whether or not we are taking a look at a feasibility study for one grand Senior Center that will address all of the City's needs that there seems to be in this political season which I am happy to be sitting out. On the other hand, Alderman Thibault and I don't want to speak for him but I know that he has spoken publicly in the past about wanting to renovate the Brown School both for use as a West Side Branch Library and a West Side Senior Center. It seems that the ward Aldermen have a different vision of how that should be used and the whole Senior Center is in question anyway and God knows after watching presentations regarding the School Department which supposedly in my opinion are ridiculous in the amount of \$200 million to upgrade our schools, we might even be looking at this as a school again. I really think that until the whole Senior Center question is settled, we should let this thing sit.

Alderman Pariseau stated if Alderman Thibault thinks that we are looking at a cigar box for a Senior Center, I don't think that is the intent.

Alderman Girard replied I don't want to speak for him, but those are statements that he has made.

Alderman Pariseau stated I think we should do away with the Senior Center on the West Side and have one facility.

Alderman Pariseau moved to have the Planning Director look at the Brown School exclusively as a Library. Alderman Wihby duly seconded the motion. Chairman Reiniger called for a vote. The motion carried with Alderman Girard being duly recorded in opposition.

Chairman Reiniger addressed Item 18 on the agenda:

Communication from the Director of Planning regarding procedures for CIP Budget Authorizations ("Startups").

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

Alderman Girard asked out of the 584 projects or whatnot, when you close them out are there any that are going to have left over bond balances that can be applied to projects.

Mr. MacKenzie answered yes. We do have to closeout a bunch of these so we can get caught up. There will be some...there probably won't be any bond balances left but there will be a few that have small cash balances left. In total, it is going to be under \$2,000 for maybe a dozen older projects that we are going to close out.

Chairman Reiniger addressed Item 19 of the agenda:

Communication from the Director of Planning regarding information on the current construction climate and its impact on Manchester.

Mr. MacKenzie stated I personally believe that Manchester has been extremely fortunate compared to many communities in getting some key projects done and while we are getting some difficulty on certain projects, I think that some of the contractors we are dealing with and Frank Thomas could probably answer this better, but some of them that we have been dealing with like Bonnett, Page & Stone and Harvey Construction have helped us through some very rough times in terms of getting a project done. So, my only comment was there has been a lot of press about a lot of communities that have been severely impacted. We will likely see more problems in the future because of the construction climate. We have been fortunate so far, but we are going to need your indulgence at some point if

we have a major project that comes up. I would like to offer the floor to Frank Thomas to see if he has any other comments because he is dealing with other Highway projects as well.

Mr. Frank Thomas stated that is very true. The entire marketplace is going crazy as it did in the mid-80's. We did notice that on the Stark Street project and some of the sidewalk projects. Again, we are seeing numbers higher than we estimated. I think that trend is out there.

Alderman Girard asked, Mr. MacKenzie, just as a policy matter does it make sense when we get into an economy like this and the contractor's can pretty well demand their price, does it make sense that the City should go more into a maintenance mode and try to, rather than expand facilities, just invest its resources in getting what we have up to snuff rather than adding to it so that when the economy turns and the bonding costs and construction costs are lower we can do the bonding and get more for our dollar.

Mr. MacKenzie answered counterbalanced against this construction trend is the fact that we have the lowest bond rates that we have had in a generation. We have bond rates of 3.6%. I believe if you look at the bond rate, if the rates went back to 6% we would be paying double so we are actually doing extremely well with the bond rates we have so it is kind of a balancing act. At this point, I think that the very low bond rate of 3.6% or 3.7% offsets these construction costs.

Alderman Girard replied well I understand that but we get less done for the dollar that we bond today and when the economy goes downhill you get worst bond rates but you also get those windows of opportunities when the economy improves to refinance and refund bonds like we have done in the past to lower that. I am just wondering on a systematic basis shouldn't we be looking more to bond when the economy is worse and maintain when the economy is good so that we can try to get on the upside of some of these cycles.

