

COMMITTEE ON COMMUNITY IMPROVEMENT

March 31, 2009

5:30 PM

Chairman Garrity called the meeting to order.

The Clerk called the roll.

Present: Aldermen Garrity, Gatsas, Shea, O'Neil, Smith

Messrs.: T. Arnold, K. Sheppard, S. Maranto, C. Roessel, L. LaFreniere, B. Sanders

Chairman Garrity addressed item 3 of the agenda:

3. Sewer abatement request (499 Riverdale Avenue).
(Note: EPD recommends an abatement in the amount of \$224.10 be granted.)

On motion of Alderman Smith, duly seconded by Alderman Shea, it was voted to grant the abatement in the amount of \$224.10 as recommended by EPD.

Chairman Garrity addressed items 4 and 5 of the agenda:

4. Sewer abatement request (1-7 Hartshorn Way).
(Note: EPD recommends an abatement be denied.)
5. Sewer abatement request (287-289 Lowell Street).
(Note: EPD recommends an abatement be denied.)

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to deny the abatement requests as recommended by EPD.

Chairman Garrity addressed item 6 of the agenda:

6. Communication from Martin Boldin, Director of Office of Youth Services, requesting approval of the contract amendment to a grant for Alcohol and Other Drug Prevention Services.

Chairman Garrity stated Mr. Boldin called me this morning. He has a family emergency so he can't be here but someone is here if there are any questions.

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

Chairman Garrity addressed item 7 of the agenda:

7. Communication from Jay Minkarah, Economic Development Director, informing the Board of a \$4,000 grant received from the New Hampshire Department of Resources and Economic Development.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to accept the grant.

Chairman Garrity addressed item 8 of the agenda:

8. Petition to release and discharge from public servitude a portion of Gaines Street submitted by Peter and Margaret Chiasson.

Chairman Garrity stated that does not require a Road Hearing according to the Public Works Department.

Alderman O'Neil asked so what are we doing with it?

Chairman Garrity stated Deputy Solicitor Arnold can tell us what we are doing with it.

Mr. Thomas Arnold, Deputy City Solicitor, answered this would be a typical discharge by operation of statute.

Alderman O'Neil asked so we have done this before, Tom?

Mr. Arnold answered yes you have.

Alderman Gatsas asked how big is the piece?

Chairman Garrity called Kevin Sheppard, Public Works Director, forward.

Mr. Kevin Sheppard, Public Works Director, stated it is about 120 feet. The first 450 feet of that street is paved and then that area in yellow, the extension beyond the dead end of Gaines Street, is the requested discharge.

Alderman Gatsas asked and where is the abutter? Where is the person we are giving it to?

Chairman Garrity asked is it the last house on Gaines Street?

Alderman M. Roy stated they are the angled house with the shed directly to the east of your yellow section.

Alderman Gatsas replied did I ask you the question or him?

Mr. Sheppard responded I apologize. I don't have that.

Alderman Gatsas asked is the triangular piece that abuts the yellow piece also part of that lot?

Alderman M. Roy answered I don't know but if you give me a second I will be able to tell you off of the GIS system. I was unaware that this wasn't going to a Road Hearing. I know where the parcel is but I don't know the ownership around it.

Alderman O'Neil stated I have a question for Mr. Sheppard. Do we currently have the responsibility of maintaining that?

Mr. Sheppard responded I don't believe so and I think Tom Arnold could better answer that but based on statutes that has really been released from public servitude based on the layout back in 1949.

Alderman O'Neil asked is this just a housekeeping issue or cleaning up an old situation?

Mr. Sheppard answered I believe it is.

Alderman O'Neil asked is that correct, Mr. Arnold?

Mr. Arnold answered yes. Given when it was laid out if it wasn't opened up and used within 20 years at that time according to the statute it did not take a vote of the Board to discharge it from public servitude. This is merely acknowledging that it has been released rather than taking a formal action.

Alderman O'Neil moved to release and discharge from public servitude a portion of Gaines Street as submitted by Peter and Margaret Chiasson. Alderman Smith duly seconded the motion.

Alderman Shea asked will the City now be responsible or will the City not be responsible?

Mr. Sheppard answered the City will not be responsible.

Alderman Gatsas asked who owns between Chauncey and Gaines Street?

Mr. Sheppard answered I believe that is the railroad right-of-way.

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

Chairman Garrity addressed item 9 of the agenda:

9. Communication from Mark Brewer, Airport Director, requesting approval for acquisition of a new Canine vehicle to be added to the Airport fleet.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to approve the request for a new Canine vehicle to be added to the Airport fleet.

