

## AGENDA

### COMMITTEE ON COMMUNITY IMPROVEMENT

**March 16, 2004**  
**Aldermen O'Neil, Shea,**  
**Garrity, Smith, Lopez**

**5:00 PM**  
**Aldermanic Chambers**  
**City Hall (3<sup>rd</sup> Floor)**

1. Chairman O'Neil calls the meeting to order.
2. The Clerk calls the roll.

#### **TABLED ITEM**

**A motion is in order to remove the following item from the table for discussion.**

3. Discussion of the Clem Lemire Sports Complex – Memorial High School and for such purpose resolutions and budget authorization have been submitted.  
*(Table 02/09/2004 pending further information from staff.)*

#### **OTHER BUSINESS**

4. Communication from Kevin Sheppard, Deputy Public Works Director, submitting a request on behalf of Parks and Recreation to obtain three (3) vehicles from the City's Department of Aviation.  
**Gentlemen, what is your pleasure**
5. Referral by the Committee on Traffic/Public Safety relative to review of funding for the Old Wellington Road Signalization Project.  
**Gentlemen, what is your pleasure?**

6. Communication from Robert MacKenzie, Director of Planning, advising of a request from the Manchester Housing and Redevelopment Authority and Richard Anagnost for financial assistance in the amount of \$1,000,000 to develop affordable housing on the Old Wellington Road Parcel.  
**Gentlemen, what is your pleasure?**

### **TABLED ITEMS**

**A motion is in order to remove any of the following items from the table for discussion.**

7. Derryfield Country Club Project.  
*(Re-tabled 12/09/2003 and voted not to spend any more funds on the project; note additional communication from Parks enclosed.)*
8. Derryfield Park Rehabilitation Phase II.  
*(Tabled 10/14/2003.)*
9. Communication from Kevin Sheppard submitting a draft policy/procedure for Fleet Management/Motorized Equipment.  
*(Re-tabled 11/25/2003. Vehicle Usage Survey enclosed.)*
10. Communication from Robert MacKenzie, Planning Director, regarding a request that the City consider making various safety and aesthetic improvements along Dean Avenue at a cost of \$9,800.  
*(Tabled 11/25/2003 pending review by Public Works.)*
11. Copy of a communication from Mr. Jabjiniak to Drew Weber regarding the relocation of Singer Family Park Field.  
*(Tabled 12/09/2003.)*
12. If there is no further business, a motion is in order to adjourn.



Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER


## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

Memo to: Committee on CIP

From: Robert S. MacKenzie 

Date: March 10, 2004

Subject: Funding Request Memorial High School Athletic Fields

Attached for your consideration is an amending resolution to the 2004 CIP that will authorize an expedited bond issuance for construction of the first phase of the Clem Lemire Memorial Sports Complex at Memorial High School. This is being brought before the Committee in advance of the proposed 2005 CIP in order that the project may commence in early April. As a result of the early start, the construction of the fields will be completed by mid-August allowing for practices and tryouts for the various fall sports program.

Consideration and approval of the enclosed documents and a recommendation to the full Board for approval is respectfully requested.

Attachments:

# City of Manchester New Hampshire

*In the year Two Thousand and Four*

## A RESOLUTION

“Amending the FY 2004 Community Improvement Program, authorizing and appropriating funds in the amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) for FY2004 CIP 511404 Clem Lemire Sports Complex – MHS Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2004 CIP as contained in the 2004 CIP budget; and

WHEREAS, Table 4 contains all sources of General Obligation Bond funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to initiate the construction of Clem Lemire Sports Complex – MHS;

NOW, THEREFORE, be it resolved that the 2004 CIP be amended as follows:

**By increasing:**

FY2004 511404 – Clem Lemire Sports Complex - MHS - \$4,400,000 Bond  
(from \$1,100,000 Bond to \$5,500,000 Bond)

Resolved, that this Resolution shall take effect upon its passage.

# City of Manchester New Hampshire

*In the year Two Thousand and Four*

## A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) for the 2004 CIP 511404, Clem Lemire Sports Complex – Memorial High School Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
2004 CIP 511404, Clem Lemire Sports Complex – Memorial High School Project	\$4,400,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

# City of Manchester New Hampshire

*In the year Two Thousand and Four*

## A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Four Hundred Thousand Dollars (\$4,400,000) for the 2004 CIP 511404, Clem Lemire Sports Complex – Memorial High School Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

**CIP BUDGET AUTHORIZATION**

CIP #:  Project Year  CIP Resolution:   
 Title:  Amending Resolution:   
 Administering Department:  Revision:

**Project Description**

**Federal Grants** Federal Grant:  **Environmental** Review Required:   
 Grant Executed:  Completed:

**Critical Events**

1	Phase I Design/Engineering	July 03 - April 04
2	Construction/Initiation - Phase I	April 04
3	Design/Engineering - Support Buildings	Jan. - June 04
4	Construction - Buildings	July - November
5	Field Completion	August 04
Expected Completion Date:		11/30/2004

**Line Item Budget**

	BOND			TOTAL
Salaries and Wages	\$0.00	\$0.00	\$0.00	\$0.00
Fringes	\$0.00	\$0.00	\$0.00	\$0.00
Design/Engineering	\$550,000.00	\$0.00	\$0.00	\$550,000.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00
Consultant Fees	\$0.00	\$0.00	\$0.00	\$0.00
Construction Admin	\$0.00	\$0.00	\$0.00	\$0.00
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Overhead	\$0.00	\$0.00	\$0.00	\$0.00
Construction Contracts	\$4,950,000.00	\$0.00	\$0.00	\$4,950,000.00
Other	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$5,500,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$5,500,000.00</b>

**Revisions**

Revision #1 - increases budget by \$4,400,000.

**COMMENTS**

\$4,400,000 is expedited from FY2005.



**CITY OF MANCHESTER**  
**Parks, Recreation & Cemetery Department**

625 Mammoth Road  
Manchester, NH 03104-5491  
(603) 624-6565 Administrative Office  
(603) 624-6514 Cemetery Division  
(603) 624-6569 Fax

**COMMISSION**

George "Butch" Joseph, Chairman  
Thomas Murphy, Clerk  
Michael Worsley  
Joseph Sullivan  
Steve Johnson  
Ronald Ludwig, Director

February 3, 2004

Alderman Daniel P. O'Neil, Chairman  
City of Manchester Community Improvement Program  
One City Hall Plaza  
Manchester, NH 03101

**Re: Clem Lemire Sports Complex – Memorial High School**

Dear Alderman O'Neil:

This past year in the FY-2004 CIP budget, \$1.1 million dollars was approved to begin work on the above referenced project. More recently, the Manchester School Board approved an expanded project of approximately \$5.5 million dollars. The CIP Committee and Board of Mayor and Aldermen also approved the overall Master Plan and revised project scope last December.

We have been working with representatives from Gilbane and Kaestle Boss Associates for the past two months to develop a Guaranteed Maximum Price (GMP) for the project. It appears that all parties are in agreement, and we would like to sign the contracts. While we only have \$1.1 million approved, we would like to expedite the additional \$4.4 million now, so that Gilbane can order the bleachers and other items that have a long lead-time.

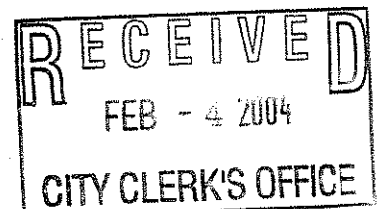
Authorization of these additional funds will allow us to sign contracts for the approved scope of work and help the City to reach the goal of having the field ready for mid-August. This approval would also allow us to accelerate the process to design and construct the support buildings.

Therefore, we request the CIP Committee to make a recommendation for the additional \$4.4 million dollars and ask that this request be approved by the Board of Mayor and Aldermen, prior to this year's FY-2005 CIP process.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Ronald Ludwig, Director - Parks, Recreation & Cemetery  
Kevin Sheppard, Deputy Director - Highway Department  
Robert MacKenzie, Director - Planning and Community Development  
Randy Sherman, Deputy Finance Officer  
William Sanders, Business Administrator - Manchester School District



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**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**  
James E. Connolly, Jr.  
- Chairman  
Henry R. Bourgeois  
William F. Kelley  
Edward J. Beleski  
Peter Favreau

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

March 4, 2004

C.I.P. Committee of the  
Honorable Board of Mayor and Aldermen  
One City Hall Plaza,  
Manchester, New Hampshire 03101

**Re: Parks, Recreation and Cemetery Department Request**

Dear Committee Members:

Attached, please find a request from the Parks, Recreation and Cemetery Department to obtain three (3) vehicles from the City Department of Aviation.

Your consideration of this matter would be appreciated.

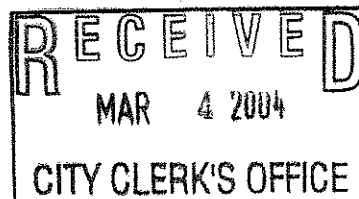
Sincerely,

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.  
Ronald Ludwig  
Melinda Salamone-Abood

Encl.



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City of Manchester  
Parks, Recreation & Cemetery Department  
Cemetery Division

Pine Grove Cemetery  
765 Brown Avenue  
Manchester, NH 03103  
(603) 624-6514 Cemetery Division  
(603) 628-60

COMMISSION  
George Joseph, Chairman  
Thomas Murphy, Clerk  
Joseph Sullivan  
Michael Worsley  
Stephen Johnson  
Ronald Ludwig, Director

To: Kevin Sheppard  
From: Jerry Coulter, Supervisor of Cemeteries  
Date: March 3, 2004  
Subject: Surplus Vehicles

It has come to my attention the Cemetery Division of Parks, Recreation and Cemetery Department has the opportunity to obtain three (3) trucks from the Manchester Airport which are of 'no value' to the Airport according to personnel.

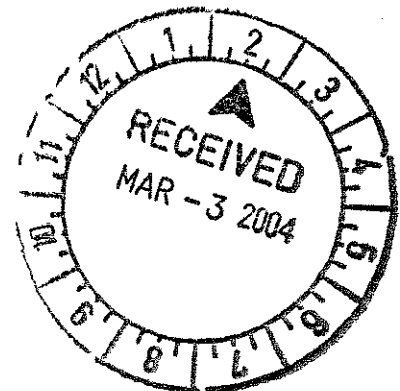
Two of the vehicles would be useful as parts for our aging fleet of trucks and the third could be used for yard work at the cemetery.

Your consideration in allowing the Cemetery to obtain these trucks would be greatly appreciated.

Thank you,

Jerry Coulter  
Cemetery Supervisor

cc: Ronald Ludwig, Director  
Parks, Recreation & Cemetery Department

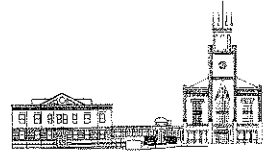


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# CITY OF MANCHESTER

## Office of the City Clerk



Leo R. Bernier  
City Clerk

Carol A. Johnson  
Deputy City Clerk

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: Committee on Community Improvement

From: C. Johnson  
Deputy City Clerk

Date: March 10, 2004

Re: Old Wellington Road Signalization Project

Please be advised that in action taken at a meeting of the Committee on Traffic/Public Safety held on March 9, 2004, it was voted to refer the above-referenced item to committee for funding review with the recommendation that same be paid for from proceeds of the sale of the related property.

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Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER

## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management



Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

Memo to: Committee on CIP

From: Robert S. MacKenzie  
Director of Planning

Date: March 10, 2004

Subject: Affordable Housing Proposal – Old Wellington Road

The public private partnership consisting of the Manchester Housing and Redevelopment Authority and Richard Anagnost have requested \$1,000,000 of financial assistance to develop affordable housing on the Old Wellington Road Parcel. The development would result in the construction of 90 units of rental housing of which 100% would be affordable to Manchester's work force. In addition, the property will contribute to the City's tax base at the highest allowable rate with the annual revenue estimated to be in the range of \$110,000 to \$120,000. It is also important to note that 36 of the units will be three bedroom apartments. Currently there is a shortage of apartments in the City to serve the needs of large families. The total development cost for the project is estimated to be \$12,000,000. Our office is in support of this project and we recommend that the Committee and ultimately the full Board vote to approve a combination of HOME and Affordable Housing Trust Funding. The amount of assistance to be determined with approval by the full Board. Assistance to the project will be in the form of a loan with the interest rate to be determined by the property's projected cash flow. Representatives from the partnership will be available to answer any questions that the Committee might have.