Mr. MacKenzie replied ideally, but we are not going to see lower bond rates. The bond rates will be increasing, I think, in the next 18 months. This is our best opportunity to get great bond rates. It would be great if both were down at the same time and we could get a lot done, but right now we have great bond rates.

Alderman Girard stated \$12 million today buys a lot less than \$12 million did nine years ago.

Mr. MacKenzie responded yes, but if you look at \$12 million if you were at twice the bond rate you could only buy half as much.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to receive and file this item.

Chairman Reiniger addressed Item 20 of the agenda:

Communication from the Director of Planning requesting policy guidance on the South Commercial Street Connector.

Chairman Reiniger stated it looks like you are recommending, Mr. MacKenzie, that the monies be allocated towards Granite Street. Is that correct?

Mr. MacKenzie replied we have discussed this. This is an older project. Some of the Aldermen may not know about it. We do believe that given a choice between allocating those funds toward this so-called connector versus Granite Street, we think Granite Street is a much higher priority. Our only caveat is that we might like to see even a portion of the funds be utilized if we can use them as an entrance to the proposed parking garage on the Rubenstein property and we think that based on information we have from the Southern NH Planning Commission that we may be able to use a small portion of that State project to have an appropriate entrance into this parking garage. Other than that, the full connection to Valley Street we are not sure from a policy standpoint whether it is an appropriate thing to continue. This has apparently been going on for several years now. It is under the Governor's 10-year highway plan, but it was requested at a time when it was thought that the civic center was going to go down where Singer Park is so that you would need the additional traffic capacity.

Alderman Pariseau asked for what reason did they quit Sundial.

Mr. MacKenzie answered I am not sure.

Mr. Frank Thomas stated I was just going to add...

Alderman Pariseau interjected here we go again with the south end of town getting the tough end of the stick and sending it downtown. I am getting sick and tired of it.

Mr. Frank Thomas stated originally when the project was envisioned there were two alternatives. One was to extend the roadway down to Sundial Avenue and that became not too feasible. It became more feasible to build a connector out to Elm at Valley Street in order to improve circulation in that area. I agree with Mr. MacKenzie in looking at the costs to get Commercial Street out to Valley Street would be cost prohibitive on the City share and would be better spent elsewhere,

however, I am hearing for the first time that the Master Plan is calling for some kind of parkway that is going to parallel the railroad tracks down to that Sundial area. I think what Mr. MacKenzie was bringing here tonight was to more or less put this project on hold and not abandon it because once we lose the slot in the State funding, it is gone forever and we have to start all over again. It may make sense to keep the project alive but not active until we see what happens with the parking facility that is being proposed by the State or to see if it is feasible to reallocate the project to maybe also include this parkway that I am seeing on the Master Plan to Sundial Avenue.

Alderman Pariseau stated that was my concern too. I thought that having that roadway go to Sundial, they would have some place to go. Why stop at Valley Street? What is there at Valley Street other than the Highway Department? This way, if you have a traffic problem, they could drive to Sundial Avenue and get onto the Queen City Bridge and onto the turnpike that way.

Mr. Frank Thomas replied originally the road was parallel to the Merrimack River on the bank right next to the river over the existing sewer easement. That is where the Riverwalk is going now. In early preliminary discussions with the Riverwalk Foundation, we decided that we didn't want the walkway and the roadway to be right next to each other. However, now I see that the alignment of this parkway that is being proposed is not down at the river but more or less parallel to the railroad tracks at least until you get down by Sundial Avenue.

Alderman Pariseau responded I guess what I am saying is fine, put the project on hold but when you reactivate it, don't send it to Valley Street because there is nothing there.

Mr. Frank Thomas replied we all agree with that. I think that is what Mr. MacKenzie and I are saying. We don't agree with that plan.

Alderman Wihby asked would you go to Sundial and open up Valley Street too.

Mr. Frank Thomas answered no. We would want to reserve this project to see what would need to be done to provide circulation for this parking garage. From what we have seen in the preliminary drawing, in order to get up to Valley Street, it is going to be a very expensive project and might even require elevated sections to meet the grade. That is why we are saying that it is not cost effective for what we gain. Ideally, if there is a need to provide access to the garage say off of Bedford Street or Commercial Street and there is a need to build a parkway down to Sundial Avenue, maybe we could combine the two and get it done as a combined CIP project.