Chairman Garrity addressed items 10 and 20 of the agenda:

10. Communication submitted from Bruce Thomas, Engineering Manager, requesting additional funding in the amount of \$1,239,624 for the Nazaire Biron Bridge project in FY2010 CIP.
20. Amending Resolution and Budget Authorization providing for acceptance and expenditure of \$1,666,000 in funds from the State Department of Transportation to cover eligible construction costs on the Granite Street Reconstruction Project paid with local funds.

Chairman Garrity stated I have a request from Alderman Shea to address items 10 and 20 together.

Mr. Sheppard stated item 20 is additional earmarked funds that have recently come in from the Federal government to the Granite Street Bridge. Those funds will need to be used for the Granite Street project, but that will free up funds from the City allocation for the Granite Street project. The Nazaire Biron Bridge, as you are familiar with, we are asking that it be funded in FY10 CIP.

Alderman Shea moved to approve the request for additional funding in the amount of \$1,239,624 for the Nazaire Biron Bridge project and to accept and expend \$1,666,000 in funds from the NH Department of Transportation to cover eligible construction costs on the Granite Street Reconstruction Project paid with local funds. That would leave about \$426,376 for whatever other purpose we have. Alderman O'Neil duly seconded the motion.

Chairman Garrity stated the \$1,666,000 has to go into the Granite Street project and then we would take the funds that were City allocated and move them to the Nazaire Biron Bridge. Is that your intent?

Alderman Shea answered yes.

Mr. Sheppard stated the letter that Mr. Thomas put together is down to the dollar but we are currently finishing up the engineering estimates. That is the current estimate for that project.

Chairman Garrity asked but it is your recommendation that we do that too?

Mr. Sheppard answered at this point, yes.

Alderman Smith stated I would like to ask Sam Maranto how we are fixed for bonding. This is quite a substantial amount. I know it is a priority with the Highway Department but how are we fixed for bonding because we are talking about \$1.2 million?

Mr. Sam Maranto, Planning & Community Development, asked do you mean in FY10?

Alderman Smith answered yes.

Mr. Maranto stated we did bonding last year, if you recollect, for two years. It is the Mayor's budget but I don't know that we are going to be having any bonding at all for FY10. We funded it last year in a two year cycle. Everything we bonded was last year.

Alderman O'Neil stated Kevin, I recall from a previous meeting that the state calls them red listed bridges. I don't know if we in the City refer to them in the same category but it is a bridge that needs repair and it is part of a major thoroughfare in and out of the City. I think at one of our last meetings you said this would be the highest priority for the department?

Mr. Sheppard answered it would be the highest priority and I want to make sure that people understand when we say red list it doesn't mean that the bridge is ready to fall down. The bridge is safe. It is redecking the bridge, which is basically taking the

existing deck off and replacing it because there is some swelling of the concrete underneath that requires that the deck be replaced but the bridge is safe at this time if anyone wants to ask that question.

Chairman Garrity replied thank you for that clarification.

Alderman O'Neil asked but is it a City owned bridge that needs immediate attention?

Mr. Sheppard answered correct and 80% of the funding would be coming from the DOT through Federal funding in the bridge program and 20% would be coming from the City.

Alderman Lopez asked the \$5 million is that bonding in FY09 and FY10 for the Biron and Granite Street Bridges and then the \$1.6 million is coming in so we are going to use bonded money? Is that correct?

Mr. Sheppard stated the \$5.3 million was back in...if you are talking about Granite Street we had \$5.3 million back in the FY07 CIP, I believe, and what would happen is that \$1.6 million that is coming in accounting-wise, and Bill could probably explain this better, but we would change some of that so we charge \$1.66 million towards the new earmarked funds, which would free up that money.

Alderman Lopez asked we sold all of the bonds for that \$5 million then?

Mr. Sheppard responded I believe so.

Chairman Garrity called for a vote on the motion to approve the request for additional funding in the amount of \$1,239,624 for the Nazaire Biron Bridge project and to accept and expend \$1,666,000 in funds from the NH Department of Transportation to cover eligible construction costs on the Granite Street Reconstruction Project paid with local funds. There being none opposed, the motion carried.

Chairman Garrity addressed item 11 of the agenda:

11. Communication from Bruce Thomas, Engineering Manager, requesting approval to utilize funds in the amount of \$35,110 from CIP #713206 (South Willow Street/South Maple Street Intersection Improvements) to pay for a portion of the remaining local share of the Candia Road Project.

Alderman Shea moved to approve the request. Alderman O'Neil duly seconded the motion.

Alderman O'Neil asked didn't we already move this at the last meeting?

Chairman Garrity answered no, we sent it to CIP.

Alderman Gatsas asked didn't we say to include it in the CIP projects that we were dealing with?

Chairman Garrity asked this is cash right?