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 FAX: (603) 624-6529  
E-mail: [planning@ci.manchester.nh.us](mailto:planning@ci.manchester.nh.us)  
[www.ci.manchester.nh.us](http://www.ci.manchester.nh.us)

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**CITY OF MANCHESTER**  
**Parks, Recreation & Cemetery Department**

625 Mammoth Road  
Manchester, NH 03104-5491  
(603) 624-6565 Administrative Office  
(603) 624-6514 Cemetery Division  
(603) 624-6569 Fax

**COMMISSION**

George "Butch" Joseph, Chairman  
Steve Johnson, Clerk  
Michael Worsley  
Joseph Sullivan  
Sandra Lambert  
Ronald Ludwig, Director

March 10, 2004

C.I.P Committee of the  
Honorable Board of Mayor and Alderman  
One City Hall Plaza  
Manchester, NH 03101

Attention: Alderman Daniel P. O'Neil

Re: Derryfield Country Club

Dear Alderman O'Neil,

As you may recall the Derryfield Country Club construction project came in significantly over the budgeted amount. It was therefore decided that at a CIP Committee Meeting in December of 2003 the project would be put on hold. The Committee also decided to put a hold on the expenditure of any additional funds until a new plan to move the project forward could be developed. The Department has been meeting with City Staff, the lessee, and Architect in attempts to bring the project back in line with the budgeted amount. The basic plan is to create a format that would allow the City to put the project out to bid. In order for this to happen the CIP Committee would need to release additional funds already allocated to the project.

Should it be the desire of the Committee to consider this request, we would have the Architect, lessee and appropriate City Staff, including Finance and the City Solicitor appear at this meeting to answer any questions the Committee may have.

Thanking you in advance for your consideration in this matter.

Sincerely,

Ronald E. Ludwig  
Director

CC: Alderman Shea  
Alderman Lopez  
Alderman Smith  
Alderman Garrity



# CITY OF MANCHESTER

## Office of the City Clerk

1110 3100 Updated  
table & have  
architect come  
back with rec. at Dec.  
mtg.

12/9/03 - Tabled - spend no

Leo R. Bernier *more*  
City Clerk *money*

Carol A. Johnson *to be*  
Deputy City Clerk *Revised*  
*to block*

Paula L-Kang  
Deputy Clerk  
Administrative Services

Matthew Normand  
Deputy Clerk  
Licensing & Facilities

Patricia Piecuch  
Deputy Clerk  
Financial Administration

### MEMORANDUM

To: Board of Mayor and Aldermen

From: Lisa Thibault *Lisa*  
City Clerk's Office

Date: November 24, 2003

Subject: Separate Cover Item-Derryfield Country Club Project Status Update

Attached please find a memo with attachments from Ron Ludwig regarding the Derryfield Country Club Project. Please note that this is in reference to Item 4 of the CIP agenda for Tuesday, November 25.

Attachment



**CITY OF MANCHESTER**  
**Parks, Recreation & Cemetery Department**

625 Mammoth Road  
Manchester, NH 03104-5491  
(603) 624-6565 Administrative Office  
(603) 624-6514 Cemetery Division  
(603) 624-6569 Fax

**COMMISSION**

George "Butch" Joseph, Chairman  
Thomas Murphy, Clerk  
Michael Worsley  
Joseph Sullivan  
Steve Johnson  
Ronald Ludwig, Director

November 24, 2003

Mr. Daniel O'Neil, Chairman  
CIP Committee  
One City Hall Plaza  
Manchester, NH 03101

Re: Derryfield Country Club  
Project Status Update

Dear Alderman O'Neil,

Enclosed as per your request is information relative to the status of the above referenced project. Included is a Chronological Analysis of events leading to up to November 2003. I have also included a portion of the Management Agreement entered into by our Tennant, Mr. Mike Lanoie and the City. The Section I have included (21) indicates how the parties should move forward in the event the project can not be completed within the budget.

Dennis Mires, from Dennis Mires Architect Firm, John Deloya, from Eckman Construction and I will be on hand to further explain the material and answer questions Committee Members may have.

Sincerely,

Ronald E. Ludwig  
Director

Cc: Honorable Mayor Baines



**CITY OF MANCHESTER**  
**Parks, Recreation & Cemetery Department**

625 Mammoth Road  
Manchester, NH 03104-5491  
(603) 624-6565 Administrative Office  
(603) 624-6514 Cemetery Division  
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**COMMISSION**

George "Butch" Joseph, Chairman  
Thomas Murphy, Clerk  
Michael Worsley  
Joseph Sullivan  
Steve Johnson  
Ronald Ludwig, Director

**Derryfield Country Club**  
**Clubhouse Project 2003**

**Design Engineering Process/ Chronological Analysis**

The following is a chronological delineation of critical events during the conception and design engineering phases of the above referenced project.

- October 16, 1998 – Presentation of existing clubhouse building analysis and solution recommendations by Orcutt Architects as part of the facility's Master Plan.
- October 10, 2001 – Development of conceptual building and site plan with corresponding cost analysis presented by a local Architectural firm to the City on behalf of the Derryfield Country Club Restaurant. Result was a range of high \$2,300,000 and low \$1,900,000 for a 20,000 sf building.
- March 15, 2002 – Updated review and analysis of conceptual construction cost estimate presented by a local Architectural firm to the City on behalf of the Derryfield Country Club Restaurant. Result indicated no change in previous job cost estimate.
- December 13, 2002 – Execution of Management Agreement between the City and BLL Restaurant, Inc. delineating terms of building construction, occupation and payment schedule.
- January 2003 – Selection Committee for selection of a firm to provide Architectural/ Engineering services is formed. Members include Ron Ludwig- P,R&C Dept., Ron Johnson- P,R&C Dept., Tim Clougherty- Highway Dept., Pamela Goucher- Planning Dept., Mike Lanoie- BLL Restaurant, Inc.(Tenant) and Ed Wojnilowicz- P,R&C Dept. Once the Architectural firm is selected, a representative of that firm will become a member of this committee for the selection of a Construction Manager.
- January 14, 2003 – Project assumptions and cost estimates provided to P,R&C Department by the City's Public Building Services Division. Result was a high of \$3,400,000 and a low of \$2,500,000.
- January 22, 2003 – RFQ for Architectural Services and a Construction Manager advertised.
- March 25, 2003 - Architectural Services RFP deadline.
- April 10, 2003 – Architectural firm of Dennis Mires selected to perform design engineering work for clubhouse project.
- April 15, 2003 – Bond Resolution for the amount of \$2,300,000 approved by the BMA.
- May 1, 2003 - Construction Manager RFP deadline.



- May 7, 2003 – Eckman Construction Co., Inc. selected to provide construction manager services for clubhouse project.
- May 14, 2003 – DCC membership informational meeting.
- May 15, 2003 – DCC abutter informational meeting.
- June 12, 2003 – First meeting of clubhouse design group meets. It was determined that this group meets every Thursday to disseminate information and maintain the expedited status of the project.
- June 19, 2003 – Contract for construction of new maintenance building is executed with Eckman Construction Co., Inc.
- July 16, 2003 – Design work continues and project cost estimates appear to be escalating beyond budget parameter. Architect and Construction Manager were instructed to prepare a comprehensive cost analysis of the project.
- July 18, 2003 – Construction of new maintenance building begins.
- July 24, 2003 – Construction Manager presented a preliminary project cost analysis. Design work continues and all parties are instructed to review their respective parts of the project and identify cost cutting measures.
- August 14, 2003 – Design work continues. Project cost estimates place the design over budget and significant impact to Tenant program will occur if space reduction is implemented.
- August 21, 2003 – Design work near completion and project cost estimates indicated project over budget. Construction Manager was instructed to bid plans in their current form in order to place an actual dollar value on estimated construction costs. Once actual pricing is obtained Value Engineering exercises can commence.
- September 24, 2003 – Bid results are provided by Construction Manager for analysis. Project cost as bid is identified at \$3,749,480. Value Engineering commences and a list of possible adjustments is provided.
- September 25, 2003 – It is determined that project can not be accomplished in its present form. Construction Manager instructed to provide further break down of costs indicating items to be carried by Owner and by Tenant. Owner and Tenant review project analysis line by line.
- October 2, 2003 – Owner/ Tenant cost breakdown is provided and VE exercises continue.
- October 16, 2003 - It is determined that project in its present form can not continue without additional funding and redesign is identified as a possibility. Architect is instructed to provide alternative design sketches and a fee estimate for additional services.
- November 5, 2003 – Architect and Construction Manager provide a bare bones design that will accommodate Owner and Tenants program requirements. Total project cost estimate is projected at \$3,250,000. As requested by owner, a list of criteria on which the redesign was based has been provided. Currently under review.
- November 6, 2003 – Certificate of Occupancy issued for maintenance building.

become the property of Owner. This includes, but is not limited to, ceilings, flooring, carpeting, shelving (which is affixed to the real estate), partitions, walls, wall coverings, affixed restaurant equipment and the like. At the termination of this Agreement, Manager may remove its own personal property not considered part of the real estate, such as blinds, curtains, portable equipment, business machines, trade fixtures, signs and the like, not affixed to the real estate. Notwithstanding the foregoing, Manager may not remove affixed equipment and the Premises shall remain equipped and furnished such that it can continue to be used as a restaurant and banquet facility.

21. **OWNER'S CONSTRUCTION AND IMPROVEMENTS:** Owner hereby agrees to spend a maximum of Two Million Two Hundred Thousand Dollars (\$2,200,000) (the "Improvement Allowance") on the demolition of the current country club facility and on the construction of and improvements to the Building and the Property. Upon execution of this Agreement, Owner shall, using its normal procurement and contracting procedures, arrange for the design and construction of the Building and improvements therein and thereafter the demolition of the existing building. The Improvement Allowance shall be spent on the following items and in the following priority until it is depleted, after which Owner shall have no further obligation to make any further renovations or improvements.
- a. First, to design the Building;
  - b. Second, to construct and frame the exterior of the Building;
  - c. Third, to construct the interior of the Building, excluding the Premises;
  - d. Fourth, to demolish the existing building and to landscape the demolition site (the date such work commences being the "Demolition Date")
  - e. Fifth, to construct to a minimum base level the interior of the Premises for an approximately 10,000 square foot restaurant and function facility, an approximately 3,400 square foot exterior deck and approximately 1,500 square feet of office and storage space located on the lower level (the "Vanilla Box Improvements");
  - f. Sixth, the remainder of the Improvement Allowance, if any, shall be provided to Manager as an allowance to install finishes and to fit-up the Premises, including the function room, dining room, kitchen, bathroom and common area.

To the extent the Improvement Allowance has not been depleted, the Vanilla Box Improvements shall include rough electrical, rough plumbing to kitchen, bathrooms and bar, complete HVAC distribution throughout entire Premises, finished fire rated sheetrock ceiling, and a clean smooth surfaced floor ready to accept Manager's finished floor materials.