Chairman Reiniger asked isn't this parkway envisioned as being a low usage road and not necessarily a highway.

Alderman Pariseau answered well it would be there to use in case we have problems downtown.

Mr. MacKenzie stated I do understand from Mr. Sharma that he doesn't believe the State would be too receptive to a park road down to Sundial Avenue, but again we could put the Valley Street portion on hold and at least test to see whether they would be willing to provide access to the garage and check the parkway to Sundial.

Alderman Wihby asked what do you need for a motion.

Mr. MacKenzie answered we were just looking for policy guidance.

Alderman Wihby moved to put the Valley Street project on hold and explore the potential with the State of allowing an entrance to the proposed parking garage. Alderman Girard duly seconded the motion. Chairman Reiniger called for a vote. There being none opposed, the motion carried.

Chairman Reiniger addressed Item 21 of the agenda:

Communication from the Director of Planning regarding a request from the Parks Department for additional funding for Pine Island Park.

Alderman Pariseau asked could the money wait until the next fiscal year.

Mr. Johnson answered what we appropriated this year was \$13,000 in CIP cash and then about \$111,000 from the insurance. What we have decided to do is we did put it out to bid and we are also experiencing higher bids and not as many bidders coming in so we elected to do all of the site work which will take us awhile and then the request that we made was for the playground equipment. Tonight, Albertine Morrissette is here from the Committee for the Preservation of Pine Island Park and she has met with the Mayor's Office and they directed her to look at some possible grant funding so they are pursuing that avenue and they are also going to try fundraising. We would like to get the playground equipment in. They would like to get it in as soon as possible. Next Spring is a possibility. We will get all of the site work done this Fall in anticipate of putting the playground in.

Alderman Girard asked, Mr. Johnson, is there any avenue through the Army Corps of Engineers or the Army Reserves that sometimes do these projects. Can we save any money? Has anyone tried to interest them in this project?

Mr. Johnson answered not on this particular project. We requested funds for other types of projects and a lot of the work they do is more site demolition and clearing. We did the same over the West field. The work that is being done at Pine Island, even the site work, involves retaining walls to tie into the one that the Highway Department did on Brown Avenue. It is installation of concrete sidewalks and I don't think it is the type of work they would normally do so we didn't pursue it on this project. There is also a timeframe. We did request for Livingston some work for them to do on trails and we have been deferred for a couple of years.

Alderman Wihby moved to take a look at funding in next year's CIP budget. Alderman Pariseau duly seconded the motion. Chairman Reiniger called for a vote. There being none opposed, the motion carried.

Chairman Reiniger addressed Item 22 of the agenda:

Communication from the Director of Planning regarding the Notre Dame Bridge Project.

Mr. MacKenzie stated believe it or not, they did their final accounting of the Notre Dame Bridge construction and determined that the City's share is a little bit...there is still a balance of the City's share which is a little bit less than \$9,000. The Highway Department has indicated that there is an amount under the Bridge Construction Program that could pay for this.

Alderman Girard asked, the Bridge Construction Program, is it a general program or is it associated specifically with the project that you have that money left over in.

Mr. Frank Thomas answered it was from...the balance would be out of the Amoskeag Rehabilitation project.

Alderman Girard asked so we are paying for this from the Amoskeag funds.

Mr. Frank Thomas answered that is correct.

Alderman Girard asked how much more are we going to have left over when that project is done.

Mr. Frank Thomas answered \$200,000.

Alderman Girard asked could we put any of that towards Pine Island Park.

Mr. Frank Thomas answered no. I would have to check the balances on that also because I don't know if the \$200,000 is City money or total savings on the project because it is a State match.

Alderman Pariseau asked could we use that for chronic sewer problems.

Mr. Frank Thomas answered again I would have to check the make-up of that money for its potential usage.

On motion of Alderman Girard, duly seconded by Alderman Pariseau, it was voted to approve the transfer of \$9,000 from the Amoskeag Project to the Notre Dame Bridge Project.