Mr. Sheppard answered no, I would have to double-check but I thought it was bonds, but this was part of the CIP project that the Committee was looking at and we are attempting to help the Committee to clean that up.

Alderman O'Neil asked that was a bond?

Mr. Sheppard answered yes.

Chairman Garrity asked are the monies needed up on the Candia Road project?

Mr. Sheppard answered right. We had requested some funding for Candia Road, basically to close out that project with the state. That was the balance of the funding that we would owe the state for our share. Again, that was 20% City and 80% state.

Chairman Garrity stated so the monies are needed to close the project out and currently our share is in the red by \$35,000?

Mr. Sheppard responded right. They haven't done their final audit on it but at this point this is what we know.

Alderman Gatsas stated I think we should do all of these CIP projects at the same time and not start piecing them out because if you do that there are going to see a lot of them running away. Whenever somebody has a project I will be looking to see what we can move out of there.

Chairman Garrity responded apparently the City portion of the Candia Road project is short. Right?

Mr. Sheppard replied yes it is short and it is up to the Committee...if you want to wait the state is pretty good about payment on projects such as this so if the Committee wants to wait until it looked at all of the bonds that's fine. That was our recommendation if there was no money available in FY10. That was our recommendation for funding for that.

Chairman Garrity stated it is my recommendation that we move it to bond and cash project since we have numerous bond and cash balances. That would be my

recommendation. According to the Public Works Director, the state is not asking for the money yet. Can I get a motion to table?

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to table this item.

Chairman Garrity addressed item 12 of the agenda:

12. Communication from Bruce Thomas, Engineering Manager, requesting approval to complete work as part of the City's Chronic Drain program as funding becomes available.

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

Alderman Shea stated just by way of editorializing here I think the Chronic Drain Program is very important because there are certain areas of the City that are really dependent upon these types of programs in order to rescue themselves from different types of serious problems for them. I really think that we should try to fund this particular program as best we can.

Chairman Garrity stated I couldn't agree more.

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

Chairman Garrity addressed item 13 of the agenda:

13. Communication from Leon LaFreniere, Director of Planning & Community Development, recommending CDBRR (Central Business District Revitalization Reserve) funds be used if the request for a summer movie series to be held in Veterans Park and overseen by Intown Manchester is approved.

Alderman Shea moved to approve the recommendation. Alderman O'Neil duly seconded the motion.

Alderman O'Neil asked what is the correct title of the funds?

Acting City Clerk Matt Normand answered CDBRR or Central Business District Revitalization Reserve funds.

Alderman Gatsas asked where do those fund come from?

Mr. Maranto answered those primarily come from the Center of NH program. Back in the 80's revenues were returned to the City and they were put into an account to support activities in the downtown area.

Alderman Gatsas asked how much is in that account?

Mr. Maranto answered there is approximately \$58,000 remaining right now.

Alderman Gatsas asked and what can those funds be used for?

Mr. Maranto answered activities supporting the Central Business District downtown.

Alderman O'Neil asked is the request for \$8,000?

Chairman Garrity answered I believe that is the number.

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

Chairman Garrity addressed item 14 of the agenda:

14. Communication from Leon LaFreniere, Director of Planning & Community Development, requesting on behalf of the Highway Department additional funds in the amount of \$21,000 for Traffic Signal Improvements.

Chairman Garrity stated I have a recommendation that we table this item. I was told by Leon LaFreniere that this is going to be addressed in the Mayor's budget presentation tonight.

Alderman Smith stated this has been one of my priorities, as you well know, for seven years, South Main Street and Varney Street. Most accidents in the City occur at this intersection. I had asked you at the last meeting to give it a priority. I hope I am not getting stalled.

Chairman Garrity responded no, I have been assured that this is included in the Mayor's budget proposal.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to table this item.

Chairman Garrity addressed item 15 of the agenda:

15. Communication from Leon LaFreniere, Director of Planning & Community Development, recommending that the request from Carey Roessel, MTA, for funding for the MTA Downtown Circulator Project be forwarded to Kevin Sheppard for consideration under the MER.

Alderman O'Neil asked can we have Mr. Roessel come up? I think it has been a long time coming to get this project going. If I recall, Carey, in our discussion it is just because of the type of vehicle that the Transit Authority was asked to go and procure that the cost has gone up? Am I pretty much generalizing what has happened here?

Mr. Carey Roessel, MTA, responded correct. The hybrid technology adds about \$55,000 onto the cost of the bus but that is made up over the life of the bus in the energy efficiency you get from hybrid technology.

Chairman Garrity asked and this is the local portion?

Mr. Roessel answered yes.