If at any time prior to the award and entering into of a construction contract to build the Building either Owner or Manager shall reasonably believe that the Improvement Allowance will be depleted prior to the completion of the Vanilla Box Improvements, such party shall notice the other of such belief (the "Depletion Notice"). During the thirty (30) days following the delivery of the Depletion Notice, Manager and Owner shall cooperatively work together to: (a) agree upon a mutually acceptable redesign of the Building or portions thereof so that the cost of the construction is satisfactorily reduced; (b) implement other reasonable and mutually acceptable cost saving measures; (c) seek from the Board of Mayor and Aldermen of the City of Manchester additional financing (the agreement to which shall be in such Board's sole discretion) to augment the Improvement Allowance so that it will not be depleted prior to the completion of the Vanilla Box Improvements and enter into a corresponding amendment of this Agreement to increase the Minimum Share of Revenue to account for any additional debt service requirements; (d) have Manager agree to absorb the shortfall in the funding for the Vanilla Base Improvements; or (e) agree to and implement any combination of matters set forth in the foregoing clauses (a), (b), (c) and (d). If Owner and Manager are unable to reach a mutually acceptable agreement regarding the cost of the design and construction of the Building within such thirty (30) day period, Manager shall have the right by notice to Owner to terminate this Agreement within ten (10) business days after the end of such thirty (30) day period. If Manager does not timely terminate this Agreement pursuant to this Section 21 (which termination must occur, if at all, prior to the construction contract being entered into by Owner for the Building), the Agreement shall remain in full force and effect.

In addition, if, after a construction contract to build the Building has been awarded and entered into, either Owner or Manager becomes aware of a material cost increase due to unforeseen conditions (e.g., the discovery of hazardous waste requiring an expensive clean-up) either party may provide the other with a Depletion Notice and the provisions of the foregoing grammatical paragraph shall apply (except that Manager's right to terminate this Agreement shall be timely if exercised within ten (10) days of the end of the thirty (30) day period following delivery of the Depletion Notice notwithstanding that a construction contract to build the Building has been awarded and entered into).

Once the Improvement Allowance has been depleted, Manager shall be responsible for the cost of any further renovations and improvements to the Premises.

22. **BUILDING DESIGN COLLABORATION**. Owner and Manager hereby agree that the selection of the architect and design of the Building shall be a collaborative process. Although the selection of the designer and contractor for the Building must be undertaken in accordance with the applicable procurement procedures of Owner, Manager shall have the right to participate in the selection process including by being present at any interviews or presentations, being

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**City of Manchester  
Parks, Recreation & Cemetery Department**

625 Mammoth Road  
Manchester, NH 03104-5491

(603) 624-6565 Administrative Office  
(603) 624-6514 Cemetery Division  
(603) 624-6569 Fax

**COMMISSION**

George "Butch" Joseph, Chairman  
Thomas Murphy, Clerk  
Michael Worsley  
Joseph Sullivan  
Steve Johnson  
Ronald Ludwig, Director

10/11/03 - 10/21/03  
11/25/03 - Voted to have  
staff sit down with  
developer to find out  
how much  
cash we could  
get to relocate  
field artelva or  
how much to  
relocate at  
Derryfield  
12/1/03 - removed  
tabled  
2-10-04- "

**RECEIVED**  
SEP 23 2003  
**CITY CLERK'S OFFICE**

September 23, 2003

Robert S. MacKenzie, Director  
City of Manchester Planning & Community Development Department  
One City Hall Plaza  
Manchester, NH 03101

**Re: Derryfield Park Rehabilitation Phase-II (CIP# 510004)**

Dear Bob:

According to the FY 2004 CIP Budget, the above referenced project was identified in the Recreation and Leisure section of Table 1 (Federal, State and Other). A budget number of \$500,000 was referenced with a footnote that states the funding was to be provided by the Riverfront Park project as a cash contribution or through in-kind construction services.

This project was also discussed at the March 11, 2003 CIP Committee meeting as being a valid project for funding to be provided by the Riverfront Project developer for the relocation of Singer Park. The motion that carried called to move the bleachers from Singer Park to West Memorial Field, provide the Musco Sports Lighting to the Parks & Recreation Department and accept a cash proposal from the developer to be placed in the City's Special Revenue Reserve Account.

We would like to update you on what has transpired regarding the Riverfront Project and also inquire about the status of the "cash contribution". First, I am pleased to report the relocation of the bleachers to West Memorial Field was completed last week. Next, I should mention that we learned in July from the developer, Mr. Sanborn, the Musco Sport Lights from Singer Park would not be made available to the City.

The last item voted on by the CIP Committee was the "cash contribution". To my knowledge, the City has not received these funds. The City Finance Department contacted our office in mid-August asking about status of the funds, so they could complete the startup for the Derryfield Park Rehabilitation Project - Phase-II. Would you please confirm the status of these funds and make a request to the CIP Committee to determine if they are eligible for Derryfield Park.

Sincerely yours,

*Ronald E. Ludwig*  
Ronald E. Ludwig, Director

p/c: CIP Committee  
Alderman Ted Gatsas - Ward #2  
William Jabjiniak, Destination Manchester Coordinator

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RECEIVED  
JUN 27 2003  
CITY CLERK'S OFFICE

City of Manchester  
Department of Highways

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

depts. for feedback  
Report back to  
Commission  
Chairman  
Henry R. Bourgeois  
William F. Kelley  
Edward J. Beleski  
Peter Favreau  
Committee  
at a later  
date  
10/14/03 -  
Tabbed  
11/25/03 -  
Tabbed  
12/9/03 - " "  
2-10-04 - " "

June 27, 2003

C.I.P. Committee of the  
Honorable Board of Mayor and Aldermen  
CITY OF MANCHESTER  
One City Hall Plaza,  
Manchester, New Hampshire 03101

Attn: Mr. Leo R. Bernier  
City Clerk

Re: *Fleet Management/Motorized Equipment  
Policy & Procedure*

Dear Committee Members:

As requested, attached is the latest Fleet Management Policy, (adopted in 1994). I have enclosed a recommended, updated policy for the Committee's review. In response to your questions, please refer to Section 5.C which references the City Seal and Authorized Passengers.

I am available to answer any questions you may have on this matter.

Sincerely,

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

/cd

Encl.

# D R A F T

To the Board of Mayor and Aldermen of the City of Manchester

Gentlemen:

The Committee on CIP respectfully recommends, after due and careful consideration, that:

Consistent with **Chapter 30, Section 32.083** of the Code of Ordinances and former policies of the City, the following up-dated policies and procedures be adopted:

## CITY OF MANCHESTER POLICIES AND PROCEDURES FLEET MANAGEMENT/MOTORIZED EQUIPMENT

1. **Fleet Management** shall be conducted under the supervision of the ~~Committee on Transportation~~ *Community Improvement Committee*.
2. **Procurement**
  - A. No vehicle, motorized equipment or trailers shall be leased, donated or purchased without the approval of the ~~Committee on Transportation~~ *Community Improvement Committee*.
    - (1) *Exception* – The Manchester School of Technology may accept donated vehicles for instructional purchases provided however, that disposition of such vehicles is conducted for salvage purposes and in accordance with the Ordinances of the City of Manchester.
  - B. Scheduled Replacement/Annual Requests The ~~City Coordinator~~ *Public Works Director* shall maintain an equipment replacement schedule. Department Heads shall submit annual requests for motorized vehicular equipment to the ~~City Coordinator~~ *Public Works Director* on forms in a manner to be determined by the ~~City Coordinator~~ *Public Works Director*. *Annual requests shall coincide with the annual budget process. The Public Works Director shall provide a summary of the annual requests to the Mayor for budgetary approvals.*
  - C. Interim Requests for motorized equipment, emergency or otherwise, shall be made to the ~~Committee on Transportation~~ *Community Improvement Committee* in care of the City Clerk who shall forward a copy to the ~~City Coordinator~~ *Public Works Director* and present the request to ~~Committee~~ *the Community Improvement Committee*.

D. Procurement Code Compliance: Following approval of vehicle/equipment purchase, the Department Head shall consult with the ~~office of the City Coordinator~~ *Public Works Director or his designee*, who shall advise as may be required for compliance with the procurement code. The ~~City Clerk~~ *Public Works Director* shall process encumbrances and payments as may be required in accordance with the Committee's direction. *Enterprise departments shall process their own encumbrances and payments.*

### 3. Operational control, disposition of vehicles/equipment, allocation of revenues.

~~Pursuant to Section 2-177 of the Code of Ordinances~~, Authority for assignment and utilization of a motor vehicle, shall be with the department for which it was originally purchased subject to meeting conditions of other policy requirements contained herein.

When a department determines for any reason that it no longer requires any motor vehicle, *(motorized equipment or trailer)*, they shall immediately notify the ~~Committee on Transportation~~ *Public Works Director for disposition or reassignment as determined to be appropriate*. Whenever a department receives a replacement vehicle for any reason (inclusive of insurance/accident) they shall immediately notify the ~~Committee on Transportation~~ *Public Works Director* for disposition purposes. If for any reason the department wishes to keep the vehicle being replaced, a request to the ~~Committee on Transportation~~ *Community Improvement Committee* is required.

Disposition of vehicles/equipment shall be conducted as is consistent with other ordinances and City policy.

Revenues received, as part of disposition shall be returned to the ~~fund which the vehicle was purchased~~ *Motorized Equipment Replacement fund*.

- A. *Vehicle Registration. No vehicle shall be registered without having been authorized by the C.I.P. Committee. Enterprise departments who have purchased approved vehicles shall provide purchase documentation to the Public Works Director prior to applying for registration. The City Clerk shall provide a copy of all registrations to the Public Works Director for inventory maintenance purposes.*
- B. *Vehicle Trade-In. The department shall provide the Public Works Director trade-in documentation for any vehicle traded in toward the purchase of an approved vehicle replacement.*
- C. *Vehicle Transfers. The department shall provide the Public Works Director documentation of any approved replacement vehicle transferred to another department. The receiving department shall obtain approval from the C.I.P. Committee prior to accepting vehicle transfers.*

#### 4. Financial and General Records.

The Office of the City Coordinator ~~Public Works Director~~ shall maintain a statement of all accounts for the C.I.P. Committee, reflecting current budgets, amounts encumbered, and actual expenditures. The City Clerk shall process all Certificates of Origin with the State of New Hampshire and shall hold all original titles and registrations, with copies to departments as needed.

#### 5. Use and Storage of City vehicles after working hours.

The purpose of this Section is to establish rules and conditions of use for City owned vehicles stored off City Property and used after hours and overnight. This policy is designed to provide adequate control for such storage and use since, although such arrangements are to the advantage of the City, they are subject to misinterpretation of the public. The City must be assured that the storage and use of these vehicles is above reproach. This policy will assure the City a means of reviewing and answering reports of alleged abuse.

##### A. Responsibility

###### 1. Department Head

It is the responsibility of each department head to arrange for adequate control and storage of City vehicles when such arrangements are to the advantage of the City, to investigate any alleged abuses brought to the attention of the department and take appropriate action to correct a situation if it exists.

###### 2. Authorized Driver

City employees assigned a City vehicle are responsible for garaging or storing the vehicle at night in the City, monitoring its periodic maintenance requirements, keeping the vehicle in a presentable appearance, and bringing it to the office for use during the day at no additional cost to the City. To exercise discreet judgement in the use and operation of City property.

##### B. Travel

###### 1. Official Travel

Travel related to the execution of duties and functions of City employees such as inspections, fieldwork and transportation to meetings and working sites.

###### 2. Limited Local Travel

Participation in approved civic programs. Transporting of immediate family to work or school while driving to work. In cases of emergency when no other transportation is available. No City employee should depend on any City vehicle exclusively for their private vehicular needs.



C. Vehicle Identification and Operators

1. City Seal

All City vehicles will bear a permanent City seal on the side doors, with the exception of Welfare vehicles, Chief of Police and Detectives' vehicles. Department names for recognition purposes should appear below the City seal.

2. Authorized Drivers

City employees having a valid New Hampshire motor vehicle operator's license. A copy of the operator's license shall be kept in the employee's personnel file. ~~In most instances, the duly authorized employee.~~

3. Authorized Passengers

City employees or those who are engaged in conducting business with the City. The only exceptions to this definition are listed above under "Limited Local Travel" which is a combination of approved travel and personal. Care should be taken in carrying passengers since the City is only liable to the extent of its insurance coverage. On passenger claims exceeding the liability limits of the City policy, the negligent driver is held responsible.

D. Overnight Use

*Permitted utilization*

1. Department heads whose regular duties require frequent use of a vehicle overnight and whose responsibilities involve evening and weekend public appearances.
2. Employees whose responsibilities involve emergency services and who are regularly subject to call.
3. To provide safe and secure storage, *within the City of Manchester*, for the vehicles which cannot otherwise be provided as economically and conveniently.