Chairman Reiniger addressed Item 23 of the agenda:

Communication from Else Raymond seeking a solution to her problem regarding a strip of land bordering her property on Pennsylvania Avenue. (Note: At the 8/3/99 meeting, the Committee voted to have City staff sit down with Ms. Raymond and report back to the Committee with their recommendations.)

Mr. Frank Thomas stated I could give you an update and a copy of the letter that we sent to Mrs. Raymond. Based on your directive, the City Solicitor's Office, Planning Office and Highway Department met to discuss her request. Her request was for us to buy back two City lots that she bought from the City that are landlocked. The consensus at this meeting was that there is really no value to the City and what we did is we obtained the names of the two abutting property owners to a parcel of land that she owns and suggested that she offer to sell to those abutters. We gave her the mailing addresses of the abutters and we even drafted two letters for her signature that she could send out to the abutters asking if they are interested in buying her property. Since then, we haven't heard back from Mrs. Raymond.

Alderman Pariseau asked did they ever get the letters.

Mr. Frank Thomas answered I don't know if she ever sent them. We typed them up and gave them to Mrs. Raymond.

Alderman Pariseau asked has she been in touch with you Alderman Girard.

Alderman Girard answered not since she was here last. Did you go out and take a look at the land?

Mr. Frank Thomas replied I have been out there before.

Alderman Girard stated my only concern is this. It is scrub land. It is absolute junk and the only reason she is asking the City to buy it is, and if you read the information that is here, she maintains that years ago when she wanted to buy a section of land so that she could do some drainage the City made her buy it all. They wouldn't just sell her the 50' that she wanted and needed. They made her buy the whole thing to take care of her drainage. Now it is very difficult and she has never been able to maintain it.

Alderman Pariseau asked is it a buildable lot.

Alderman Girard answered there is a paper street which I believe has been discontinued which does access the land but because it is no longer even on paper I suppose it is landlocked and what she wants the City to do is buy back all of the land that she didn't want to buy to begin with so she can buy the land on the paper street that has been discontinued so that she can put gravel on it and keep the vines and trees and weeds and bushes that keep destroying her hedges and put gravel down and pave it so she can kill it all. That is basically what this all boils down to. Her axe is that she has all of this land which has become dangerous for her and that she can't maintain. Apparently, it is a problem with neighborhood kids. She claims the City made her buy this land years ago so she could take care of a drainage problem. A drainage problem, which she will tell you, is caused by a neighbor who blocked her drainage pipes. She didn't want to buy all of the land that she now has. She only wanted to buy a specific piece and the City made her buy it all. She had to because she had some drainage problems caused by construction in the neighborhood that was backing up into her basement.

Alderman Pariseau asked has that street been discontinued. Is that part of New York or part of Pennsylvania Avenue.

Mr. Frank Thomas answered that is an extension of Pennsylvania Avenue and that has been released from public servitude.

Alderman Pariseau asked so all she has to do is file for quiet title.

Mr. Frank Thomas answered that is correct.

Alderman Pariseau asked so why doesn't she do that.

Mr. Frank Thomas stated she wants the money to pave the paper street so that she doesn't need to weed her side yard.

Alderman Girard replied it is not just that. She wants the City to take back that land because it has become a hazard.

Alderman Pariseau stated well have her deed that land back over to the City and we can take care of that problem.

Mr. Frank Thomas replied the City doesn't want the land. It is landlocked and that is probably why the City said all or nothing. Why would the City want those parcels?

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to receive and file this item.

TABLED ITEMS

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to remove Item 27 from the table.

Communication from Lisa Haley submitting a petition requesting the correction of a drainage problem on Arah Street.

Alderman Wihby stated this is a bad situation that is happening on Arah Street. The Highway Department has gone down there and looked at it because of the snow and ice and everything that happens around that bend and recommended that it be done.

Chairman Reiniger stated this was a controversy at the last meeting and I can't remember why.

Alderman Girard replied it was a controversy at the last meeting because this did not follow the process that every other drain issue follows to get addressed and Alderman Pariseau and myself felt very strongly about that.