Mr. Sheppard stated if it is referred back to us I will come just come back to this Committee. I checked the balances in MER and based on the purchases that were made this year, there is that balance available if the Committee wants to move on it versus sending it back to me because I would just send it back to you.

Chairman Garrity asked could you come in with a recommendation for us at the next meeting or something?

Mr. Sheppard answered you could move it forward tonight.

Chairman Garrity stated no, I don't feel comfortable moving it forward tonight.

Alderman O'Neil stated if I may, this potential project has been around for years and discussed and discussed and the federal funds have finally been identified. I think the goal was to roll it out this spring.

Chairman Garrity asked how time sensitive is this?

Mr. Roessel answered the buses are available a year from when we got the bid back so there is time.

Chairman Garrity asked how much time?

Mr. Roessel answered you have until January 2010 but it is my understanding that the Millyard owners are very anxious to get this project going.

Alderman Shea asked Kevin, how do we stand financially in this fund that is being referred to? Do we have enough money to do anything?

Mr. Sheppard answered based on the bids that we received this year, there are funds if the Committee wants to do that.

Alderman Shea asked how much do we have there?

Mr. Sheppard answered roughly \$15,000.

Alderman Shea asked and he needs how much?

Mr. Roessel answered \$6,040.

Alderman Shea moved to approve giving the MTA \$6,040 out of the MER fund for the MTA Downtown Circulator Project. Alderman Smith duly seconded the motion.

Alderman Gatsas asked Kevin what about the other bonded projects that we were moving forward on? Have you had success in securing some of that equipment at lower costs?

Mr. Sheppard answered we have. We have taken bids on that but we have not moved forward based on the Mayor's most recent...a month or so ago he asked that it be put on hold.

Alderman Gatsas asked can you say that again?

Mr. Sheppard answered the Mayor had asked that the MER purchases be put on hold.

Alderman Gatsas asked didn't this Board vote to move it forward?

Alderman Shea asked have any other departments gone forward? My understanding is that the Fire Department has already gone forward.

Mr. Sheppard answered they have purchased \$1 million worth of equipment but they have not purchased anything else.

Alderman O'Neil asked can we take care of this issue first? The issue that Alderman Gatsas brought up I have some concerns about as well because it is leaving the departments hanging but we should take care of this issue first.

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

Chairman Garrity addressed item 16 of the agenda:

16. Communication from Sam Maranto, Planning & Community Development, submitting an update on the Neighborhood Stabilization Program.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to receive and file this item.

Chairman Garrity addressed item 17 of the agenda:

17. Communication from Leon LaFreniere, Director of Planning & Community Development, requesting approval of an Anti-Displacement and Relocation Plan that pertains to activities funded with NSP monies.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to approve the plan.

Chairman Garrity addressed item 18 of the agenda:

18. Communication from Leon LaFreniere, Director of Planning & Community Development, requesting acceptance of ESG funds in the amount of \$766,545 and CDBG funds in the amount of \$500,831. It is requested the ESG funds be used for the City's Ten Year Strategy to end Homelessness and the CDBG funds to be allocated to the Neighborhood Revitalization Project

Alderman O'Neil stated I apologize that I didn't have a chance to speak to Leon about this in advance of the meeting but the supporting documentation that we have really doesn't tell us what the intent is. It gives us a one line overview of where it is going to go. I have no problem moving it forward to the full Board next week as long as in that period we get a full explanation. We are moving a considerable amount of money here. I apologize again that I didn't have a chance to reach out to Leon about this. I am willing to move forward but I think we need some detailed information about where this money is going to go.

Chairman Garrity asked is this a time sensitive project?

Mr. Maranto answered no.

Chairman Garrity asked would it be better to table this?

Alderman O'Neil stated I am willing to move it forward as long as the department can get us the information within the week and they are all shaking their heads yes. I am sure...Sam all I see in my package is one page.

Mr. Maranto answered if I might, CDBG is pretty self-explanatory so that is not a problem. The other money...

Alderman O'Neil interjected whoa. We need to know where the money is going.

Mr. Maranto stated it won't be a problem to provide you with that information. I am saying on the other funds I will have to work with the Continuum of Care and the Homeless committee to determine where those funds will be going and that will be going through the month and taking in proposals for those funds. That is something that was dropped in our lap and totally unanticipated. \$766,545 versus the \$80,000 that we usually get so that will evolve over the next month. When we do have something I will be happy to come back with it at that time.

Alderman O'Neil asked should we table it then?

Mr. Maranto answered no, because we need to amend the current action plan with HUD and we have a certain amount of time to get that in to them. I have until May 18 to have this process completed in order to get those funds so this process has to go forward. You could approve it with conditions if you would like.