When permission has been granted, City owned vehicles are to be used as follows:

E. Use

1. Proper Use – Execution of official business of the city. Attending local meetings and conferences related to City business. Out of town travel requires proper approval. Limited local travel which could not be construed as an abuse.
2. Improper Use – Strictly personal use such as vacations or family recreation activities in or out of town such as beach, racetrack, etc. Off duty weekend usage. By unauthorized drivers. Providing transportation to unauthorized passengers. Driving an improperly marked City vehicle. Violation of Federal, State or City laws.

To the Board of Mayor and Aldermen of the City of Manchester:

Gentlemen:

The Committee on Transportation respectfully recommends, after due and careful consideration, that:

In the absence of a budget for the Fleet Management Department, and as is consistent with Chapter 2, Article XII of the Code of Ordinances and former policies of the City, the following policies and procedures be adopted:

CITY OF MANCHESTER

POLICIES AND PROCEDURES

FLEET MANAGEMENT/MOTORIZED EQUIPMENT

1. Fleet Management shall be conducted under the supervision of the ~~Committee on Transportation~~. *Community Improvement Program Committee*

2. Procurement

A. No vehicle, motorized equipment or trailers shall be leased, donated or purchased without the approval of the ~~Committee on Transportation~~. *CIP Comm*

(1) Exception. The Manchester School of Technology may accept donated vehicles for instructional purchases provided however that disposition of such vehicles is conducted for salvage purposes and in accordance with the Ordinances of the City of Manchester.

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5. Use and Storage of City vehicles after working hours.

The purpose of this section is to establish rules and conditions of use for City-owned vehicles stored off City property and used after hours and overnight. This policy is designed to provide adequate control for such storage and use since, although such arrangements are to the advantage of the City, they are subject to misinterpretation of the public. The City must be assured that the storage and use of these vehicles is above reproach. This policy will assure the City a means of reviewing and answering reports of alleged abuse.

A. Responsibility

1. Department Head/*District Superintendent*

It is the responsibility of each department head to arrange for adequate control and storage of City vehicles when such arrangements are to the advantage of the City. To investigate any alleged abuses brought to the attention of the department and take appropriate action to correct a situation if it exists.

*1 District Supt*

2. Authorized Driver

City employees assigned a City vehicle are responsible for garaging or storing the vehicle at night in the City, monitoring its periodic maintenance requirements, keeping the vehicle in a presentable appearance, and bringing it to the office for use during the day at no additional cost to the City. To exercise discreet judgement in the use and operation of City property.

B. Definitions

1. Official Travel.

Travel related to the execution of duties and functions of City employees such as inspections, field work, and transportation to meetings and working sites.

2. Limited Local Travel.

Participation in approved civic programs. Transporting of immediate family to work or school while driving to work. In cases of emergency when no other transportation is available. No City employee should depend on any City automobile exclusively for their private vehicular needs.

*T 9*

3. City Seal.

All City vehicles will bear a permanent City seal on the side doors, with the exception of Welfare vehicles, Chief of Police and Detectives' vehicles. Department names for recognition purposes should appear below the City Seal.

4. Authorized Drivers.

City employees having a valid New Hampshire motor vehicle operator's license. In most instances the duly authorized employee.

5. Authorized Passengers.

City employees or those who are engaged in conducting business with the City. The only exceptions to this definition are listed above under "Limited Local Travel" which is a combination of approved travel and personal. Care should be taken in carrying passengers since the City is only liable to the extent of its insurance coverage. On passenger claims exceeding the liability limits of the City policy the negligent driver is held responsible.

C. Policy

Permitted utilization.

1. Department heads <sup>District Supt.</sup> whose regular duties require frequent use of a vehicle overnight and whose responsibilities involve evening and weekend public appearances.

2. Employees whose responsibilities involve emergency services and who are regularly subject to call.

3. To provide safe and secure storage for the vehicles which cannot otherwise be provided as economically and conveniently.

When permission has been granted, City owned vehicles are to be used as follows:

Proper Use

Execution of official business of the City.  
Attending local meetings and conferences related to City business. Out of town travel requires proper approval.  
Limited local travel which could not be construed as an abuse.

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Annual requests shall coincide with the budget process. The PWD shall provide a summary of the requests to the Mayor for budgetary approval.

Public Works Director  
Department of Highways

B. Scheduled Replacement/Annual Requests The ~~City~~ <sup>and the District</sup> ~~Coordinator~~ shall maintain an equipment replacement schedule. Department Heads shall submit annual requests for motorized vehicular equipment to the ~~City Coordinator~~ on form to be determined by the ~~City Coordinator~~. PWD

C. Interim Requests for motorized equipment, emergency or otherwise, shall be made to the ~~Committee on Transportation~~ <sup>CIP Comm</sup> in care of the City Clerk who shall forward copy to the ~~City Coordinator~~ and present <sup>the request</sup> to Committee. PWD

D. Procurement Code Compliance. Following approval of vehicle/equipment purchase, the Department Head shall consult with the office of the ~~City Coordinator~~ <sup>PWD</sup> who shall advise as may be required for compliance with procurement code. The ~~City Clerk~~ <sup>PWD</sup> shall process encumbrances and payments as may be required in accordance with the Committee's direction. Enterprise departments shall process their own encumbrances and payments.

3. Operational control, disposition of vehicles/equipment, allocation of revenues.

Pursuant to Section 2-177 of the Code of Ordinances, authority for assignment and utilization of a motor vehicle shall be with the department for which it was originally purchased, subject to meeting conditions of other policy requirements contained herein.

When a department <sup>District</sup> determines for any reason that it no longer requires any motor vehicle, it shall immediately notify the ~~Committee on Transportation~~ <sup>CIP Comm</sup>. Whenever a department receives a replacement vehicle for any reason (inclusive of insurance/accident) the department shall immediately notify the ~~Committee on Transportation~~ <sup>CIP Comm</sup> for disposition purposes. If for any reason the department wishes to keep the vehicle being replaced, a request to the ~~Committee on Transportation~~ <sup>CIP Comm</sup> is required. \* 1

Disposition of vehicles/equipment shall be conducted as is consistent with other ordinances and city policy.

Revenues received as part of disposition shall be returned to the fund from which the vehicle was purchased.

4. Financial and General Records.

<sup>PWD</sup> The ~~Office of the City Coordinator~~ shall maintain a statement of all accounts for the Committee, reflecting current budgets, amounts encumbered, and actual expenditures. The City Clerk shall maintain a listing of vehicles and equipment purchased and registered with departmental location. The City Clerk shall hold all original titles and registrations, with copies to departments as needed. <sup>check this</sup>



City of Manchester  
Office of the City Clerk

City Hall  
904 Elm Street  
Manchester, New Hampshire 03101  
(603) 624-6455

Leo R. Bernier  
City Clerk

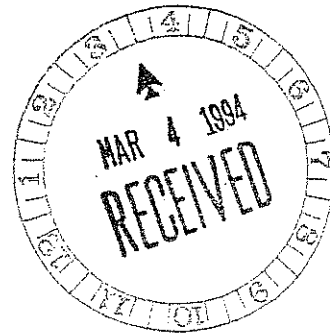
Carol A. Johnson  
Deputy Clerk

Lisha M. Boucher  
Deputy Clerk

MEMO TO: ALL DEPARTMENT HEADS  
FROM: C. JOHNSON  
DEPUTY CITY CLERK  
DATE: MARCH 3, 1994  
RE: POLICIES AND PROCEDURES  
FLEET MANAGEMENT/MOTORIZED EQUIPMENT

Enclosed is a copy of the above referenced as adopted by the Board of Mayor and Aldermen pursuant to a report of the Committee on Transportation accepted as amended on February 1.

Enclosure



COPY

Improper Use

Strictly personal use such as vacations or family recreation activities in or out of town such as beach, race track, etc.  
Off duty weekend usage.  
By unauthorized drivers.  
Providing transportation to unauthorized passengers.  
Driving an improperly marked City vehicle.  
Violation of Federal, State or City laws.

Respectfully submitted,

*Lu N. Bernier*

Clerk of Committee

At a meeting of the Board of Mayor and Aldermen

held 2/1/94 on a motion by Ald. Goonan

duly seconded by Ald. Pariseau the report of

the Committee was accepted and its recommendations amended by adding Mayor and Fire Chief's vehicles to exception under section 5.3. and adopted as amended.

(adopted) ~~(amended)~~

*J. Johnson*  
\_\_\_\_\_  
City Clerk  
*Deputy*

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**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**

James E. Connolly, Jr.  
- Chairman  
Henry R. Bourgeois  
William F. Kelley  
Edward J. Beleski  
Peter Favreau

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

December 2, 2003

C.I.P. Committee of the  
Honorable Board of Mayor and Aldermen  
One City Hall Plaza,  
Manchester, New Hampshire 03101

**Attn:** Leo R. Bernier, City Clerk

**Re:** Motorized Equipment Policy

Dear Committee Members:

As requested, I have distributed to and received comments from City Departments on the referenced policy. The intent is to update the policy adopted by the Board of Mayor and Aldermen on February 2<sup>nd</sup> 1994. The wording which has a strikethrough is being eliminated, whereas the italicized wording is being added.

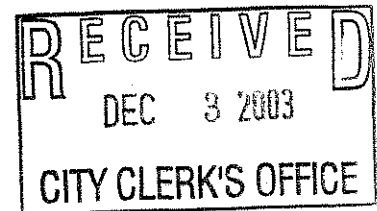
At the recommendation of the City Solicitor, this policy would not pertain to the School District. I will be available to address any questions you may have on this matter.

Sincerely,

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.  
Alderman Daniel P. O'Neil  
Mayor's Office  
Department Heads



9



# D R A F T

To the Board of Mayor and Aldermen of the City of Manchester

Gentlemen:

The Committee on CIP respectfully recommends, after due and careful consideration, that:

Consistent with Chapter 30, Section 32.083 of the Code of Ordinances and former policies of the City, the following up-dated policies and procedures be adopted:

## CITY OF MANCHESTER POLICIES AND PROCEDURES FLEET MANAGEMENT/MOTORIZED EQUIPMENT

1. **Fleet Management** shall be conducted under the supervision of the ~~Committee on Transportation~~ *Community Improvement Committee*.
2. **Procurement**
  - A. No vehicle (motorized equipment or trailer) shall be leased, donated or purchased without the approval of the ~~Committee on Transportation~~ *Community Improvement Committee*.
    - (1) ~~Exception~~ ~~The Manchester School of Technology may accept donated vehicles for instructional purchases provided however, that disposition of such vehicles is conducted for salvage purposes and in accordance with the Ordinances of the City of Manchester.~~
  - B. Scheduled Replacement/Annual Requests The City ~~Coordinator~~ *Public Works Director* shall maintain an equipment replacement schedule. Department Heads shall submit annual requests for motorized vehicular equipment to the ~~City Coordinator~~ *Public Works Director* on forms in a manner to be determined by the ~~City Coordinator~~ *Public Works Director*. *Annual requests shall coincide with the annual budget process. The Public Works Director shall provide a summary of the annual requests to the Mayor for budgetary approvals.*
  - C. Interim Requests for motorized equipment vehicles, emergency or otherwise, shall be made to the ~~Committee on Transportation~~ *Community Improvement Committee* in care of the City Clerk who shall forward a copy to the ~~City Coordinator~~ *Public Works Director* and present the request to ~~Committee~~ *the Community Improvement Committee*.

- D. Procurement Code Compliance: Following approval of vehicle/equipment purchase, the Department Head shall consult with the ~~office of the City Coordinator~~ *Public Works Director or his designee*, who shall advise as may be required for compliance with the procurement code. The ~~City Clerk~~ *Public Works Director* shall process encumbrances and payments as may be required in accordance with the Committee's direction. *Enterprise departments shall process their own encumbrances and payments.*

**3. Operational control, disposition of vehicles/equipment, allocation of revenues.**

~~Pursuant to Section 2-177 of the Code of Ordinances~~, Authority for assignment and utilization of a motor vehicle, shall be with the department for which it was originally purchased subject to meeting conditions of other policy requirements contained herein.