Mr. Frank Thomas stated Alderman Girard is right. There was a controversy that came up the last time because this request had come in late compared to all of the other projects that had been on the chronic sewer drainage list for years. We did

recommend that it get funded or it was one of the priorities that we recommended for funding because the drainage problem is at the bend in the road of Arah Street and we felt that it was a higher safety problem and deserved consideration over other projects that were on the list.

Alderman Wihby replied so I think it was not so much that it wasn't deserving but that it wasn't on the list that was the problem.

Alderman Girard asked, Mr. Thomas, are you saying to this Committee now that of all of the projects that have been sitting on this list for years, there is none that is as needing as this one.

Mr. Frank Thomas answered I think that is what we said at the last meeting. We had prioritized the projects and that is down in writing.

Alderman Girard asked so even the ones on Mammoth Road that are an issue and have been sitting there for years and years and years...

Mr. Frank Thomas interjected at the meeting I took a look at those and a lot of those were addressed when we resurfaced Mammoth Road this last year.

Alderman Girard asked then how come they are still on the list.

Alderman Pariseau stated I understand, too, that some of the homeowners took care of the problems themselves years ago. I know of at least one. Still, I am sure that if you go back to those that have been on the list for 12 or 15 years, people just go fed up with waiting. I think this issue with Arah Street is one of those emergency type situations and I know that it was at my request that I tabled it because of the appearance of impropriety.

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

Alderman Girard asked Mr. Sean Thomas where the information was that he was supposed to provide to the Committee regarding the City vehicles.

Mr. Sean Thomas replied I will make sure it is here for the next meeting.

Alderman Pariseau asked on Item 25, didn't they change that from Goffs Falls Pond or Pine Island Pond to something else. There was something in the newspaper?

Deputy Clerk Johnson answered we can check with Mr. Bowen because he was the one who came in with that request.

Alderman Pariseau asked what is going on with Item 26.

Deputy Clerk Johnson answered Alderman Girard is waiting for information from Mr. Sean Thomas.

Alderman Girard stated the Mayor's Office was supposed to forward more information to the Committee last time and they neglected to do so.

Mr. MacKenzie stated if you would like to get Item 28 off the table, this Committee had directed that I write a letter on zoning to the Special Committee on Airport with a copy to the CIP Committee so unless the CIP wants to keep it on the table, they can remove it.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to remove Item 28 from the table.

Communication from the Director of Planning regarding possible future zoning of the area along Brown Avenue to the Airport entrance.
(Tabled 8/3/99)

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to receive and file this item.

Alderman Pariseau asked about Item 24 and whether Mr. Thomas and Mr. Taylor are going to have their acts together.

Mr. Taylor answered I think last time we all agreed that we were based on the conditions spelled out in the various communications from Mr. Thomas and Mr. Lolicata.

On motion of Alderman Pariseau, duly seconded by Alderman Girard, it was voted to remove Item 24 from the table.

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.
(Tabled 5/10/99)

Alderman Pariseau moved to approve this request. Alderman Girard duly seconded the motion. Chairman Reiniger called for a vote. The motion carried with Alderman Wihby being duly recorded in opposition.

25. 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.
(Tabled 5/18/99)

This item remained on the table.

26. Copy of communication from Barbara Connor to Sean Thomas relative to vehicle standards.
(Tabled 8/3/99)

This item remained on the table.

NEW BUSINESS

Chairman Reiniger stated regarding the Rubenstein property, Asst. Solicitor Arnold has provided some correspondence that is being passed out and he will now go into detail about it.

Asst. Solicitor Arnold stated this is basically for information purposes only. It is a draft agreement that we received from Ransmeier & Spellman in Concord just on Friday. There are a number of details that need to be reviewed and worked out. We wanted to pass it on for information purposes. I believe the plan, in theory, is to introduce it under new business at the Board level tomorrow so that it can be referred to this Committee. I note that they would very much like to get some action at the next Board meeting so we can move forward on the project. As I said during the prior Committee meeting, there are a number of environmental issues with this lot that we need to look at seriously and carefully.

Alderman Girard asked what are they.