Chairman Garrity asked can we approve it with the condition that monies not be spent by the particular organizations until we take a look at it? I think that is a concern of the Committee.

Alderman Shea stated one other point is who is going to administer all of these funds?

Mr. Maranto answered we administer those through our department.

Alderman Shea asked your department rather than any other department?

Mr. Maranto answered they are HUD funds and we have always administered those.

Alderman Shea asked in other words the ten year strategy to end homelessness, there is a...

Mr. Maranto interjected we would contract with that organization.

Alderman Shea asked but do you administer the funds or do they administer the funds?

Mr. Maranto answered we administer the funds. We are responsible for those for the City.

Alderman Shea asked in other words they have to come to you for the funds and you administer them and let us know how they are being spent after they get back to you?

Mr. Maranto answered the Board approves the projects and we have the responsibility to show compliance that they are spent appropriately as we do with all of the CDBG and HOME funds. We would contract with an organization and with each one there will probably be quarterly reports that we can provide to you if you want that.

Alderman Shea asked what role does the Homeless committee plan?

Mr. Maranto answered the majority of these funds from what I have read are really for utility and rental payments for tenants. If they are not in a home, they are security deposits to put them into homes and if they are being evicted, to pay their arrearages. The majority of the funds are for that. There is also some funding for administration but that is very minor. It is very different than the current Homeless money that we have. It is really to keep people in their homes by paying their rent and utility costs. We have two years to do that with these funds.

Alderman Shea asked is that something that is like planning ahead or is it sort of reacting to circumstances?

Mr. Maranto answered hopefully it is planning ahead. We do have the 10 year strategy that you approved and of course we will be looking at all of the major bullets there so that we address those. HUD also has specific criteria as to how those funds can be spent and we need to provide them with a plan on how we are complying with their criteria as well.

Alderman Shea asked whom are you responsible to?

Mr. Maranto answered HUD.

Alderman Shea asked do you have to make report to them?

Mr. Maranto answered we provide HUD on an annual basis...

Alderman Shea interjected to the federal government?

Mr. Maranto answered that is correct.

Chairman Garrity stated you said normally the City receives \$80,000 in funds?

Mr. Maranto answered yes usually we get \$82,000 a year in Homeless funds.

Chairman Garrity asked what number are you looking at? The \$766,545 or the \$500,831?

Mr. Maranto answered the \$766,545.

Chairman Garrity asked can you explain to me why it is here now and you need an answer by...what type of answer do you have to give them by May 18?

Mr. Maranto answered this is part of the so-called stimulus funds, Alderman. They are providing it as part of this year's package. They want to get the money out quickly. We need to amend our current action plan and we need to submit it to them by May 18 in order to get those funds. Otherwise we risk losing those funds.

Chairman Garrity asked and when those funds are designated to certain organizations, an explanation of where those funds are going would come to this Committee?

Mr. Maranto answered I can do that, yes. I have put in the paper a legal notice requesting proposals from organizations that generally work with the homeless to provide proposals to us, and like I said, we need to sit down with the Continuum of Care and with the Committee on Homeless to review all of these and make sure they are consistent. We can't arbitrarily expend those funds. We need to have a rhyme and reason to HUD on why we are spending them and what we are doing. I also know that we had a public hearing last Thursday to seek comments as well on those fund and those will be taken into consideration also.

Mr. Leon LaFreniere, Director of Planning & Community Development, stated if I may add, this information continues to come down to us. We only received the refined information...we received the dollar amount a few weeks ago but it was only late last week that we actually received guidance on how it can be spent.

Chairman Garrity stated that is the way stuff is coming out of Washington these days.

Alderman O'Neil stated I am fine with just keeping the process going as long as the Board is kept informed of what is going on.

Alderman O'Neil moved to approve the request and refer it to the full Board. Alderman Shea duly seconded the motion.

Alderman Lopez asked Sam the money that we approved previously for the shelter that belongs to the Welfare Department, would these funds replace those funds?

Mr. Maranto answered no. Initially with the legislation I thought they would but they are very much different Alderman. Like I said the majority of those funds will be earmarked for tenants to pay their rent and arrearage and future rent to keep them in their homes.

Alderman Gatsas asked did we already receive funds for that. Didn't we allocate like \$2,000 for that?

Mr. Maranto answered we generally allocated roughly \$65,000 for security deposits using HOME funds on an annual basis.

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

Chairman Garrity addressed item 19 of the agenda:

19. Communication from Leon LaFreniere, Director of Planning & Community Development, requesting on behalf of Frederick McNeill, EPD, various revisions to EPD projects contained within the 2008 and 2009 CIP's and for such purpose an amending resolution and budget authorization have been submitted.