When a department determines for any reason that it no longer requires any motor vehicle, (*motorized equipment or trailer*), they shall immediately notify the ~~Committee on Transportation~~ *Public Works Director for disposition or reassignment as determined to be appropriate*. Whenever a department receives a replacement vehicle for any reason (inclusive of insurance/accident) they shall immediately notify the ~~Committee on Transportation~~ *Public Works Director* for disposition purposes of the replaced vehicle. If for any reason the department wishes to keep the vehicle being replaced, a request to the ~~Committee on Transportation~~ *Community Improvement Committee* is required. *Enterprise Departments will be responsible for enterprise vehicle disposition.*

Disposition of vehicles/equipment shall be conducted as is consistent with other ordinances and City policy.

Revenues received, as part of disposition shall be returned to the fund from which the vehicle was purchased.

- A. *Vehicle Registration. No vehicle shall be registered without having been authorized by the C.I.P. Committee. Enterprise departments who have purchased approved vehicles shall provide purchase documentation to the Public Works Director prior to applying for registration. The City Clerk shall provide a copy of all registrations to the Public Works Director for inventory maintenance purposes.*
- B. *Vehicle Trade-In. The department shall provide the Public Works Director trade-in documentation for any vehicle traded in toward the purchase of an approved vehicle replacement.*

#### 4. Financial and General Records.

The Office of the City Coordinator *Public Works Director* shall maintain a statement of all accounts for the C.I.P. Committee, reflecting current budgets, amounts encumbered, and actual expenditures. The City Clerk *shall process all Certificates of Origin with the State of New Hampshire and shall hold all original titles and registrations, with copies to departments as needed.*

#### 5. Use and Storage of City Vehicles ~~after working hours.~~

~~The purpose of this Section is to establish rules and conditions of use for City owned vehicles stored off City Property and used after hours and overnight. This policy is designed to provide adequate control for such storage and use since, although such arrangements are to the advantage of the City, they are subject to misinterpretation of the public. The City must be assured that the storage and use of vehicles is above reproach. This policy will assure the City a means of reviewing and answering reports of alleged abuse.~~

##### A. Responsibility

###### 1. Department Head

It is the responsibility of each department head to arrange for adequate control and storage of City vehicles when such arrangements are to the advantage of the City, to investigate any alleged abuses brought to the attention of the department and take appropriate action to correct a situation if it exists.

###### 2. Authorized Driver

City employees assigned a City vehicle are responsible for garaging or storing the vehicle at night in the City, monitoring its periodic maintenance requirements, keeping the vehicle in a presentable appearance, and bringing it to the office for use during the day at no additional cost to the City. To exercise discreet judgement in the use and operation of City property.

###### 3. *Garaging/Storing of City vehicles outside City Limits*

*The Department Head may authorize the garaging or storage of City vehicles outside City limits when it is in the best interest of the City to do so.*

###### 4. *Employees are responsible for detailing all personal use of City Vehicles to the Human Resources Department for reporting on the employees W-2 tax form.*

##### B. Travel

###### 1. Official Travel

Travel related to the execution of duties and functions of City employees such as inspections, fieldwork and transportation to meetings and working sites.

###### 2. Limited Local Travel

Participation in approved civic programs. Transporting of immediate family to work or school while driving to work. In cases of emergency when no other transportation is available. No City employee should depend on any City vehicle exclusively for their private vehicular needs.

C. Vehicle Identification and Operators

1. City Seal

All City vehicles will bear a permanent City seal on the side doors, with the exception of Welfare vehicles, Chief of Police and Detectives' vehicles, *and enterprise Departments may display the enterprise seal in place of the City seal.* Department names for recognition purposes should appear below the City seal.

2. Authorized Drivers

City employees having a valid New Hampshire motor vehicle operator's license. A copy of the operator's license shall be kept in the employee's personnel file. ~~In most instances, the duly authorized employee.~~

3. Authorized Passengers

City employees or those who are engaged in conducting business with the City. The only exceptions to this definition are listed above under "Limited Local Travel" which is a combination of approved travel and personal. Care should be taken in carrying passengers since the City is only liable to the extent of its insurance coverage. On passenger claims exceeding the liability limits of the City policy, the negligent driver is held responsible.

D. Overnight Use

*Permitted utilization*

1. Department heads whose regular duties require frequent use of a vehicle overnight and whose responsibilities involve evening and weekend public appearances.

2. Employees whose responsibilities involve emergency services and who are regularly subject to call.

3. To provide safe and secure storage, *within the City of Manchester*, for the vehicles which cannot otherwise be provided as economically and conveniently.

4. *The Department Head may authorize the garaging or storage of City vehicles outside City limits when it is in the best interest of the City to do so.*

~~When permission has been granted, City owned vehicles are to be used as follows:~~

E. Use

1. Proper Use – Execution of official business of the city. Attending local meetings and conferences related to City business. Out of town travel requires proper approval. Limited local travel which could not be construed as an abuse.

2. Improper Use – Strictly personal use such as vacations or family recreation activities in or out of town such as beach, racetrack, etc. Off duty weekend usage. By unauthorized drivers. Providing transportation to unauthorized passengers. Driving an improperly marked City vehicle. Violation of Federal, State or City laws.

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## *F. Airport Provisions*

*Because of the Airport's unique operational nature and federal oversight requiring certain Airport employees assigned radio-equipped vehicles to be on 24-hour call status, these employees are authorized limited personal use of these vehicles within a reasonable distance from Manchester Airport. Reasonable distance will be determined by the Airport Director based on Airport response-time requirements.*

## **6. Exceptions**

*Exceptions to this policy may be made by the Mayor or The Community Improvement Committee when it is in the best interest of the City.*

#### 4. Financial and General Records.

A. ~~The Office of the City Coordinator~~ *Public Works Director* shall maintain a statement of all accounts for the C.I.P. Committee, reflecting current budgets, amounts encumbered, and actual expenditures. The City Clerk *shall process all Certificates of Origin with the State of New Hampshire* and shall hold all original titles and registrations, with copies to departments as needed.

B. *The Public Works Department will be responsible to issue a fixed asset tag for those vehicles purchased through the Motorized Equipment replacement program. It will be the responsibility of the Public Works Department to enter those vehicles into the City's Continuing Property Records. Departments will be required to forward necessary information regarding location, division, funding source and so forth. Enterprise departments shall process their own vehicles purchased through other funds.*

C. *Transferring/Retiring: The Public Works department will be responsible for maintaining the Continuing Property Records Module for Vehicles and Equipment. Departments will need to notify the Public Works Department when vehicles are disposed, retired or transferred. Enterprise departments shall maintain their own continuing property records.*

#### 5. Use and Storage of City Vehicles ~~after working hours.~~

~~The purpose of this Section is to establish rules and conditions of use for City-owned vehicles stored off City Property and used after hours and overnight. This policy is designed to provide adequate control for such storage and use since, although such arrangements are to the advantage of the City, they are subject to misinterpretation of the public. The City must be assured that the storage and use of vehicles is above reproach. This policy will assure the City a means of reviewing and answering reports of alleged abuse.~~

##### A. Responsibility

##### 1. Department Head

It is the responsibility of each department head to arrange for adequate control and storage of City vehicles when such arrangements are to the advantage of the City, to investigate any alleged abuses brought to the attention of the department and take appropriate action to correct a situation if it exists.

##### 2. Authorized Driver

City employees assigned a City vehicle are responsible for garaging or storing the vehicle at night in the City, monitoring its periodic maintenance requirements, keeping the vehicle in a presentable appearance, and bringing it to the office for use during the day at no additional cost to the City. To exercise discreet judgement in the use and operation of City property.

##### 3. *Garaging/Storing of City vehicles outside City Limits*

*The Department Head may authorize the garaging or storage of City vehicles outside City limits when it is in the best interest of the City to do so.*

##### 4. *Employees are responsible for detailing all personal use of City*

9

November 3, 1994

Mr. Fred Testa, Airport Director  
Manchester Airport  
One Airport Road, Suite 300  
Manchester, NH 03103

Dear Fred;

This letter is to confirm terms of your verbal offer of employment to me, made this week. *Specifically;*

The position of Airport Assistant Director for Engineering & Planning is being offered at a weekly salary of \$959.88.

Health care benefits for my family will be maintained by the Airport until such time as I am enrolled in the City's regularly offered health care program.

Although this is a salaried position, the basic *core* work week is understood to be 35 hours.


An Airport vehicle, fully maintained, insured, and fueled by the Airport, will be provided for my use in commuting to work at the Airport from my home. In addition, this vehicle is understood to replace my own personal vehicle and may be used for personal use within reason. It is not, however, intended for use as a family vehicle.

Upon your concurrence with these terms as I have understood them, I intend to give notice to my current employer and would be available to begin duties at the Airport on November 21, 1994. I am exited about this opportunity and honored to have been offered the position. I look forward to working with you !

Sincerely,

I hereby agree to the terms as outlined in this letter.

  
Richard S. Fixler

  
Alfred Testa, Jr.  
Airport Director, Manchester Airport

1808 Bent Tree Drive  
Eules, Texas  
76039

November 3, 1994

Manchester Airport  
One Airport Road  
Suite 300  
Manchester, New Hampshire  
03103

4/01  
Fruer),

RE: MOVING EXPENSES

.. MY MOVING EXPENSES WONT BE EXCESSIVE; BETWEEN  
 $\frac{1}{3}$  (M)  $\frac{1}{2}$  OF MY BELONGINGS WILL NOT BE MOVED  
(I.E. SOLD) OR TOSSED). MANY WILL ACCOMPLISH  
MOST OF THE NECESSARY PACKING TO AVOID THE  
LABOR EXPENSE —

DAVE

Dear Mr. Testa:

This confirms our phone conversation yesterday and the terms of my employment. You offered me the position of Assistant Director Property and Contract Management effective Monday, December 12, 1994. This reporting date dovetails with the end of my commitment with American Airlines and my participation in an early retirement package American has offered to middle management.

It's my recollection of our conversation that you offered the job with the following terms/benefits:

- \$50,000 annual salary.
- Customary moving expenses including the physical move, packing and insurance but excluding the ancillary expenses that are associated with the sale of my Texas home and purchase of replacement housing in New Hampshire. I committed to moving my family by the spring/summer of 1996 but not later than year end.
- A new automobile for my business and personal use - similar to a Ford Taurus or Chevrolet Lumina that you conveyed was planned in the budget for the Property's position. The car will be maintained by the Airport in respect to fuel, oil and maintenance. The automobile belongs to the Airport but the vehicle is intended for my use. You explained that occasionally others will need to use the vehicle during the day. I stated that I needed the vehicle for commutation because I planned to live in Peterborough.

Thanks for the job offer and the opportunity to work for you. Your reputation proceeds you at American Airlines. As I explained in our interview, I want the opportunity to return to New England, but also the exposure to work for someone of your caliber. You can be assured of my commitment and loyalty throughout my tenure in the new job.

If this is a fair representation of our discussion yesterday, please acknowledge your approval below and return this document to the undersigned. I need the job offer formalized in order to sign early retirement paperwork related to my job at American Airlines. Thanks for your time and attention.

Sincerely,

David B. Bush

APPROVED:

Alfred Testa, Jr.

9





**City of Manchester  
Department of Highways**

227 Maple Street  
Manchester, New Hampshire 03103-5596  
(603) 624-6444 Fax # (603) 624-6487

**Commission**  
James E. Connolly, Jr.  
- Chairman  
Henry R. Bourgeois  
William F. Kelley  
Edward J. Beleski  
Peter Favreau

Frank C. Thomas, P.E.  
Public Works Director

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

March 2, 2004

C.I.P. Committee of the  
Honorable Board of Mayor and Aldermen  
One City Hall Plaza,  
Manchester, New Hampshire 03101

**Attn:** Leo R. Bernier, City Clerk

**Re:** *Survey of City Vehicle Usage*

Dear Committee Members:

As requested, please find attached a copy of the referenced survey. All Departments which are assigned City vehicles have responded.