Asst. Solicitor Arnold answered my understanding is that there were some dry cleaning chemicals that were spilled on the lot into the water table and there is a bunch of debris and junk down there. There have been several studies done but I don't know what we will find when that stuff is removed.

Alderman Girard asked is this why they want to give us the land.

Asst. Solicitor Arnold answered I think that is a large part of it which is why we need to look at it carefully because the way this agreement is presently structured we have to look at it and negotiate it but basically the City will receive the property for nothing, but we have to agree to take care of all of the environmental problems on it.

Alderman Girard asked are we going to be able to do any due diligence on the property before we take possession.

Asst. Solicitor Clark answered I would certainly recommend it.

Alderman Pariseau asked how much are we buying this for.

Asst. Solicitor Clark answered it is free. There have been a number of studies done but what we need to do is sit down and look at those and see what they entail and make sure that those studies meet our requirements for due diligence.

Alderman Wihby asked are we looking to just tar over this and have a parking lot.

Asst. Solicitor Arnold answered yes it is going to be one of the parking garages funded by the State.

Alderman Wihby asked even if we do that we have to get rid of all of these environmental things.

Asst. Solicitor Arnold answered a number of them we will work with DES on, but as I said there were dry-cleaning chemicals and stuff dumped there that may be in the water table.

Alderman Wihby asked what is that bottom line. What is that turn?

Alderman Pariseau answered that is the Riverwalk.

Mr. Taylor stated I don't want this to sound as terrible as it may sound to you, but the dry cleaning solvent has been litigated. The responsibility for that has been litigated to a settlement, which I believe, took place last Fall or early this Spring. My understanding from reading the letters of correspondence from the Department of Environmental Services is that soil treatment has been carried out down there and any ongoing monitoring or testing is going to be required to be paid by the insurance carrier of the individual or the company that was found to be liable for putting the solvent in the ground to begin with. We will have no responsibility for that particular portion of the issues unless something further is required by the

State down the road which none of us know about at this point. There is also some contaminated soil from an above ground oil tank existing on the site which will be our responsibility, if we proceed with this, to clean up. We have an estimate that is around \$108,000 to deal with that. There are also two or three piles of what appear to be construction rubble that was dumped there at some point. Frank is going to take a look at that and see if there is anything that the Highway Department can do to help us deal with that issue. We don't know what that involves yet. We will have a number before we come to the Board. Those are the three issues that we are aware of. There may be others, but those are the ones that we are aware of and I just wanted to clear that up.

Alderman Wihby asked is this seeping into the river or heading that way.

Mr. Taylor answered the ground water flows towards the river across the City property. Yes, more than likely although I don't think we have done any testing there.

Alderman Wihby stated I thought we tested there a long time ago.

Mr. Taylor replied we tested on the Rubenstein property...if you recall GMDC had an option to buy that property back in the late 80's and we went through a substantial amount of testing then and that is how it got discovered that there was a problem to begin with and we walked away from it because of that problem.

Alderman Wihby asked do we know if it is there and going into the river.

Mr. Taylor answered that may have been determined by one of the studies that has already been done, but I don't know.

Asst. Solicitor Arnold stated if you look at the packet that was given to you, you will see that there is an exhibit that contains a lengthy list of studies that have been done on the property. What those precisely involve, I don't know because I haven't had a chance to review them.

Alderman Wihby asked what is the recommendation now. To proceed slowly and see how much contamination there is?

Mr. Taylor answered what we are looking to do is to get the authority to proceed towards investigating this thing to see if it is okay for the City to acquire it and in order for us to do that we need to look at all of these documents.

Alderman Wihby stated but the more testing that we do and don't buy it, aren't we putting them, once the thing is known what they have to fix so they are going to want us to develop it.

Mr. Taylor replied I believe what is there is already known to the extent that it has been through a court case. This has all been made public. I don't think there is anything there that hasn't already been brought to light. They have been over that site with a fine tooth comb about 15 different times so I am sure if there is anything there it has already been discovered.

Alderman Wihby asked if it is going into the river right now, isn't that something that they should be fixing.

Mr. Taylor answered they did a major remediation program there at the direction of the DES. They dug it up.

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