Alderman Smith moved to approve the request. Alderman Shea duly seconded the motion. Chairman Garrity called for a vote. There being none opposed, the motion carried.

Chairman Garrity stated before we go to the tabled items, Stephanie, are you here for a brief presentation or did we already take care of that? I apologize. It wasn't listed on the agenda.

TABLED ITEMS

21. Report of the Committee on Joint School Buildings, referred by the Board of Mayor and Aldermen, recommending project funds be transferred from the Parker Varney project to the Highland Goffs Falls project.
(Tabled 2/17/09)

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to remove this item from the table.

Alderman Shea stated there is \$25,000 that has been brought up by my colleague, Alderman Gatsas, repeatedly as well as others. The request from the Joint School Committee was to add that amount to the new Highland Goffes Falls project. I talked to Bill Sanders and he said that it was perfectly within the purview of the Board of Mayor and Aldermen because that is a bond to take that \$25,000 and apply it to some other project that would have the same type of bonding life. I am moving that we take that \$25,000. We need 2/3 of the Board to approve it since it is a bond issue but I say that instead of applying it to Highland Goffes Falls we keep that separate.

Alderman Shea moved to send this item to the full Board. Alderman O'Neil duly seconded the motion.

Alderman Smith stated I don't sit on the Building & Sites Committee but I would like to ask Alderman Mark Roy about this because these were funds that were distributed to Parker Varney and I want to know what the situation is.

Alderman M. Roy stated basically the Parker Varney project came in slightly under budget. A similar project, which is a continuation of the enclosing of open classrooms...the next one on the priority list was Highland Goffes Falls. That one has gone out to bid. It is well over a \$2 million project to close in those classrooms and it was cleaning up the Parker Varney project by putting this money to a like bonded amount for Highland Goffes Falls. Naturally when Highland Goffes Falls is done, the third priority school, which I believe is Beech Street, would be in line and I believe the fourth and final is Webster School. My question going back to the Finance Director is it is my understanding that this bond was getting repaid by the School District. Though I do agree with Alderman Shea that as long as it is used for like projects my understanding was that we could not take that once it has been bonded for a school project.

Mr. William Sanders, Finance Director, replied in consultation with the City Solicitor and also with Bond Council I have confirmed that it is the decision of the Board of Mayor and Aldermen to reallocate any bond issues be they for school or for the city and they can be reallocated at the discretion of the Board of Mayor and Aldermen. If this \$25,000 surplus were allocated to a non-school project, we would obviously have to reduce the debt service of the School District by a like amount and that debt service would be charged to the City if it was a City project. A 2/3 vote of the Board of Mayor and Aldermen would be required but it is subject to the complete discretion of the Board of Mayor and Aldermen.

Alderman Shea stated my understanding is that the bid for the Highland Goffes Falls project came in at least \$200,000 lower than what they had anticipated so they don't really need this \$25,000 for that project so it could be applied to subsequent school projects, which obviously it should be.

Alderman M. Roy stated just so I am clear and on the record, a different answer was given to the Joint School Buildings Committee a number of years ago so I will at our next Committee meeting be asking for...we were told that we could not do this precise action. I fully agree with you Alderman Shea and would like to bring it back to the City and use it for other things because we have been getting great construction numbers on these projects through the work of Kevin Sheppard and his office but we were told that we were not allowed to do this.

Acting City Clerk Normand stated just so I am clear, the Committee's intent is to send this on to the full Board for reallocation or is it for approval of this transfer?

Alderman Shea responded for reallocation.

Chairman Garrity asked to which school, Parker Varney or Highland?

Alderman Shea answered no. I want to move this money to the City so that it is available for a future project.

Alderman Gatsas stated it should be tabled so that it goes on to the list with the other CIP projects.

Chairman Garrity asked can we send this over to the discussion of CIP bond projects?

Alderman Shea answered yes.

On motion of Alderman Shea, duly seconded by Alderman Gatsas, it was voted to refer this item to the discussion regarding CIP bond projects.

This item remained on the table.

26. Report from Mayor's Housing Task Force.
(Note: Referred by the Board of Mayor and Aldermen 12/16/08; Awaiting additional information regarding HOME funds, tabled 1/06/09.)

This item remained on the table.

27. Communication from Fred Rusczek, Executive Director of Child Health Services, requesting reconsideration of the Mayor's 12% budget cut of FY2009 CIP allocations to his agency.
(Note: Item was received and filed on 5/5/08 in CIP. At the 5/20/08 BMA meeting it was voted to move this item back to CIP. Tabled 8/4/08.)

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

Alderman O'Neil asked can we just have somebody from staff reach out to Mr. Rusczek and see what their status is and how they are doing?