Should you have any further questions pertaining to this matter, please feel free to contact me.

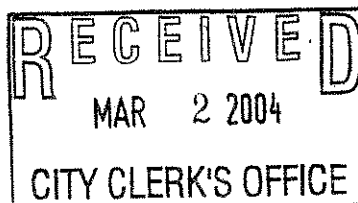
Sincerely,

Kevin A. Sheppard, P.E.  
Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.

Encl.



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Employee	Position	Veh. Year	Veh. Make	Veh. Model	City/Town	Limited Personal Use (Yes/No)	Personal use (Yes/No)	Comments
<u>Mayor's Office</u> Robert Baines	Mayor	2000	BUICK	LaSabre	Manchester	Yes	No	
<u>Clerk's Office</u> Matthew Normand	Deputy Clerk Licensing & Facilities	1999	Ford	Taurus	Manchester	Yes	No	
Steve Giotas	Courier	2001	Chevrolet	Cargo Van	Manchester	Yes	No	
<u>Highway - BMD</u> Mark Letendre	Custodial Supervisor	1997	Ford	Aerostar	Manchester	Yes	No	Value is a quick response to building emergencies Average 20 - 30 times per year
<u>Highway</u> Steve Tierney	Chief of Hwy Operation	2000	Ford	Taurus	Allenstown	Yes	No	
Robert Roy	Asst. Chief of Hwy. Op's	1991	Ford	Explorer	Goffstown	Yes	No	
Kevin Padden	Equip. Mice. Supt.	1990	GMC	Blazer	Manchester	Yes	No	
Peter Capano	Chief Inspector	2000	Ford	Crown Victoria	Manchester	Yes	No	
David Glance	Utility Inspector	1994	Chevrolet	Caprice	Manchester	Yes	No	
Bill Martin	WWT Inspector	1998	Ford	Crown Victoria	Manchester	Yes	No	
Bill Croteau	Hwy. Field Supvsr.	1995	Ford	F350	Manchester	Yes	No	
Denis Proulx	Asst. Sewer Supt.	2001	Ford	F250	Manchester	Yes	No	
<u>Parks/Rec. &amp; Cem.</u> Ronald Ludwig	Director	1995	Pontiac	Grand Am	Manchester	Yes	No	
Edward Wojnilowicz	Rec. Ent. Manager	1996	Chevy	Caprice	Manchester	Yes	No	
Roger Grandmaison	Rec. Supervisor	1997	Ford	F268 Truck	Bedford	Yes	No	
Donald Sowa	Park Supervisor	1997	Ford	F250 Truck	Auburn	Yes	No	
Gerald Coulter	Cem. Supervisor	1999	Chevy	Crown Vic.	Manchester	Yes	No	
<u>Building Dept.</u> Larry Caron	Housing Inspector	2000	Ford	Focus	Manchester	Yes	No	Personal use is limited to commuting only
Richard Gullbert	Electrical Inspector	2001	Ford	Ranger	Manchester	Yes	No	Personal use is limited to commuting only
Daniel Knight	Housing Inspector	1996	Ford	Ranger	Manchester	Yes	No	Personal use is limited to commuting only
Robert Pollock	Housing Inspector	1999	Chevrolet	Cavalier	Manchester	Yes	No	Personal use is limited to commuting only
Albert Kula	Housing Inspections Su	1994	Ford	Ranger	Manchester	Yes	No	Personal use is limited to commuting only
Matthew Sink	Deputy Building Commi:	2001	Ford	Ranger	Manchester	Yes	No	Personal use is limited to commuting only

**NOTE:**

**Limited Personal** Personal use of vehicle during commute to work, i.e. transporting of immediate family to work or school, stopping at stores in immediate area of route to work.

**Personal Use:** Use above and beyond limited personal use, i.e. use on weekends/nights for non-work related items.

Employee	Position	Veh. Year	Veh. Make	Veh. Model	City/Town Veh. Stored	Limited Personal Use (Yes/No)	Personal use [Yes/No]	Comments
<b>Police Dept.</b>								
Jaskolka, John	Chief of Police	1995	Ford	LTD	Manchester	Yes	No	Personal use as mentioned
O'Leary, Richard	Deputy Chief	1996	Ford	LTD	Manchester	Yes	No	If used beyond, must be within
Leidemer, Glenn	Deputy Chief	1996	Ford	LTD	Manchester	Yes	No	city limits, must be armed and
Simmons, Gary	Deputy Chief	1996	Ford	LTD	Manchester	Yes	No	able to respond to "in-
								progress" calls.
								Administrators are 24-7 units
								and must carry a means to be
								contacted for emergencies
								Are required to respond
								to emergency incidents as
								required. Raid jackets, bullet
								resistant vest, haz-mat suits,
								portable communications
								equipment must be kept in
								vehicle.
<b>Water Works</b>								
THOMAS BOWEN	DIRECTOR	1998	FORD	CROWN VIC.	MANCHESTER	YES	NO	EMERG. RESPONSE & MTGS.
ROBERT BEAURVAG	ASS'T DIRECTOR	2003	FORD	TAURUS	AUBURN	YES	NO	EMERG. RESPONSE & MTGS.
DAVID PARIS	WATER SUPPLY ADMIN	1993	PLYMOUTH	ACCLAIM	HOOKSETT	YES	NO	EMERGENCY STANDBY
GUY CHABOT	DISTRIBUTION ADMIN	1994	PLYMOUTH	ACCLAIM	MANCHESTER	YES	NO	EMERGENCY STANDBY
ETHAN HOWARD	FORESTER	2002	CHEV.	SILVERADO	AUBURN	YES	NO	EMERGENCY STANDBY
MICHAEL ADAMS	DIST. OPER. SUPER.	2002	CHEV.	SILVERADO	RAYMOND	YES	NO	EMERGENCY STANDBY
GARY SANDSTROM	WATERSHED PATROL	2000	CHEV.	SILVERADO	MANCHESTER	YES	NO	EMERGENCY STANDBY
LIONEL GOODNO	EMERGENCY WORKER	1994	CHEV.	3500 HD	MANCHESTER	YES	NO	EMERGENCY STANDBY
<b>Airport</b>								
Kevin A. Dillon	Airport Director	1999	Ford	Explorer	Brentwood, NH	Yes	No	
Thomas J. Malafronte	Mgr, Airport Operations	2003	Ford	Explorer	Epsom, NH	Yes	No	
Gary Sloper	Airport Security Manager	1995	Ford	Explorer	Concord, NH	Yes	No	
Carlton Braley	airport Maintenance Supe	1998	Ford	Explorer	Goffstown, NH	Yes	No	
Michael Legere	Asst. Airport Maint. Supe	2000	Ford	F-350 P/U	Pembroke, NH	Yes	No	
Jonathon Adams	airport Bldg. Maint. Supe	2003	Ford	F-350 P/U	Pembroke, NH	Yes	No	
Michael F. Farren	Asst. Airport Director	2001	Ford	Taurus	Newmarket, NH	Yes	Yes	
Stephen J. Adams, Jr.	Asst. Airport Director	1998	Ford	Explorer	Contoocook, NH	Yes	Yes	
J. Brian O'Neill	Asst. Airport Director	1999	Ford	Explorer	Manchester, NH	Yes	Yes	
Richard Fixler	Asst. Airport Director	1999	Ford	Explorer	Chester, NH	Yes	Yes	
David B. Bush	Asst. Airport Director	2003	Ford	Explorer	Peterborough, NH	Yes	Yes	
<b>Human Resources</b>								
Ronald Robidas	Security Manager	1996	Ford	Crown Victoria	Manchester	Yes - Store	No	
<b>Fire</b>								
Mechanic on call	same	1988	Chevrolet	Maintenance truck	Manchester	No	No	

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Robert S. MacKenzie, AICP  
Director

# CITY OF MANCHESTER


## Planning and Community Development

Planning  
Community Improvement Program  
Growth Management

Public works to look at  
It's to see if  
they could do work in-house  
to report back  
@ next mtg.

Staff to:  
Planning Board  
Heritage Commission  
Millyard Design Review Committee

Memo to: Committee on CIP

From: Robert S. MacKenzie 

Date: November 5, 2003

Subject: Funding Request Dean Avenue

Elm Street Businessman Paul Mansback has contacted our office with a request that the City considers making various safety and aesthetic improvements along Dean Avenue at a cost of \$9,800. The desired improvements involve the replacement of two existing overhanging streetlights and the replacement of asphalt with brick immediately in front of the entranceways to the businesses along Dean Avenue. Mr. Mansback has offered his services to act as overseer of this project were the City to provide the requested funding

For your consideration Mr. Mansback had previously received funding through the Building Façade Program during the renovation of his property on Elm/Dean Avenue.

Attachments:

One City Hall Plaza, Manchester, New Hampshire 03101  
Phone: (603) 624-6450 FAX: (603) 624-6529  
E-mail: [planning@ci.manchester.nh.us](mailto:planning@ci.manchester.nh.us)  
[www.ci.manchester.nh.us](http://www.ci.manchester.nh.us)

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■ ■ L. Newman Associates/

■ ■ Paul Mansback, Inc.

■ ■  
■ ■

Commercial and residential

Interior design, space planning and landscape architecture

October 20, 2003

Sam Maranto

**CITY OF MANCHESTER: CIP**

One City Hall Annex

City Hall Plaza

Manchester, New Hampshire 03101

**Subject: Application for funding of Dean Avenue Improvements, Manchester, New Hampshire.**

Dear Sam,

As per our conversation last week, the following is a breakdown of the request for funds that I am proposing for the improvements to Dean Avenue that focuses on security and upgrading the existing asphalt paving.

■ Furnish and install 6 new 24" diameter black industrial shade fixtures with A19 130 volt lamps, held on E13 brackets and metal cages with prismatic globes for protection from vandalism and to provide weather tightness. Price from electrician includes permit, wiring in conduit, installation. Power is to be provided by the existing PSNH light fixture connection in the alley. This light fixture will be removed and disposed of. It is our intent to maintain the lamps and the fixtures with the city paying for the power (as currently done). The new fixtures will increase the pedestrian safety on Dean Avenue and help reduce the incidence of public urination that is continually occurring in the area.

■ Additionally, it is our intention to saw cut areas of the existing asphalt pavement out of the alley and replace it with new Stiles and Hart: Boston City Hall Pavers. Specifically, this replacement would occur at the side entrance to Lala's Hungarian Pastry's, at the elevator entrance to 834 and 846 Elm Street (located at the center of Dean Avenue) and at the next 3 entrances to the buildings at the intersection of Dean Avenue and Hampshire Lane.

The costs for the above proposed improvements is:

- Light: \$5600.00
- Brick work: \$4200.00

Of course, this is a lot of information to provide in a paragraph and if you need amplification about any of the proposal, I can be reach at anytime at my office: 622-7722.

Thank you for your time and consideration of this request.

Sincerely,

Paul Mansback

■ ■ 834 Elm Street

■ ■ Manchester, New Hampshire 03101-2107 USA (603) 622-7722 fax: 625-1450

■ ■  
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Chairman O'Neil addressed Item 14 of the agenda:

Communication from Robert MacKenzie, Planning Director, regarding a request that the City consider making various safety and aesthetic improvements along Dean Avenue at a cost of \$9,800.

Alderman Lopez asked Mr. MacKenzie is this normal or is this going to open up a flood of people coming in and asking us to do things. Maybe you can elaborate a little bit on it.

Mr. MacKenzie answered we do occasionally get requests in from property owners to have their sidewalk improved. Sometimes that is done under the 50/50 Program and other times the City has actually gone out and done the whole project. It is a case by case basis. I believe this applicant felt that most of the other...Elm Street was reconstructed a couple of years ago and many of the sidewalks and the side streets have been but Dean Avenue was not. If you are familiar with Dean Avenue it is just a small pedestrian way that extends from Elm Street out to Franklin Street. At this point we don't really have any recommendation on this proposal but we did want to bring it forward to the Committee to see how they felt about it.

Alderman Lopez asked have you, Kevin, looked at this and weighed in on it.

Mr. Sheppard answered I have taken a quick look at the attachment here and based on the numbers that are here they seem reasonable but I guess it comes down to a policy decision.

Chairman O'Neil asked are there other types of Dean Avenues in the City of Manchester.

Mr. MacKenzie answered there are very few pedestrian only right-of-ways in the City. There are less than a handful.

Alderman Lopez stated I am just wondering about the \$9,800 and if the Highway Department could do this for less money.

Chairman O'Neil asked may I make a suggestion and I don't know if the Deputy Director has had a chance to look at this in great detail but maybe just have one of your engineers take a look and confirm the numbers to make sure that they are...we are pretty much from what I read here handing them \$9,800 and saying go do it. I am not sure that is the precedent we want to set.

Alderman Shea moved to table this item. Alderman Lopez duly seconded the motion.

Chairman O'Neil stated we can ask the Highway Department to take a look at it. Maybe they can do it in-house. Maybe they can do it as part of there...Kevin are you building brick sidewalks at all around the City or is that...

Mr. Sheppard interjected right now I don't believe we have any contractors but if the Committee would recommend to move forward on this I would recommend that a City department or the Highway Department put this out to contract.

Chairman O'Neil stated okay we will just ask you to take a look at it and confirm the number and let us know what the best avenue is for constructing it.

Chairman O'Neil called for a vote. There being none opposed, the motion carried.

Chairman O'Neil addressed Item 16 of the agenda:

Communication from Kevin Sheppard, Deputy Public Works Director, requesting the reassignment of four police cruisers.

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

Mr. Sheppard stated I just want to make one point. One of those police cruisers that was supposed to come to the Highway Department will probably be actually utilized as a pool vehicle. It has come to our attention that there are actually two City pool vehicles that are in tough shape so Highway will get one, the pool will get one, Welfare and Building.

Chairman O'Neil stated keep on us in the next budget about we have been promising you that we were going to do something with vehicles. Keep on us about that.

Mr. Sheppard responded these are those police cruisers that the Chief spoke about earlier that they can't use.

Chairman O'Neil addressed Item 17 of the agenda:

Communication from Bruce Thomas, Engineering Manager, regarding a request to install sewer service to the Junior Deb Softball field near the West Side Arena at a cost of approximately \$15,000.

## Discussion of Motorized Equipment Replacement Program.

Chairman O'Neil stated okay we have a recommendation from the Deputy Director of Public Works. Just for review, there's only \$120,000 in the budget, they need... Kevin am I correct right off the top you need \$50,000 for maintenance and the recommendation was to try to see what we could do with Police and where Highway has the largest fleet see what we could do there, and I just see it's one Police cruiser and one pick-up truck and it doesn't leave... there's about \$11,000 left.

Mr. Sheppard replied right and what we could look at with the balance of \$11,000 if there's any money or balance available in the vehicle maintenance line item towards the end of the fiscal year, request the Committee to allocate some of that money with that \$11,000 possibly to purchase another vehicle.

Chairman O'Neil stated there's not much we can do. So is there a motion to accept the recommendation? It still doesn't even get us close on the Police cruisers, but we heading... we're at least I think the net will be for the year four plus one patrol wagon, at least there's something this coming year.

On a motion by Alderman Lopez, duly seconded by Alderman Smith, it was voted to accept the recommendation.

Chairman O'Neil stated just for a point of interest the Finance Officer has assured us that with the fiscal year conversion bond being paid off there will be some cash available in future years and that... I know Kevin you're working with Finance to develop the cash side of the motorized equipment replacement account to come up hopefully next year we can start moving forward and on an annual basis have a plan that we can...

Mr. Sheppard stated we're looking to put together a plan before the next budget process for presentation to the Committee.

Alderman Lopez stated I just got a question on vehicles. The Highway runs the whole scam, right?

Mr. Sheppard answered they oversee the MER program.

Alderman Lopez asked is there policies within the City as far as employees carrying their dependents in City vehicles and decals that have to be displayed for City vehicles?



Mr. Sheppard answered I believe, I didn't bring the policy with me, but I believe the policy reads that City vehicles will have decals, obviously there's exempted vehicles, certain Police cruisers I believe.

~~Alderman Lopez asked could you send some policies out to us just as a general knowledge as to... because a lot of questions have come up and I've seen a lot of cars without decals and see what the policy is so that we have a good feel of it? If there's policies that whereby the vehicles are carrying their children around in, what's our liability and stuff like that.~~

Mr. Sheppard stated I will send out the most recent copy and I will verify with the City Clerk that I've got the most recent copy of the policy for the Committee members.

Alderman Wihby stated Kevin a follow up to that. Is there a policy about children in vehicles? I got a call the other day from someone who complained about it.

Mr. Sheppard answered I believe the current policy allows City employees to drive their children to school on their way to work.

Alderman Wihby stated I see someone shaking their head in the back though. Could you get that policy please? I think that's interesting.

Mr. Sheppard answered I will get the policy out tomorrow.

Alderman Lopez stated just to follow up. I want to double check that because I'm getting different viewpoints and it might be a liability to the City if there was ever an accident.

Chairman O'Neil stated somebody brought up at one point about taking City vehicles out of the City.

Alderman Smith stated in my past in regards to City vehicles, I believe when the Building Commissioner was here he didn't have his decal and he was required to put it on, and I think it's supposed to be on very vehicle and as far as I know, I don't think any personnel outside of the person operating the vehicle, I could be wrong, at a time when I did have a vehicle, could be transported any way except a City employee.

Mr. Sheppard stated I'll verify that and I'll send out the copy of that.

NEW BUSINESS

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47103 415

Chairman O'Neil addressed Item 9 of the agenda:

Communication from Kevin Sheppard submitting a draft policy/procedure for Fleet Management/Motorized Equipment.

Alderman Shea moved to approve the policy. Alderman Smith duly seconded the motion.

Mr. Thomas stated what Kevin Sheppard was trying to do was respond to an inquiry by this Committee regarding an issue with sales and whatnot and at that time he felt that some of the wording should be changed to bring it up to snuff. However, I think that there is a need to potentially modify this policy and what I would suggest is that we take this policy that is in draft form and maybe circulate it to the departments to get feedback so that maybe there is a potential for this Committee to make revisions to it. This policy hasn't significantly been changed for quite some time and it may be time to get input from the departments so that some modifications can be made.

Chairman O'Neil responded we do have here this evening four of the biggest fleet departments in the City between Police, Fire, Airport and Highway and Traffic is here as well. I think the four biggest are here. Maybe at least the four of you in conjunction with Traffic and Parks maybe can talk a little bit.

Mr. Thomas answered where I was coming from is that I think this policy may in some respects be too rigid. I think a policy should give some flexibility to the Committee or to the Mayor and the Committee so that under a certain situation...say I come to the Committee and say for whatever reason that I don't want the City seal on my car because I want to be able to sneak up on my employees or something like that. It may be a good reason to allow us to not do that but as it stands right now that option isn't there. Now I just throw that out but there could be other things. I think that having a policy that doesn't give you any flexibility is not good.

Alderman Lopez asked is this an old ordinance or a brand-new ordinance.

Mr. Thomas answered it is an old ordinance.

Alderman Smith stated I think the biggest change is that instead of the Committee on Transportation it is the Committee on Community Improvement.

Mr. Thomas responded right. The old ordinance referred to the Committee on Transportation, which is no longer in existence. Kevin Sheppard took the old policy that goes back to 1994 and just basically changed it to the CIP Committee

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and Public Works Director. There haven't been any modifications other than those two changes.

Chairman O'Neil stated I guess I would just like to see one agency kind of coordinate this. Are you suggesting that the Board should hear back from all of the departments?

Mr. Thomas responded no this Committee or if you would like we could send it out from our department to the different departments, get comments back and then come back to you with a revised schedule.

Chairman O'Neil replied I think that would be easier and probably would streamline the process a little bit if we let...

Alderman Shea interjected would the City Solicitor be involved in this at all.

Mr. Thomas answered yes. What we would do is receive all of the comments back, put together a new draft, circulate it again and then bring it to this Committee.

Chairman O'Neil stated I am just suggesting that instead of the comments coming from the departments back to the Committee maybe the Public Works Department could coordinate the efforts and come up with a recommendation in support of you know after talking to Gary or Joe or Jim or whoever.

Alderman Shea withdrew his original motion. Alderman Smith withdrew his second.

Alderman Shea moved to have the Highway Department send out the draft policy to all departments to solicit feedback and report back to the Committee. Alderman Smith duly seconded the motion.

Alderman Lopez asked do they actually send a warrant for arrest for somebody who doesn't pay a citation.

Deputy Chief Simmons answered we could do a warrant through the court; yes.

Alderman Lopez stated I was looking at 71.11.

Chairman O'Neil responded I am not sure where you are looking. I think you might be on the Traffic agenda. I think you have the wrong agenda.

Chairman O'Neil called for a vote on the motion. There being none opposed, the motion carried.

## TABLED ITEMS

19. Communication from Kevin Sheppard submitting a draft policy/procedure for Fleet Management/Motorized Equipment.

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

Mr. Sheppard stated we received comments from all of the departments. The Airport Authority has actually requested that we make some specific changes that would pertain to the Airport Authority. We have done that. The revised policy has been sent back out to all department heads and I am expecting their response back by the next CIP Committee meeting.

Chairman O'Neil asked do you want to put this back on the table or are you going to bring a new one forward.

Mr. Sheppard answered I recommend putting it back on the table and I believe I will have something for you at the next meeting.

Alderman Lopez stated I just want to double check one thing. Has the Solicitor reviewed this?

Mr. Sheppard responded it has been sent to the Solicitor's Office.

Deputy Solicitor Arnold stated I couldn't speak for Mr. Clark. I believe he has reviewed it.

Alderman Lopez stated Tom if you take a look at specifically number 5 under B Official Travel and Limited Travel regarding transporting people to work and school while driving to work I just want to know if we have any liability and stuff like that before this is finally approved. I know you can't give me an answer tonight but can you work with Tom Clark to make sure that when you bring this back we are not in any liability?

Deputy Solicitor Arnold responded yes.

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

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12-9-2003  
Humboldt St.  
W. Jabjiniak  
Tabled

**From:** Andrea Batchelder <andreab@gcattorneys.com>  
**To:** "wjabjiniak@ci.manchester.nh.us" <wjabjiniak@ci.manchester.nh.us>  
**Date:** 12/9/03 11:52AM  
**Subject:** Relocation of Singer Park

Dear Bill,

6 to 4 to 3, LLC is not prepared to respond to the issues raised in your letter dated December 2, 2003 at this time. I'm in the process of reviewing the letter and attached documents which I only just recently received and need additional time to look into this matter. I appreciate your patience and consideration, as well as that of the Committee, in giving us sufficient time to look into this matter.

If you have any questions, please do not hesitate to contact me.

Thank you very much.

Andrea

**CC:** "Drew Weber (E-mail)" <dweber@lowellspinners.com>, "Brooks, Robert D." <BrooksR@pbworld.com>, "WMcCabe@ropesgray.com" <WMcCabe@ropesgray.com>

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# CITY OF MANCHESTER

## OFFICE OF THE MAYOR

Robert A. Baines  
Mayor

December 2, 2003

Drew Weber  
6 to 4 to 3, LLC  
450 Aiken Street  
Lowell, MA 01854

Re: Relocation of Singer Family Park Field

Dear Drew:

The Community Improvement Program (CIP) Committee of the Board of Mayor and Aldermen (BMA) has requested I contact you regarding the relocation of Singer Family Park Field.

In the Memorandum of Understanding dated November 14, 2002, item K refers to the stadium developer which is 6 to 4 to 3, LLC making sufficient funds available for:

1. Repayment to the Bank of New Hampshire
2. Debt to the City
3. Stage contractor settlement
4. Cost to relocate Singer Park Field

To date items 1-3 have been resolved. Item 4 is still an outstanding issue and needs to be resolved in the very near future.

At a previous meeting of the CIP Committee (minutes enclosed) it was represented that an allotment of \$500,000 to \$750,000 has been set aside for this task, depending on the site location.

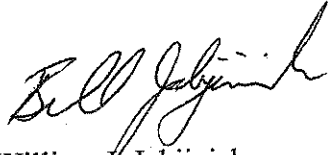
The City has selected Derryfield Park as a potential site for this relocation. The BMA would like to know how much this relocation would cost and when this could be accomplished. An alternative includes a cash contribution toward this work, with the actual work being completed through the normal city process of design and sealed bid.

The CIP Committee has requested a response to this letter on or before their next meeting, which is scheduled for December 9, 2003. Thanks for your attention to this matter and I look forward to hearing from you in the near future.

One City Hall Plaza  
Manchester, NH 03101-1932  
Phone: 603.624.6500 (VTTY)

Fax: 603.624.6576

Sincerely,



William J. Jabjiniak  
Destination Manchester Coordinator

CC: Mayor  
Board of Aldermen  
Thomas Clark  
Kevin Clougherty  
Leo Bernier ✓  
Walter McCabe  
Kurt Sanborn  
Frank Catapano



**COPY**

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is dated as of November 14, 2002 by and among The City of Manchester, New Hampshire, a municipal corporation, acting by and through its Board of Mayor and Aldermen (the "City"), Manchester Downtown Visions, LLC, a New Hampshire limited liability company (the "Land Developer") and 6 to 4 to 3, LLC, a New Hampshire limited liability company (the "Stadium Developer").

**RECITALS:**

A. The City owns the Property (as hereinafter defined) and, subject to and in accordance with the terms and conditions hereof, is prepared to lease the Property to the Land Developer or in the alternative to lease most of the Property to the Land Developer and to directly lease the Stadium Parcel (as hereinafter defined) to the Stadium Developer.

B. The Land Developer is prepared to lease the Property or all of the Property excluding the Stadium Parcel from the City.

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C. The Land Developer intends after leasing the Property from the City to sublease the same to at least five end users of the Property including the City.

D. The uses of the contemplated sublease development parcels are for a hotel, an off-peak power plant, a residential development, a retail development and a baseball stadium.

E. Unless it is excluded from the master lease of the Property to the Land Developer, it is contemplated that the Stadium Parcel is to be subleased by the Land Developer to the City.

F. If the Stadium Parcel is excluded from the master lease of the Property to the Land Developer, the City shall directly lease or enter into a management and operations agreement with the Stadium Developer for the Stadium Parcel.

G. It is contemplated that the City shall finance the costs of permitting, design and construction of the baseball stadium.

H. It is contemplated that the City shall enter into a development agreement with the Stadium Developer for the permitting, design and construction of the baseball stadium.

I. It is contemplated that the City shall enter into a management agreement or lease with the Stadium Developer to operate the baseball stadium with a Class AA professional baseball club affiliated with a Major League Baseball club through a Player Development Contract.

J. As a temporary arrangement until the baseball stadium is completed, the City shall enter into a lease or a management and operations agreement for Gill Stadium (as hereinafter defined) with the Stadium Developer.

K. As a required precondition to the various leases, subleases and agreements referred to above the Stadium Developer shall arrange for the Foundation (as hereinafter defined) to terminate its lease of the Property and shall as part of such termination make sufficient funds available or make alternative arrangements satisfactory to all necessary parties for (i) the repayment of obligations owed the Bank of New Hampshire by the Foundation with respect to advertising, etc. of the Property; (ii) repayment of debt of \$748,790 owed by the Foundation to the City; (iii) payment of amounts owed to a contractor for construction of a stage; and (iv) the cost of relocating and recreating the Singer family park facilities at another location in the City of Manchester; which alternative location will be provided by the City.

L. Each of the Land Developer and the Stadium Developer (collectively, the "Developers") needs a written agreement memorializing the understandings with the City regarding the contemplated transactions and agreements in order to proceed

**COMMITTEE ON COMMUNITY IMPROVEMENT**

**March 11, 2003**

**5:30 PM**

Chairman O'Neil called the meeting to order.

The Clerk called the roll.

Present: Aldermen O'Neil, Shea, Smith, Lopez

Absent: Alderman Wihby

Messrs: W. Jabjiniak, K. Sanborn, R. Ludwig, R. Sherman, R. MacKenzie,  
Chief Kane, Aldermen Gatsas and DeVries

Chairman O'Neil addressed Item 3 of the agenda:

Communication from William J. Jabjiniak regarding Singer Park  
Relocation.

Mr. Jabjiniak passed out a map stating that this is what was proposed in  
November.

Chairman O'Neil asked is Mr. Sanborn here for support or does he wish to speak.

Mr. Jabjiniak replied I am going to ask him to come up here and join me. As you may recall, at the November presentation when the MOU was approved we talked about the developer agreeing to relocate Singer Family Park to a location that we choose. Certainly the architect took a look at Derryfield Park and said it fits. They could move the park, the field I should say, and its amenities up to Derryfield as one alternative. We have gone out and looked for some other alternatives. The Wolf Park area has been suggested. I think that has been backed away from because you are going to displace an existing field from over there as well. I think the alternative that we are looking at still is Derryfield Park. We are open to suggestions. That is why we are here tonight. As you recall and look at the map, this goes directly north of the existing Lemire field and includes the creation of the field, additional parking, the concession area is created, restrooms are provided, seating is provided, and some lighting so just about everything you see down at Singer Park now is recreated up at Derryfield Park in this example. I am looking for direction from the Committee and Mr. Sanborn can add anything to that that he would like.

Chairman O'Neil welcomed Kurt to the meeting.

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Alderman Shea asked what is the purpose of this. Why are we doing this? What is its purpose?

Mr. Jabjiniak answered there was a whole lot of discussion early on with the developer about what the community would think about losing the field. I think the concern early on was Singer Park and the Riverfront Park Foundation has done a good job of providing a venue that attracts not just local people but I think regional people and State people as well and with that in mind they have offered as part of the overall development of the riverfront to recreate the venue, recreate the field if you will. That is why we are here looking for that direction. I guess we want to make one thing clear. There is a stage down there. It is not anticipated, it is not even planned to take that stage and move it anywhere near Derryfield Park and I am sure the Aldermen are happy to hear that as well. That stage is going to probably be dismantled and sold for scrap. That is where it is at now.

Alderman Shea asked if we were not to have anything to do with Singer Park or the Singer Park Foundation you mentioned at a recent meeting that the money could be transferred to some other City project, namely we will say working to improve Memorial High School or something else. We are not committed at all at this stage to Singer Park or anyone associated with the Singer Park Foundation is that correct?

Mr. Jabjiniak answered let me clarify a couple of things. The group has stepped up as part of their termination of the lease and signing the documents and have agreed to pay off the loan that the Riverfront Park Foundation had with the City. That totals \$748,000. They have agreed to settle and make a payment and clear up the whole lawsuit issue around the stage contract. They agreed to pay off the loan that the Foundation had with the Bank of New Hampshire. So those are three things separate than another option that Mr. Sanborn is going to talk about just briefly that if you don't want to create this field they would consider a cash payment in lieu of creation of the facility or the field. That is what I referred to in the past. You can move it anywhere you want. If there is money to move...certainly the \$748,000 needs to pay off the bond. Anything new and above that is up to the Board. It is really up to you.

Alderman Shea asked just so I am clear, if we were not to do anything with Derryfield Park in terms of any kind of renovation there, the City would be able to use the money that the group that is representing the development of Singer Park...they would be willing to pay the City \$748,000 or \$749,000...

Mr. Sanborn interjected no. The \$748,000 is already being paid. The \$748,000 for the City is money that was owed to the City as a result of the Singer Park and debts owed to the City because of that complex. We are paying that off already. We are also paying the contractor on the site approximately \$250,000 who is owed money for building the stage. We are also paying back debt to the Bank of New

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Hampshire of approximately \$120,000. That clears the site from all debt. It is now a clean piece of property. We are taking care of all of that. As part of this project, Alderman, we offered to relocate Singer Family Park, not the stage but the soccer field basically. We have allotted, through construction estimates, between \$500,000 and \$750,000 to do that depending upon the site. We are willing...to be honest with you we don't really care. It is your decision as to what you want to do. If you want to recreate the park or put the money towards another worthwhile cause, that is totally your decision and I think that is why it was referred to this Committee.

Alderman Smith asked if this does move to Derryfield Park, the Foundation has nothing to do with it I hope.

Mr. Jabjiniak answered that is correct. It will be under the control of the City's Parks, Recreation and Cemetery Department.

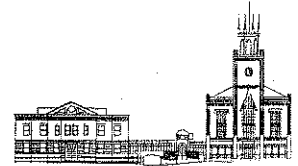
Alderman Lopez asked could we have Ron Ludwig come forward also as he is the Superintendent of Parks. I think before we make a decision we should hear from him in reference to this location because there are two ball fields up there that are utilized by Trinity and I think two girl's softball teams. Ron, could you come up and explain a little bit about that area before we make the decision here? Then I will have a couple of other questions after Ron explains about Derryfield Park.

Mr. Ludwig stated what I did was prepare a summary of usage sheet for the area that I will have the Clerk hand out. I am sorry that I couldn't get this information to you sooner but this all came forward rather quickly. I just went through this exercise of trying to kind of show everybody how Derryfield Park is...what the current use is. Until you put things down on paper sometimes you don't really realize how busy a location is. I am sure that we have forgotten some of the ancillary items that may also go along with the park like pet walks for the Police Department and things like that that would not appear on this list but the point being in a nutshell that it is a passive park. It has dual usage between recreational use and such. We recently constructed a new playground up there, which will bring additional people to the area. I only bring this information forward as it relates to bringing to everyone's attention how many more people could possibly be drawn to the park under what I think is the proposed venue. I am not sure exactly what the proposed venue is. The exit on Mammoth Road from Reservoir Avenue and Bridge Street and from Reservoir Avenue onto Belmont Street in conjunction with the Hillside School area are very difficult areas and we receive numerous complaints now about congestion in the area just with the softball players. So under any proposal there is some displacement. I am not necessarily opposed. I just want to bring to everyone's attention that this is going to bring far more congestion to an already congested area. When we talk about track meets in the fall we can do a lot of things with proper scheduling, there is no question, but I just want to bring to the attention of everyone here that this is a rather difficult site


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# CITY OF MANCHESTER Board of Aldermen



Memo To: Members of Special Committee on Riverfront Activities/Baseball

From: Alderman Lopez  
Chair 

Date: January 20, 2004

For your information enclosed is a copy of a communication addressed to Drew Weber from William Jabjiniak.

C: All Aldermen

MEMORANDUM 01/15/04



# CITY OF MANCHESTER

## OFFICE OF THE MAYOR

Robert A. Baines  
Mayor

January 15, 2004

Drew Weber  
6 to 4 to 3, LLC  
450 Aiken Street  
Lowell, MA 01854

Re: Relocation of Singer Family Park Field

Dear Drew:

I am writing to follow up on the December 2, 2003 letter regarding the relocation of Singer Family Park Field.

As you know the Memorandum of Understanding dated November 14, 2002, and the Master Lease dated March 13, 2003 refers to the stadium developer making sufficient funds available to relocate Singer Park Field. The City has selected Derryfield Park as a potential site for this relocation.

I am looking for an *update* on this issue including a *timeframe* of when this might be resolved including construction completion dates. As you may know, this is the time of the year we develop our capital budgets for the coming year and Derryfield Park is one area under consideration for additional investment.

The Special Committee on Riverfront Development has requested a response to this letter on or before their next meeting, which is scheduled for Monday, February 2, 2004.

Thanks for your attention to this matter and I look forward to hearing from you in the near future.

Sincerely,

William J. Jabjiniak  
Destination Manchester Coordinator

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CC: Mayor Baines  
Aldermen Lopez  
Thomas Clark  
Kevin Clougherty  
Frank Thomas  
Shawn Smith  
Andrea Batchelder  
Robert Brooks  
Ronald Ludwig

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