On motion of Alderman O'Neil, duly seconded by Alderman Smith, it was voted to have staff find out how Child Health Services is doing and report back to the Committee at their next meeting.

28. Update from staff regarding potential opportunities for collaboration with the State of New Hampshire in connection with the impending move of the Manchester District Court, if available.
(Note: Additional report from Jay Minkarah regarding the property exchange attached from 7/21/08. Tabled 6/3/08.)

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

On motion of Alderman Shea, duly seconded by Alderman Smith, it was voted to receive and file.

22. Discussion relative to CIP bond projects.
(Note: Report attached from William Sanders, Finance. Tabled 2/17/09. Communication from Leon LaFreniere, Planning & Community Development, identifying the source of funding for Hackett Hill Development Project CIP # 650300.)

Chairman Garrity stated it would be my recommendation that we have a CIP meeting just for the discussion of CIP bond projects. I will be available next week or the week after.

This item remained on the table.

23. Communication from James Burkush, Fire Chief, requesting that \$8,022.04 be taken out of CIP #411304 to purchase two Self Contained Breathing Apparatus (SCBA) units.

(Note: Approved by CIP 1/13/09. Committee Report referred back to the Committee by the Board of Mayor and Aldermen on 2/3/09. Tabled 2/17/09.)

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to remove this item from the table.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to receive and file.

24. Report of the Committee on Joint School Buildings, referred by the Board of Mayor and Aldermen, recommending that the Committee looks for funding for the School District Life Safety Projects.

(Tabled 2/17/09)

This item remained on the table.

25. Report of the Committee on Joint School Buildings, referred by the Board of Mayor and Aldermen, recommending that the Committee looks for funding for the Life Safety (MFD) project recommending sprinkler installation at the Smyth Road, Jewett Street, Gossler, Bakersville, Hallsville and Wilson Street schools.

(Tabled 2/17/09)

This item remained on the table.

Alderman O'Neil asked can we just get some clarification on this fleet issue?

Alderman Gatsas stated we need Mr. Sanders and he just went into the back room. Alderman Lopez, can you ask him to come out?

Alderman O'Neil stated I thought we were moving forward on purchasing the vehicles.

Chairman Garrity stated I know the last conversation I had with the Fire Chief was there was some city or town that backed out of a purchase of a piece of equipment and he had an opportunity to lease it at a reduced rate or something. That was the last discussion I had with the Fire Chief.

Alderman O'Neil stated they have already purchased two and there was an opportunity to purchase or lease at a reduced rate a piece that was already produced. Then I think Highway has bid items and is just waiting for the okay. I thought we had okayed this. I don't...I guess I am unclear as to when or where the Board took a different direction.

Alderman Shea stated Alderman Gatsas can speak for himself but he mentioned that we were transferring so much of a debt without costing the taxpayers any money and it was a \$6 million bond. We had discussed that about a month ago.

Chairman Garrity asked does anybody want to try to tackle this?

Alderman Gatsas stated what I would like to tackle is the presentation that was given to us by the Finance Officer, which was that the \$6 million bonding, the way we reallocated it was not going to cost us any money in 2010. Is that correct?

Mr. Sanders answered just to clarify what I said was that we had sufficient room in our debt service number from other bonds that were being paid off that we could borrow that additional money without increasing our overall debt service. It will obviously cost us money in 2010 with the debt service that we have to pay but it will not make the total debt service higher than it is this year so the tax rate would not increase by virtue of the \$6 million.

Alderman Gatsas replied but the bonding that we had planned to do with the MER account was sufficient to take care of the bonding that we did over the \$6 million bond period. We were going to bond money and now we are not bonding that money in the MER account in 2010.

Mr. Sanders answered that is correct.

Alderman Gatsas stated so the money that we were going to spend in the debt service, the principal and interest that was going to pay for the MER account, is sufficient enough to carry the \$6 million budget is what we were told. \$480,000 is the number that kind of rings in my head. So it was no additional cost because we were going to spend that money in the MER account. We suspended that MER account and put together a long range plan for buying equipment.

Mr. Sanders responded I can only clarify that my comments at the time were, and I don't have all of that detail in front of me at the moment, but in the current year that we are in, 2009, our debt service is approximately \$14.5 million and I am estimating and that debt service was scheduled to decline by about \$1 million in 2010 if we didn't do any additional bonding. We were able to bond this \$6 million and still have a lower debt service number this year in 2010 than we have in 2009.

Alderman Gatsas stated right and I guess my next question is for the City Solicitor. Once this Board makes a motion and votes and approves to move something forward, how does it stop?

Mr. Arnold answered ordinarily by a vote of the Board.

Mr. Sanders stated I had asked the two department heads shortly after the Aldermen approved the \$6 million purchase to structure any purchases that they were going to get into so that we didn't have to make any payments for the machines until FY10.

Alderman O'Neil stated you presented that to the Board though.

Alderman Gatsas stated that is correct.

Mr. Sanders stated until we bonded it I didn't. With the current situation we are in, I didn't want to bond early because I wanted to try to save debt service money this year and we are, and I wanted to make sure that we had the money in the bank before we made payments. I have been working with the department heads since that time.

Alderman Gatsas stated right but the department heads knew that because of the discussion we had at the full Board meeting – that whatever they ordered they had to make sure they told the vendor that there were no payments until July 2009.

Mr. Sanders responded right and I might have even asked them to tell them it would be July or August or maybe even early September.

Alderman Gatsas stated but that still doesn't answer the question of who stopped what this Board put into action. Did you do it?

Mr. Sanders responded no, I did not. I did what I just said.

Alderman Gatsas stated somebody needs to address who stopped the action from moving forward.

Chairman Garrity stated I think this might be a discussion for the full Board.

Alderman Smith stated I would think you might want to ask Kevin Sheppard.

Mr. Sheppard stated I stopped...I will speak for the Highway Department. I believe it was at a Board meeting that the Mayor made a request or a statement that he would like to put the MER program or that \$6 million on hold. I believe he will be addressing that as part of his budget presentation. I believe he wants to discuss that. I believe that his

intent is to move forward on most of this equipment. I think the Mayor supports this program from my discussions with him. I am not too sure of the final details of his support. Tonight is his budget presentation. I know he has some ideas. I have met with him several times on this MER program and I know he is in support. I am not too sure what his proposal is or if he is going to make any proposal to change that tonight or not.

Alderman Gatsas stated my follow-up question, Kevin, is did you stop ordering when the Mayor told you to stop ordering?

Mr. Sheppard answered yes I did.

Alderman Gatsas stated so I guess we will have to either take it up tonight...and I don't know if we have the ability for questions or answers or we are coming in on Tuesday and I am sure it will be a lengthy discussion.

Alderman O'Neil stated if I may address this to Chairman Lopez, this is a discussion he has to have with the Mayor. The Board takes actions on items and I don't know how somebody can just decide to stop them. To the best of my knowledge and I am not a lawyer, but Tom Arnold, if this Board takes action it is final, correct?

Mr. Arnold responded it is always subject to revision by the Board itself but yes.

Alderman O'Neil stated I am concerned that there is a trend with the Board making decisions and things then go in directions other than what the Board has directed. I am concerned because we have garbage trucks sitting in the garage that aren't working. I know we rolled the dice and fortunately have made it through the winter season. We are running 20 plus year old fire trucks front line now. The situation is not getting any better and at some point it is going to start, if it hasn't already, hurting the services that we are delivering to the citizens of this City. I am still bothered by how the Board can take action and something else happens.

Chairman Garrity stated in discussions with the Fire Chief and I believe it was two or three weeks ago, I believe he did order two pumps and then lease another one.

Alderman Shea stated one of the problems is communication. As elected officials we have to know what is going on and if we find out second hand what is going on...I knew this because I talked to Kevin the other day but the point is why are things done without us knowing? We have to be notified. If there are certain concerns that the Mayor has he should notify us about them so that we know what is going on. Otherwise we are under the assumption that something is going on which really isn't going on and it is going to be addressed at a later date supposedly but who knows how it is going to be addressed? These are the concerns that I think all of us are expressing and I am sure you feel that

way too. You may have a little bit more insight than some of us but you may not. I think that is what our concerns might be.

Chairman Garrity stated we don't have to discuss this at the Committee level all night long. We are going to discuss it at the Board level so let's move on.

Alderman Smith stated I just want to follow-up on this because we are in the spring season and we have a band aid approach to our street sweepers. I can tell you that I called up for a certain area to be swept in my ward and I find out that one sweeper is down. I understand that the sweepers...and I don't know what the ages are and they might have been there when I retired in 1998, but this is spring and we should have all of our sweepers operating. They aren't. I can tell you there is one and I don't know if they ever took it out of Gill Stadium but this is a priority.

Chairman Garrity stated we are going to discuss it at the full Board level.

Alderman Smith stated I brought up about the Biron Bridge. That is a necessity. That is \$1.2 million bonding and I guess we have a problem with our bonding capacity. I have to agree with my colleague that if we do something and we vote on it, it should be followed. No department head should change anything unless they come to the full Board of Mayor and Aldermen.

Alderman Lopez stated I would ask the City Solicitor to draw something up so that it can be presented to the Mayor that when the full Board makes a decision the decision can't be overturned unless you come back to this Board.

There being no further business, on motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee