

COMMITTEE ON LANDS AND BUILDINGS

April 19, 2010

4:30 PM

Chairman Osborne called the meeting to order.

The Clerk called the roll.

Present: Aldermen Osborne, Lopez, Shea, Roy, Greazzo

Messrs: B. Trueheart, D. Murphy, A. Chouinard, J. Minkarah, C. DePrima,
K. Roy, S. Lewry, F. Emiro, T. Arnold, J. Beaulieu, S. Freeman,
J. Minkarah, D. Cornell, L. LaFreniere

Chairman Osborne addressed item 3 of the agenda:

3. Discussion regarding the location of the Gold Star Mothers Memorial.

On motion of Alderman Roy, duly seconded by Alderman Lopez, it was voted to discuss this item.

Alderman Lopez asked can I make a statement first?

Chairman Osborne replied sure.

Alderman Lopez stated thank you very much, Mr. Chairman. I asked that the Board of Mayor and Aldermen take a good look at this one more time before the contract is signed. In talking with the City Solicitor, I don't know if the fundraising has been going on and how we got to this point. First of all, let me say that it is an honor to be in the presence of any Gold Star Mother. For over 20 years, I made sure that they were properly honored on Veterans Day and Memorial Days and I'll continue to do that no matter what the end results are. However, I want to make sure that we are doing the right thing in Manchester in placing the New Hampshire Gold Star Mother's Memorial in front of the hotel. I am making sure this is reviewed for the last time. There was a lot of conversation in the beginning when we first took this up, which was rushed and we had no other choice but to move forward with it because the ceremony was already in place before we even knew anything about it. It is a wonderful sculpture. It was done by Andrew Chernak and what I want to tell you...I passed out to the Board of

Mayor and Aldermen some information and a picture of the people who set up the table who realized that I presented this to the Aldermen. The statue would be a mother with tears, looking off to the memories of her child, grief stricken, unsteady she braces herself on one hand on a plant stand at her side. The hand grasps a Western Union telegram which she read in disbelief a moment before; the tabletop has a photo of a serviceman and flower pot knocked aside. I just wanted to show you that picture to visualize what this would look like in front of...I know another picture was given to the Chairman just a few minutes ago. I would like to go through a couple things that were presented to us before. I was reading the information provided by the Gold Star Mother's President from 2005 and 2006, Judith Young. I'm hoping that the resurrection of the statue would encourage the same recognition from other states. This is the beginning and a trend for others to follow, one that would honor American Gold Star Mothers. That quote was taken from the speech from July 2, 2006, the unveiling of the first Gold Star Mother in New York City which had a beautiful setting from the pictures that I received from the last time. In looking at this and talking to...many people have approached me and of course I agree with the Gold Star Mothers. One aspect is that people don't know what Gold Star Mothers are. They don't know the history of Gold Star Mothers and it is important to me that we recognize them properly. That is why I want to readdress this thing as far as putting the statue in front of the hotel versus Veteran's Park, which was the first option from the City if my understanding is right. The Parks and Recreation Director laid the cards on the table. At that time, I was approached and the ceremony was already planned and according to a speech made by one of the representatives, the individual said that Stanton Plaza would be the best place for it to go. There was a ceremony set and that is how the Aldermen got involved in this in the first place. I want to make that very clear. Veteran's Park is an excellent location, but I think Victory Park is an even better location. One of the objectives of the Gold Star Mothers, and I'm not speaking for them, but from the material I read is to educate young people about Gold Star Mothers. Thousands of kids go the Library. The Historical Society is over in that area and so is the Art Institute. People from the Art Institute go into the park and do their art with sculptures and I think this would be a wonderful education. They have a play over there for thousands of kids who go over and listen to book readings and stuff like that. There are thousands of people who go to Veteran's Park. I just want to make sure that the Board, as we move forward on this...if Stanton Plaza is the location where the Board is going to put that statue...I just want to point out that I have talked to Chuck DePrima and I want him to testify on the design and whether or not it could go at Victory or Veteran's Parks. That is it. Thank you, Mr. Chairman.

Chairman Osborne stated I think the big thing here is that we pretty much know how this arose and so on and so forth so you don't have to take a lot of time to discuss everything in detail, but I think the big thing here is to get it down to the

bottom line, as you call it. It is location. Location, location, location. Rather than taking a long time, we all want it; it's not that we don't want it. From the very beginning I thought it belonged in Veteran's Park myself. Everybody has their own feelings so I don't begrudge them.

Mr. Bill Trueheart, Chair of the New Hampshire Gold Star Mothers Memorial Association, stated to my left is Debbie Murphy, the vice chair. The reason I asked for her to be here in particular is because I have some medical issues and I may or may not be available in the next couple of weeks. She would be available. To my right is Anne Chouinard. She is one of three Gold Star Mothers on our committee. She lost her son recently, about a year ago. I'm not really certain that I understand the issue, what we are going at here. If I may, I'll try to bring you up to date on what I know from that side of it. I have only met one of the gentlemen on the Board, Mr. Lopez, at Stanton Plaza, and that was about two days before I wound up in the hospital. As I mentioned to you, sir, if there is any issue here about not following the procedures of getting a civil engineer and responding back to this Committee, according to the instructions that I understood that we got from the Board of Mayor and Aldermen, it is my fault. I went into the hospital, unfortunately, and did not fulfill an obligation to make sure that our committee knew the paperwork that needed to be done. Since I have been out, we have hired a civil engineer, Keach-Nordstrom of Bedford, New Hampshire, to do the design work. I gave you a copy of the letter to give you an idea of what the park around the statue was going to look like. To my recollection and understanding, and by the way there are some changes to that...Someone mentioned to me that they do not like the idea of benches around for people sitting. The benches have been eliminated to save some money so we can move forward. It was looking too crowded from the landscape architect's point of view. We have eliminated benches inside the circle. Let me get back to where we are at and how we got here. In 2007, we were getting our 501(c)(3) information approved by the IRS. I met with Mr. DePrima and he gave us the instructions as to what we needed to do to come to this Committee to present that data. Unfortunately, two or three days later I was in the hospital. I didn't come out until September or October and it was the following December before I got further involved. During that period of time, there were several meetings that went on at Stanton Plaza. Just before I went in, I did meet with Mr. DePrima and other members of the Committee in Veteran's Park. At that point in time, we did look at Veteran's Park and that's where we thought it was going to go. What happened was that a discussion ensued about location of elm trees, water and utilities associated with the two or three spots available in Veteran's Park at that point in time. Somebody, and I really don't recall who, had an opinion and mentioned Stanton Plaza across the street. We walked across the street and looked at Stanton Plaza. It was on the left side as you face the hotel. On the right side was the Christmas tree. I turned around personally and looked over Veteran's Park and I said to myself, wow, this statue

represents not only the current conflicts going on, but all the way back to the French and Indian War and every loss that we have had. She is looking at Veteran's Park and all the statues and not one or two of them. She is looking at the big flag sitting up there. My opinion at the time was what a beautiful place to put it, looking at all the veterans. From that point in time, there were other meetings and discussions that went on and there was a meeting with the Mayor and Board of Aldermen. The vote was taken. I was not present. All I know is that that vote was taken and during that meeting, it was mentioned, according to the notes that I have from the City Clerk, that we were going to try to have a ground breaking ceremony. At that time, we thought that we could raise enough money to complete the statue in 2008. The fundraising isn't as easy as I thought it was for other people on the Committee. We are still working on it. At that point in time, when I met with Mr. Lopez and Mr. DePrima out here at Stanton Park, I asked if we needed a permit. I was told that based upon the meeting with the Aldermen that that would cover it. That is my understanding of it. Since this time, we have moved ahead with the idea of going into Stanton Plaza. The other point that I would like to make is that the statue is coming to...only five are going to be done, six including the one in Washington, D.C. There will not be a statue in every state. This statue now represents not just New Hampshire, but all of the New England states. We are the New England Gold Star Mothers Memorial doing business in New Hampshire because that is what we are under the IRS. One of goals, as mentioned, is to education the people of New England. In my opinion, I'll let anyone else speak for themselves, but it has been mentioned to me by other people, in front of the plaza or in the plaza close to the Verizon Center, close to the ball field and close to the convention center, is a better opportunity for the people of New England to visit and see the statue. One of the things we intend to do in front of the memorial plaza is put a podium explaining what the statue is, what it is about, etcetera on a bronze plaque explaining it from that point in time.

Ms. Debbie Murphy, Vice Chair of the New Hampshire Gold Star Mothers Memorial Association, stated I did fill in for a lot of the period when Bill was ill. I pretty much have been with this from the beginning and we have had a number of conversations and different approaches from different people. At that beginning time when I came on to the Committee, we didn't have actual Gold Star moms sitting on the Committee with us. We were trying to do this so the moms would not be forgotten, for none to forget what they have been through, to honor them, honor the fallen, and Veteran's Park was our first choice as a Committee. At that time, we did not have a Gold Star Mother on our Committee; we now have three. We had asked them specifically because there has also been a lot of talk throughout the State of New Hampshire about the statue belonging up in Veteran's Cemetery. The moms have clearly said to me that that is not where it belongs; I have not lost my life; I am still living. To them, the statue doesn't belong up in the cemetery. There has been a lot of controversy about that. They felt that Stanton

Plaza was the ideal place because this is going to be a New England Gold Star Statue, honoring all of New England Gold Star moms. If some of these ladies come into our City, and they are coming via bus, it is very easy for them to come across and see what we have done. The education part for the children, I agree with you, Mr. Lopez, that the children need to be educated, but I can't tell you the number of adults, older than us, who do not know what a Gold Star Mother is. They are not necessarily going to the Library. I think the place where it has been chosen is the ideal place for her to be. To be quite frank, I don't know why we are talking about this again. I got the call around 3:30 on Friday that this was coming up for discussion in the Lands and Building Committee. I thought it was a done deal. We have had the ceremonial ground breaking and we are out there fundraising, so we shouldn't have to be talking about where she is. She is being cast as we speak, she is being made. We shouldn't continue to have to put our efforts this way. We should be fundraising. I just wanted to bring that part forward.

Chairman Osborne asked do you have any more to add, ma'am, than what they have said, anything different?

Ms. Anne Chouinard, Gold Star Mother, replied no, but as a taxpayer in the City of Manchester for over 20 years and living in the City myself, I believe it should be in Stanton Plaza. First of all, I don't know if any of you gentlemen have had the opportunity to go the first Wednesday of the month to Veteran's Park for the POW Missing in Action Vigil at 7:00 PM. If you haven't you should. The veterans are very excited that the Gold Star statue will be across the street at Stanton Plaza because she will be looking across at her fallen. My son is buried in Boscawen. There was a big controversy. They wanted it at the New Hampshire Veteran's Cemetery, but not all Gold Star children are in Boscawen. This is for New England. It is going to be great for the City of Manchester. It is easy access off the highway. I know you want to educate everybody, but I agree with Debbie Murphy. A lot of people come to the hotel for conventions; people go to the Verizon and people go downtown to eat so they are going to be walking by the statue, going to see the statue. I think Victory Park is a little off the beaten path as far as downtown goes for ball games for people to be walking down there. It is for New England. The City of Manchester would greatly benefit by having it and I really feel that it should be in Stanton Plaza where they would like to place it.

Chairman Osborne asked does it make a big difference...I don't know what the difference would be. I like Veteran's Park like I said from the beginning because I feel that is where it belongs. What is the difference if it is in front of the hotel like this? How many people have the vision of knowing what it actually is, but when it is in Veteran's Park at least they know it has something to do with the veterans. They are only across the street from each other so there isn't a long way if they are

coming from the bus, going to the ballpark or going from the Verizon. Those are my feelings.

Mr. Trueheart stated Gold Star Mothers are not veterans.

Chairman Osborne stated I know that, but they are grieving over veterans, aren't they? They are grieving over the veterans and their sons. It is the same situation.

Alderman Greazzo stated I agree with your statements that this should be in Veteran's Park. We also have the Information Center over there. If you are looking to educate people and this is a New England facility, the best place to put it is Veteran's Park. Anybody from New England would easily be able to find Veteran's Park over Stanton Park and you could get some space inside the Information Center to education these folks that come through there.

Ms. Chouinard asked may I ask a question?

Chairman Osborne replied can you hold on one second? I want to get some questions from the Committee.

Alderman Roy stated I was involved in this the first time around. Correct me if I am wrong and maybe staff can help, but is that lot that is in front of the Radisson right now a possible site for future development? Does anybody know that?

Chairman Osborne stated I didn't catch you when you asked the question.

Alderman Roy stated my angst on this last time when it was going to go in Stanton Park, if I remember correctly, was that Stanton Park may possible be developed in the future by that hotel. If it is, the monument is going to have to be moved. I didn't think that was a real cool thing to do, so just a headshake would be okay with me, but if you want to address it, Mr. Minkarah, I would appreciate that. I don't think there is anything in the plans right now, but if I remember correctly, it was a possibility sitting out there.

Mr. Jay Minkarah, Economic Development Director, stated Stanton Plaza is designated as a park. It was a part of the overall development of the Center of New Hampshire. It was identified in the Hillier Plan, which was the downtown plan that was approved in 2006 as a possible site for convention center expansion. The Alderman is correct; that was identified as a site at one point for development. In order to develop that park it does require approval of the hotel to say what is in the park. I also believe that HUD has to approve as well. The answer is yes.

Alderman Roy stated thank you very much. That is originally why I thought it should go in Veteran's Park. I just wanted to bring that up.

Alderman Long stated first of all, the fact that there are only six of these being made, I'm honored and humbled that Manchester is one of the places where they are considering placing one. I understand the issue, where the display would be looking towards Veteran's Park. The possible identification of a development...it has been identified as a development site. If I may, Mr. Chairman, ask that if it had to be moved, would there be the wherewithal to move it and what would be your sense of whenever this development would happen, if it ever happened? What would be your sense of moving this statue?

Mr. Trueheart replied one of the things that came about when we started going through the draft and memorandum of agreement with the City was to develop that. That was one of the things that was a possibility in trying to arrange how that would be handled on that side of it. Cost wise, I would estimate probably...there are two or three organizations potentially that would be responsible for moving ahead. One is ours, but our charter with the IRS, after we put the statue in and dedicate it when it is turned over to the City, has a trust fund to maintain the statue and the grounds around that on the south side of Stanton Plaza or wherever it is. We were going to turn that money over to the City as a trust fund to maintain it so we don't use City funds. That could still be available. The cost of bearing that is one of the things. Is it finalized? No.

Chairman Osborne asked Chuck DePrima, can you come on board for one second? Maybe you could answer that question of how hard it would be to move it.

Alderman Long stated just a closing statement, if I can, Mr. Chairman. The issue I see here is visibility. The highest visibility, I agree, would be at Stanton Plaza. That's just in my opinion.

Chairman Osborne stated going along with Alderman Long's question on the removal from one place to another, across the street. Is it a big project, do you think, if it were to happen? I'm not saying it is going to happen.

Mr. Chuck DePrima, Acting Director of Parks, Recreation and Cemetery, replied if it were to happen, that statue, as I understand it as Mr. Trueheart explained it to me, there are separate parts to it.

Mr. Trueheart stated it will be one piece when it is done.

Mr. DePrima stated they will be braised and welded together so it will be one piece. It will have to be very delicately moved. There aren't a lot of companies that specialize in moving something like that in that manner to preserve it and not damage it. It can't be done by any contractor. I would have to believe that the cost of it would be somewhat substantial, though I am not an expert at moving statues. I've never had to undertake that before.

Chairman Osborne asked who is going to be installing it?

Mr. Trueheart replied right now, the Keach-Nordstrom in Bedford is responsible for building that and working with the sculpture to install it. They are civil engineers and they are responsible for placing it in the base and getting it up.

Chairman Osborne asked so they would know whether it can or cannot be moved or how much of a chance you are taking by moving it? I guess they would know better than anybody.

Mr. Trueheart stated I would think so and then the costs at that time would have to be considered. Can it be moved? Yes. I'll answer the question this way. When we first started, one of the first places we thought about putting it was on the Veterans of Vietnam Wall that travels around. I did go to the sculptor and asked if it was possible. He said that anything was possible, but you do always take a chance. With that in mind, it can be moved, yes, sir.

Alderman Shea stated in your discussion you mentioned that initially you went to Veteran's Park and you found that there were issues, at least they were pointed out to you, concerning either water in that area or locations that weren't suitable. My thoughts are, if Stanton Park is not going to be the location and I'm not saying that is going to be the case, but if it were, is there, at this stage, a favorable place that might be found in Veteran's Park that would suit the alternative needs that you folks would be agreeable to? I realize that your first preference is Stanton Park and that is certainly to be considered, but because of the fact that there was water at that site because of the time of the year that you were proposing the site...would it be possible for your committee to rethink where that might go, even though you are not at this stage in favor of that as an alternative site?

Mr. Trueheart replied with the chance of being corrected by the gentleman behind me who spoke, when we looked at Veteran's Park at that time, the place frankly that I thought we might go, I did not know about the WWII or the POW, and then I found out that those two facilities were going in. That's number one. We then looked at the south west corner as a possible area to look at. It was covered with huge, beautiful elm trees and the consideration at that point in time was destroying

all those trees that had been in that park for years. We then looked at the northeast corner and you have a problem over there with electrical utilities and spot lights for the flag, etcetera. We looked up close to the Information Center and frankly, it gets hidden behind the Information Center from that side of it. The other place would be where you have a lot of concerts and outdoor activities and people sit inside the grassy area inside the walkway. Outside the walkway I don't recall any place that was favorable. Our first thought was Stanton Plaza and I didn't even know Stanton Plaza was a park. We looked at the south west corner again and I don't recall who first mentioned it, but Stanton Plaza came up. To answer your question, yes. What the cost would be to either move utilities for underground electrical or water or move all those trees would probably put us back to square one to raise additional money to cover that. Our budget right now is based upon what I felt was approved a year ago. I don't know if that answers your question or not, sir.

Chairman Osborne stated I have one question to Chuck DePrima. Was a study ever done for Veteran's Park of where to place this statue?

Mr. DePrima replied at the beginning of the process we did explore options at Veteran's Park and as Mr. Trueheart said, the south west corner was not a good corner because that is where the POW Memorial is and at the time where the future WWII Memorial is going. That was not a viable option. The central area is occupied by pathways and that is the major lawn section where crowds gather when we do the summer concert series once the tent is set up. The area that he is speaking of to the entire northern edge of the park, from the north west corner east to the north east corner and the Visitor's Center, there is a large group of very old trees and we felt that any construction or excavation necessary to install the plaza that they would like to have as the centerpiece for this statue would disturb the tree roots which are very shallow in that area and it would destroy those trees.

Chairman Osborne asked do you feel that there is any area in Veteran's Park that this can be put?

Mr. DePrima replied not based on the dimensions that Keach-Nordstrom or Steve Keach gave me at our site meeting at Stanton Plaza last Thursday. It is approximately a 40 foot radius.

Alderman Lopez asked looking at the engineer designs, would that design fit Victory Park?

Mr. DePrima replied I have done a cursory review by walking to the site and looking at it and have found a location, barring any survey of underground utilities and locations and things like that where it would impact the least. It would be the

northwest corner of that park. It is an open area that is all grass right now. It is very visible from both Chestnut Street and Amherst Street and it faces towards the amphitheater, where as any other place in the park I thought it would be on the backside of the amphitheater so peoples' backs would be to it and I didn't feel that was appropriate.

Alderman Lopez stated just so the Committee members...once this statue goes into Stanton Plaza, it is a very costly thing to reconstruct and put it someplace else if we had to move it. Someone would have to pay for it along the line. I think probably the people who want to expand the hotel or anything like that would have to pay for it to move it to some location. All I'm saying is to do this right the first time. That is the reason why I am bringing this up. The engineer in looking at Victory Park, I'm sure you're familiar with Victory Park in front of the Library like I indicated where thousands of people go...I just want to make sure that the engineer's portion would not go to waste. The plans are there. I think you are correct that this was suppose to go to the left of Stanton Plaza and now it is directly in the center where we put the Christmas tree, according to the picture here. That's what I'm looking at.

Mr. Trueheart stated no, sir. That is a rendering by an artist put together using computer specs. The statue, with Elm Street to your back, will be on the left side.

Alderman Lopez asked with the Christmas tree and the manger and all that in the center?

Mr. Trueheart replied right, center to the right side.

Alderman Greazzo asked Mr. DePrima, what is the possibility of using one of those tree planters out in front of Veteran's Park? Are there any utilities under there? That would be on the sidewalk, giving you the greatest visibility. You would still be overlooking Veteran's Park; it would be seen by everybody; it would be attached to the park as well.

Mr. DePrima replied I actually have that site plan with me. Let me grab it real quick and see if it would. I don't think the radius or the area mass is large enough for that particular design, but I can double check that.

Ms. Murphy asked may I ask a question?

Chairman Osborne replied go ahead.

Ms. Murphy stated this was previously approved through the Board of Mayor and Aldermen and this discussion that we are having now disapproves that.

Chairman Osborne stated no, not until it goes through the Committee here and the full Board. If they want to rescind they can do that, but that is pretty much the way it was left.

Ms. Murphy asked so this Board can rescind?

Chairman Osborne stated we have six or seven new Aldermen on board this time around, too. It is a tough situation. This is my view on the situation so far: if Mr. DePrima says that it is not feasible to put this statue in Veteran's Park...basically, I think it should be close to something like what you are speaking about. I have nothing against what Mr. Lopez is saying about the Library and all that. Many kids go there, but we have to keep it downtown. This is my feeling. It is more proper for what you have here, but I still prefer Veteran's Park, don't get me wrong. If it can't be done, it can't be done.

Alderman Shea asked when do you plan on initiating the building of the particular...occasion to the Gold Mothers? I think that is important because I think that would make a difference as far as what our decision might be too.

Mr. Trueheart replied the statue is being cast as we talk now. The statue is to be delivered August 19th in Manchester for an unveiling. We had hoped to have the dedication installation at the park at that time, but we have not been able to...the delay so far is getting a civil engineer that we can afford, without over burdening. His plans are due sometime in the late May/June timeframe. With our fundraising going on we'll start building the park sometime in July and if it is ready by August, which I'm not certain that it will be, we hope to have it dedicated in September, which is National Gold Star Mother's Month.

Alderman Shea asked 2010, is that correct?

Mr. Trueheart replied this year, yes, sir.

Chairman Osborne asked is there anyone from the Center of New Hampshire here at all? Would you like to say something about it?

Ms. Kim Roy, Manager at the Radisson Hotel, replied initially I was just told that it was going to be smaller. I didn't know that it was going to be 40 feet in diameter. I'm trying to take all this in. I'm sorry, sir?

Mr. Trueheart stated it isn't 40; it's 30.

Mr. DePrima stated I said 40 feet to take into account a five foot wide landscape strip on the outside of it.

Ms. Roy stated so no, I was told that this was an informative session so I was just trying to take it all in so if I could get those dimensions. It is 30 feet?

Mr. DePrima replied it is a 30 foot wide diameter for a paved area. The statue would be placed in the middle of it. It will be surrounded by granite bollards with chains connecting them and there will be a five foot wide landscape strip on the outside of it.

Ms. Roy stated and of course the concerns would be about the future and whether or not a convention center was to go there and whether or not it needs to be moved.

Chairman Osborne asked would Intown have anything to say? Would you like to say something?

Ms. Stephanie Lewry, Executive Director of Intown Manchester, stated thank you for identifying me as Intown, but I'm going to speak as a citizen. I live at 70 Park Avenue in Manchester. I objected to the idea that this tragic statue would sit in front of a hotel. My feeling was that it needs to be in a more intimate setting so that people can contemplate the real meaning of what Gold Star Mothers have done and their sacrifice. Having it in front of the hotel is demeaning for Gold Star Mothers. That was my personal opinion. I don't speak on behalf of my organization.

Chairman Osborne asked anything more from the Committee?

Alderman Greazzo replied I have a follow up with Mr. DePrima. So your assertion is that this cannot be placed in one of the tree planters or remove one the tree planters? Is the size adjustable or does it have to be a certain diameter? It sounds like you guys aren't set in stone on it.

Mr. Trueheart replied the design is not set in stone. Can it be reduced in size as far as the land around it? That's a good question. If you look at the design, there are gold bricks in the center for fallen members of the military to be inscribed. We're beginning to get inquiries along those lines. Can it be changed? I guess anything can be changed, but the concept of it was base upon the number of people we have lost in World War II right along, which in this State alone, is almost 7,000 people.

Alderman Greazzo stated that's a lot of bricks. I think what is happening is that the Committee is trying to find a balance to give you the most respectful spot possible. We don't want to arbitrarily say put it wherever you want.

Chairman Osborne stated I don't think there is anymore. Mainly, what it boils down to...let this gentleman speak here for a second. We have so many other things on the agenda.

Mr. Frank Emiro, New Hampshire State Representative, stated some misconceptions about this statue are that the statue is life size, just like the lady in green. There is a three foot base; the rest is to carry the bricks. The other thing with Veteran's Park, for you who don't understand, there were problems with trees, rooting, snow plows, salt and everything else. Blue Star Mothers, who outnumber Gold and Silver Star Mothers, did not want it there because they felt that destruction and other things would take place. Every first Wednesday the POW people meet. Alderman Lopez is there once in a while. Those veterans stop people from taking apart pieces of the WWII Memorial right there in Veteran's Park. That is a big issue. Stanton Plaza is the perfect spot. It is not going to overwhelm anything. It was approved by the Board. The other part that was taking place was that if the mother or the family of Gold Star Mothers wanted to go visit this statue there were issues with keeping Veteran's Park clear. Stanton Plaza, when I sat here and gave testimony to the veterans of this State, and I'm not going to give all the groups, you can check your prior testimony, will come out with shovels and plows and keep that clear for Gold Star Mothers. There is no issue with that statue going there. The groundbreaking was done after it was approved by the full council here. I believe there were one or two people in opposition and those people who have left have changed their mind from what I have been told. I don't know that as a fact. So, what I suggest is that the motorcycle export is going to come from Gettysburg with Rolling Thunder and several hundred motorcycle groups to bring that statue to this State to Stanton Plaza. That is where the funding goes. American Gold Star Mothers are the ones who will also be with it. Because of this statue, the New Hampshire Gold Star Mothers Committee has been formed. I thank you and that's what I have to say. Stanton Plaza is the right place.

Chairman Osborne asked what is your pleasure?

Alderman Lopez moved to have the Gold Star Mothers Statue be placed in Veteran's Park or Victory Park and have the Parks, Recreation and Cemetery Department work out the details. The motion was duly seconded by Alderman Greazzo.

Chairman Osborne stated we'll put this on the table.

Alderman Lopez stated I think to be fair with the Gold Star Mothers, if I may, if this can go before the full Board because the full Board has to okay this. It needs to get done one way or the other. I ask that it go before the full Board tomorrow night.

Alderman Lopez moved to pass this item to the full Board of Mayor and Aldermen at the next meeting. The motion was duly seconded by Alderman Greazzo.

Mr. Tom Arnold, Deputy City Solicitor, stated Mr. Chairman, if I may, there is one additional issue. We have been working on an agreement with Gold Star Mothers. One of the provisions in that agreement was dealing with costs of moving the Gold Star Mothers Statue, should it become necessary in the event of development. The original agreement provided that Gold Star Mothers would pay the cost. They have responded that they expect, as was mentioned earlier tonight, that their organization will essentially go out of existence once the statue is dedicated, which would leave the City in the position of not having anyone to fund the move. At any rate, that agreement itself has to come before the Board so the Board can approve the agreement with Gold Star Mothers, ancillary to placing the statue wherever it is place. I'm not sure that we can accomplish that by tomorrow night. I'll certainly try if they'd like, but that is an issue that is going to be decided by the full Board if this Committee doesn't want to deal with it at this point.

Alderman Lopez stated I think what the City Solicitor is saying is that the Gold Star Mothers, once the statue is placed, are going to disband and the cost factor of moving it if we had to move it is the issue. As an Alderman and a veteran, I can tell you that wherever it goes it is on City property and once it is on City property it will be turned over to the Parks and Recreation Department to make sure...or a special fund will be established in order to take care of that. If that would satisfy the City Solicitor that they are not going to pay to move it if that is part of the clause that you have in the agreement I believe that's what you are saying. Is that correct?

Mr. Arnold replied that clause was placed in the agreement in the event that it had to be moved from Stanton Plaza due to the possible future development of that plaza. If it is going to be place in Veteran's or Victory Parks, we could probably remove that provision because I would think that it wouldn't be necessary to move the statue in the future. However, there was some discussion over that before the Board on prior occasions so I wanted to make sure the Board approved the agreement and approved the changes to the agreement with that clause. The other changes to the agreement were relatively minor. It wouldn't create any type of problem.

Chairman Osborne stated I think this should be all put together before it goes to the full Board. It is going to bounce back here again. We are going back and forth here.

Alderman Lopez stated I think all the details can be worked out. I understand what the City Solicitor is saying. My opinion is that if we put it in Veteran's Park or Victory Park that clause could be taken out of there because that monument is part of the City park whereby if development were going on at the Center of New Hampshire it would have to be moved. What would be the cost to move it? If the Gold Star Mothers disband after that, then who is going to pay the cost? Well, we don't know that factor at the present time. A developer might have to do it if that was the situation. I don't think we have a major problem.

City Clerk Matt Normand stated Mr. Chairman, before we take a vote can I get some clarification? Is it your intent to refer this to the Highway Department to determine what works best, Veteran's or Victory? The Parks Division is going to determine that?

Mr. Trueheart stated it is going to be moved.

City Clerk Normand asked but which park?

Ms. Murphy stated gentlemen, I just want you to be aware that we have the risk, at this point, of the statue going to another state. We'll be here again tomorrow night if we need to do that. You are telling me that there are seven new players on the Board. We have been talking about this for a long time and I don't want to disrespect the Gold Star Mothers here. We wanted it here, but we have been trying to do everything legally. We have had illnesses. I'm sorry to say that it is not going to end up happening here. She is being built. We will continue our job as the committee. We have been doing as a committee what we needed to do and to come back to this and now she is going between two other parks that we worked with your people on; we worked with Chuck and all of you; we came here. We are back to square one. She is being built and she is coming up in August 2010 and we are arguing where she goes. We are going to lose her.

Mr. Trueheart stated it is our national duty to put it on the National Gold Star Mothers web pages all over the country and we are going to lose all support.

Alderman Lopez stated I don't think that you are going to lose a lot of support on putting that statue in my opinion, sir. Let me finish. I strongly believe that it should go in Manchester, New Hampshire.

Mr. Trueheart stated you lost it, sir. Once we put out the word that the City of Manchester no longer wants it in this area where we have been talking about for a long time, the statue will be moved.

Ms. Murphy stated we had that ceremonial groundbreaking there and we had people in droves at that event. I was there and we were digging in snow because it snowed the night before. It was wonderful to see what we saw. When people get wind of this, and they will because there will be PR...I'm telling you right now that she won't be coming to Manchester and that is a sad story because we had a bike rally out there where we said that she was going to be overlooking everybody. It is the perfect spot. We moved here. We wanted her high up on the knoll before the tree issue. We worked with all of you on that and we went to the smaller part, now maybe not you personally, but I'm saying that it is a sad situation. It would be a beautiful thing for us to have, but it is not going to happen.

Chairman Osborne stated well it is up to this Committee right now. I asked them what their pleasure is. That's all I can do. I'm one person. We are all one person. It is a tough situation here.

Ms. Murphy stated I would like to speak. Alderman Osborne, can I please speak?

Chairman Osborne replied we have to move along a little bit here. I understand your plight and how you are feeling.

Ms. Murphy stated just very quickly.

Chairman Osborne stated okay, go ahead.

Ms. Murphy stated I just want to know how many of you were here sitting on this Board voted, however many years ago...

Chairman Osborne interjected we don't have to go through that either...

Ms. Murphy interjected and how many of you have changed your mind? That is what I want to know.

Chairman Osborne stated well I didn't change my mind because I always wanted Veteran's Park. I said that in the very beginning to everyone who called me from your place and this evening. Those are my feelings, but that's just me.

Chairman Osborne called for a vote on the motion to have the Gold Star Mother's Statue placed in Veteran's Park or Victory Park and have the Parks, Recreation and Cemetery Department work out the details. There being none opposed, the motion carried.

Chairman Osborne called for a vote on the motion to pass this item to the full Board. There being none opposed, the motion carried.

Chairman Osborne addressed item 4 of the agenda:

4. Communication from Jane Beaulieu, Chairman of the Friends of the Valley Cemetery, requesting input for the cemetery master plan.

On motion of Alderman Shea, duly seconded by Alderman Roy, it was voted to discuss this item.

Ms. Jane Beaulieu, Chairman of the Friends of the Valley Cemetery, stated this will only take a few minutes. This letter was to inform the Mayor and Board of Aldermen that there was a non-profit group called the Friends of the Valley Cemetery and to give you just a brief lowdown of what we have been doing for the last ten years. The group has raised over \$500,000; we worked on a master plan; we meet monthly and there are about ten or twelve board members. We meet in the Manchester Police Department. Chief Mara is on our board. We would like the Mayor and Board of Aldermen to recognize our efforts and to perhaps send a representative or appoint a representative to attend our monthly meetings so that we could keep you in the loop so that the decisions that we make are in the best interest of the City. On the board we do have Judith Aron and she is a City employee with the Cemetery Department. We have been in communication with the City, but over the past ten years, we have tried to get information about the trust fund that really doesn't seem to be available. We just don't know what trust funds are available to maintain the cemetery. It is a 23 acre cemetery. Most of the individuals that are buried there don't have any family members around anymore and this is one of the main reasons I am here. We would like, with the representative from the Aldermanic Board, to see some numbers and look to see where those trust funds are so that we could properly maintain some of the beautiful mausoleums in the cemetery. The cemetery, as I indicated in the letter, is our City arboretum and it is just a beautiful place. Working with the Police Department, we are making it safer for the general public to visit and to keep it a safe place at night. Basically, this is just for all of you to know that the Valley Cemetery is being looked after by a non-profit and we would like to keep you in the loop and like to perhaps assign an Alderman. Alderman Long and I have been

discussing this so he could attend the monthly meetings so we could once and for all resolve the trust fund issue and work closer with City departments to restore and maintain the cemetery.

Chairman Osborne asked Jane, how are you doing with the fence?

Ms. Beaulieu replied we recently received \$50,000 from the Charitable Foundation and each panel is roughly \$4,000 to restore. Last fall, we restored, I believe it was, ten panels on the Valley Street and Pine Street side. We are looking to spend another \$40,000 to address more of the fencing on Valley Street. We also discussed, and I did discuss this with the company that is working on the restoration, the possibility of working together with many more volunteers to paint the remaining fence temporarily all the same colors so that it is visually much more pleasing. We're hoping that by the end of the summer, with the help of the City and volunteers, we can slightly sand it, and paint it. It is just a temporary fix. It is a national historic site. It won't be destroying any of the value of the fence; it can still be restored. If we waited to raise enough money to restore the entire fence, I think it would probably take us about 25 years.

Chairman Osborne asked how many panels are there left to go?

Ms. Beaulieu replied I would say at least 150.

Alderman Lopez stated I think that ought to be referred to Parks and Recreation. I'm a little familiar with it. There is a trust fund and board of trustees that takes care of that. Through the CIP process, we have in the past given money to the Friends of the Valley Cemetery. I think they have done a good job so I think it ought to be in the hands of anyone from your organization to coordinate with Chuck DePrima or Kevin Sheppard at the Highway Department and get it on the agenda for some of the things that you need if you can't raise the funds. I know we don't have any money in 2011, but I think you should be coordinating that with Kevin Sheppard and Chuck DePrima.

Ms. Beaulieu replied can I make a comment on that comment?

Chairman Osborne replied go ahead.

Ms. Beaulieu stated I'm not asking for any money. I'm not asking for any money whatsoever from the City. I just want to know, as the Board Chair of the Friends of Valley Cemetery, an update of where the trust funds are, not to help the Friends of Valley Cemetery restore, but just to maintain the tombs and the gravesites. At this point in time, I am not asking for one dime from the City. I just want you as Aldermen to realize what the non-profit is doing so that the general public has an update of what we are doing.

Alderman Lopez stated that's one point. Chuck DePrima can work with the Board of Trustees and tell you exactly how much money they get for all the City cemeteries and what they can do for that.

Chairman Osborne asked Alderman Long, are you willing to jump on there with Jane?

Alderman Long replied absolutely. I was honored the last time I served and I got notification of the meeting. I believe that Ms. Beaulieu is just looking for...not to take it off the plate of the City. I would certainly be willing to serve and I think what Mr. Lopez said would also work.

Alderman Lopez stated I think that the Board would have to appoint you, but if you want to go there as an Alderman, I don't have any problem.

Chairman Osborne asked do you want to bring that before the Board tomorrow night under new business?

Alderman Roy stated I was just trying to clarify that. Would that be an appointment by the Chairman? I don't know if we have to bring it before the Board. The Chairman could make an appointment.

Alderman Lopez replied no, the Board would have to authorize an Aldermen to sit on the board of a non-profit organization or the Alderman can go himself and bring information back. Is that what you want to do, just go by yourself?

Alderman Long replied it doesn't matter to me. I don't have to be appointed. I can go as a citizen.

Alderman Roy stated at the same time we can refer this to the Parks Division.

Alderman Shea stated Jane, I am going to mention that maybe by appointing someone from the Aldermanic Committee it might set a precedence that any non-profits would say that an Alderman should represent that particular entity. I think that the way that we're doing it would allow you to have access to an Alderman who could report back. Any mention of any kind of minutes, intentions or plans could be forwarded through you to him and then given to us. That's why I think it is a good suggestion that Mr. Lopez said.

Ms. Beaulieu stated I do agree, but I want to reiterate that the City does own the cemetery and I don't think it would set any precedence. This is City land.

Alderman Shea stated what we are mentioning is that you are a non profit organization working within the context of a City owned entity. That is why I am mentioning to you that any non profit agency could come to the City and say that the Aldermanic Board should appoint someone to represent them. There are certain non profits that have members to them.

Chairman Osborne stated well the good part about it is that it is in Alderman Long's ward. I guess we can't argue that anyway. I think it is good the way we are doing it.

Ms. Beaulieu stated right, and if there could be some way, because I really would like the entire Board to know about this meeting so that they are informed, whether you bring it up at the meeting tomorrow, whether you need to or not, I would like them to know that I was here in regards to the Valley Cemetery.

On motion of Alderman Lopez, duly seconded by Alderman Roy, it was voted that the request from the Friends of the Valley Cemetery for input for the cemetery master plan to the Parks and Recreation Division be approved.

Chairman Osborne addressed item 5 of the agenda:

5. Communication from Steven J. Freeman, Design & Project Manager of MCCI, regarding the intended scope of work at 971 Elm Street and requesting Air Rights be granted.

On motion of Alderman Shea, duly seconded by Alderman Roy, it was voted to discuss this item.

Mr. Steven Freeman, MCCI Design and Project Manager, stated I just want to hand out an update of the rendering and the written request for air rights. I have five copies for the five members.

Chairman Osborne asked this is right next to the old Five and Dime isn't it?

Mr. Freeman replied you might know better than me.

Chairman Osborne stated I'm sure of that, but that's where it is. So, this is a very narrow building.

Mr. Freeman stated the existing lot is 25 feet wide. On my right is Paul Smith, owner of that property and owner of 959 Elm Street, which is the larger building to the right on the corner of Amherst Street. He is also the owner of the business

that occupies floors two through five of 959 Elm Street. This building is being proposed as an addition to that building at 959 Elm Street, which is currently a 50 by 100 foot building lot. He has acquired ownership of the 25 by 100 foot parcel. That's the small little building in this rendering. What we are seeking air rights on, and I've sent an updated letter...I believe in my original request I maximized at 60 inches out to the west of the property line over the sidewalk on the east side of Elm Street and no lower than 13 feet. As you can see in this current rendering...and a couple of things have led us in this direction. We've met with several departments in the City including the Mayor, Economic Development, and Planning & Community Development. As we've learned a few things about the constructability and how to build downtown and the structural limitations, that brings us here tonight to get these air rights adjusted. The bump out itself extends over the property line over the sidewalk a maximum of seven feet. On top of that is a roof which typically would have an eight to twelve inch overhang, which is why I've asked for eight foot air rights. Directly to the north at 1001 Elm Street is a similar situation. It's the modern looking grey steel building. That sticks out a full eight feet. We're not going that far and we may not even...

Chairman Osborne interjected that was the old Pariseau building.

Mr. Freeman stated sure it was. I don't have enough grey hairs to warrant all the facts of the history of all these buildings. I just wanted to clarify that there are about seven structures on Elm Street that have these balcony bump outs over the property line. The design is in keeping with the heritage of the City. We're not trying to break boundaries. Mr. Smith gave me a directive to design it so that it pays respect and blends in nicely to the façade of Elm Street. That's what I have brought before you.

Chairman Osborne asked and the place on Bridge and Elm does the same thing, doesn't it, the bank on Bridge and Elm? Doesn't that extend over the sidewalk?

Mr. Freeman replied that I don't recall.

Chairman Osborne asked is Leon LaFreniere here or anyone from the Building department? How does Leon feel about it?

Mr. Freeman replied everyone we've met has been 100% behind it. I met with Leon early on, around October when the idea was floated that he'd like to acquire it. It rests solely with this Board's approval for the air rights.

Alderman Shea stated Steve, that was a very good presentation. Is the DOT aware of any problems that you might have? Have you consulted with them at all?

Mr. Freeman replied I have not consulted with the DOT. I don't believe I have to.

Alderman Shea asked you don't think you have to?

Mr. Freeman replied as far as their rights, I'm not clear on that, but the design of this is so that all City services can still sweep by or maintain snow removal of the sidewalk. It's consistent with the Margarita's building, 1001 Elm Street, 889 Elm, and 1361 Elm. The Bedford block has these bump outs. And two or three further south of the Verizon have a similar situation.

Alderman Shea stated Mr. Chairman, later on I will make a motion to approve.

Alderman Lopez stated Alderman Long and I both sit on the Manchester Development Corporation. They sanctioned this particular project. I'm very familiar with it and Alderman Long is familiar with it, and I am going to vote yes.

Alderman Shea moved to approve this item. The motion was duly seconded by Alderman Roy.

Mr. Arnold stated if you could do it subject to the review and approval of the City Solicitor because there is a State statute involved when we are dealing with air rights over our public ways, including time limitations and certain provisions.

Mr. Freeman asked could you repeat the last portion of that?

Mr. Arnold replied there is a State statute involved, specifically RSA 48-B, that deals with the length of time that we can grant air rights and also requires specific provisions in the lease. I just wanted to make sure that whatever we arrive at is subject to the review and approval of the City Solicitor's office so that we can make sure it meets the requirements of the statute.

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

Chairman Osborne addressed item 6 of the agenda:

6. Communication from Jay Minkarah, Economic Development Director, requesting approval of a \$500,000 loan for the expansion of property located at 971 Elm Street as recommended by the Manchester Development Corporation.

On motion of Alderman Roy, duly seconded by Alderman Lopez, it was voted to discuss this item.

Mr. Minkarah stated you have just seen a presentation on the overall proposal at 971 Elm Street. Just to keep the story short, Mr. Smith did approach the Manchester Development Corporation to assist in the financing of this project. What was requested was a half million dollar loan. The MDC's investment committee reviewed the proposal and felt that it was consistent with projects they have supported in the past. MDC previously made a \$450,000 loan on the existing Dunlap Building to support that restoration. They have also made loans to support projects for the restoration of the Chase Block and the McQuade's Building. This is a project that would add to the tax base of the City. It would help to expand benefit strategies. Currently they have about 67 employees. This would allow for their expansion in the future and it would create jobs. They felt that it was very much consistent with their mission. The full MDC Board approved the loan request on the 9th and the approval of the Board of Mayor and Aldermen is requested. If I may add, we do have Chuck Hungler from the MDC in the audience as well.

Alderman Lopez moved to approved this item. The motion was duly seconded by Alderman Shea.

Alderman Roy stated Jay, I think this is a great project. Where is the money coming from? It is a revolving loan or is it money that MDC owns separate from the City?

Mr. Minkarah replied it is MDC funds, separate from the City.

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

Chairman Osborne addressed item 7 of the agenda:

7. Discussion of an RFP for the City owned property at Granite and Second Street.

On motion of Alderman Roy, duly seconded by Alderman Lopez, it was voted to discuss this item.

Mr. Minkarah stated I believe that most of you have seen this before. Basically, what we are looking at now is a rendering of a possible redevelopment of the parking lot that the City owns on Granite Street at the intersection of Second

Street. These would be on the north side. About two years ago we brought this to Lands and Buildings with this suggestion. This was a rendering that was done by Lavallee Brensinger showing how it might develop. We brought this forward as a concept to see if there was an interest in maybe issuing a request for proposals for redevelopment of the lot. At the time, the concern was really parking. Parking was primarily for students at West. Since that time, we have been looking at other development opportunities in the area. As you may know, the Rafael Club across the street...we have also noticed that the usage of that parking lot has dropped off pretty dramatically and in recent weeks in looking at it, maybe you see half a dozen cars. That got us thinking that this may be a time to bring this forward again. We did speak with Alderman Greazzo who has been working with us on some planning in the area as well as Alderman Ouellette whose ward this is in. Both Aldermen, excuse me for speaking for you, Alderman Greazzo, were supportive of this concept so we thought that we would bring it back to the Board and see if there is an interest in this. What you are looking at now is a rendering that shows approximately a 150,000 square foot building with parking in the structure. We have no allusions in the current economy that something could happen very, very quickly, although, of course, it may. We really think this is a prime site for redevelopment, given its location right at the Granite Street interchange with its visibility from the highway. If the Committee is interested in moving forward on this, I would like to draft a possible request for proposals to bring back to you for your review and consideration.

Chairman Osborne stated I have a couple quick questions before I let the Committee have it. It is about what there, one or two acres?

Mr. Minkarah replied yes, it is a bit over an acre.

Chairman Osborne asked this particular parcel would be going for about what, \$1 million or \$1.2 million, somewhere in that area?

Mr. Minkarah replied it is hard to say. I think we have our chief assessor in the audience and he could probably tell better, but it would certainly think that yes, it could go that high, maybe a little less. It could be three quarters of a million.

Chairman Osborne asked how is it zoned again?

Mr. Minkarah replied right now it is zoned B-2. If we were to do something like this we would have to look at more like a central business district type of zoning, a higher density of zoning. That is something that the Master Plan does recommend that we look at central business zoning in this particular area. That is something that we could consider, but right now you couldn't do something quite this intense.

On motion of Alderman Shea, duly seconded by Alderman Greazzo, it was voted to approve going out for an RFP on the City-owned property at Granite and Second Streets.

Chairman Osborne addressed item 8 of the agenda:

8. Request to obtain lot number 676-5 located at Riverdale Avenue, West Mitchell and Dunbar Streets.
(Note: This item was previously reported out with a recommendation to offer the property by public sale. The intent of the Committee was to effect a direct sale to the abutter. The Board of Mayor and Aldermen referred this item back to the Committee for clarification.)

Chairman Osborne asked Tom, what was your answer on that?

Mr. Arnold replied this has been before this Committee before. There has been a request from an abutting property owner to purchase this parcel of tax-deeded property. At the Committee meeting, the vote was to go to public auction. Upon reviewing it, I wasn't sure that was the Committee's intent. I thought the Committee's intent was to sell it to the abutter.

Chairman Osborne stated exactly.

Mr. Arnold stated that would be done by ordinance and not by auction because obviously an auction anticipates other interested parties being able to bid for the property.

Chairman Osborne stated exactly. We wanted to be able to sell it directly to the abutter. What type of wording can we use here, Mr. Solicitor?

Mr. Arnold replied I had handed out to you earlier this evening a letter from Dave Beauchesne from the Planning & Community Development Department listing the surplus property determination and disposition. This parcel was found surplus to City needs; justice would allow the sale to the abutter as he is an abutting owner and would add it to his property. Apparently, he has maintained this property over a number of years; he was using it as his front yard. The sale price will be determined by the City Assessors and as a condition of the sale, the lot must be merged with the abutter's present property and an easement established, satisfactory to the Department of Public Works and the Solicitor's office to provide for a portion of Riverdale Avenue that crosses the property.

Chairman Osborne asked what amount was that at?

Mr. Arnold asked the purchase price? I'm not aware.

Alderman Roy stated it was to be determined by the Assessor. I'll make a motion if you want.

Chairman Osborne asked is someone here from the Assessor's Office? I think it was somewhere around \$14,000.

Mr. David Cornell, City Assessor, responded you are correct. It was \$14,000 to \$16,000.

On motion of Alderman Roy, duly seconded by Alderman Shea, it was voted to sell lot number 676-5 to the property abutter and adhere to the five points outlined in Mr. Beauchesne's letter.

Chairman Osborne addressed item 9 of the agenda:

9. Communication from Alderman Shea requesting that teams using baseball fields within any of the City parks be required to display a permit issued by the Parks Division of the Public Works Department, and that failure to do so result in a fine.

On motion of Alderman Shea, duly seconded by Alderman Roy, it was voted to discuss this item.

Alderman Shea stated the reason I am proposing this is because several instances have occurred whereby, on weekends particularly, different teams have utilized Prouts Park. I don't speak for other parks, but I do happen to notice that there is another located near where I own property on South Taylor Street and there really is no evidence as far as I can see that people have permits to use these fields. People have complained because the people using Prouts Park are not youth; they are older people with organized baseball teams and they disrupt the neighborhood situation; kids can't play that day. Usually the parks are used by either the Babe Ruth league or the two leagues there and if the field is vacant, neighborhood kids can't play there. My request is that there be some teeth into any kind of permit so that people who are using fields and do not have permits and if someone calls the Police or a representative from the newly created Parks Division of the Public Works Department they have the authority to go and say to them that they can't use the field and they violated the City of Manchester permit ordinance, or whatever we decide to do. I would say that at this stage, Parks and Recreation does issue permits and there have been instances where several occasions have

arisen whereby people have used the park and if the Police come they can't tell them they need a permit to authorize use because they are not familiar with the permit rules so there is no real way of telling teams not to use the field. If they were to use the field and for some reason they were told not to come back, they do come back again. There really isn't any kind of system that we have that allows the people that operate the Parks and Recreation Department to be aware of problems because obviously it is only called to their attention after the fact and then there is no reason for people using the fields without authorization not to come back because nobody is correcting the problem. That is what my discussion is today, about that problem that exists.

Chairman Osborne stated I have a couple questions before we start with the Committee. I think I don't want to keep talking. I've been here seven years, but I have been around Manchester and my ward 70 years and I think throughout the years, you know as well as I do, Mr. Shea, that the permits generally...the way it used to work was if someone had a permit for the field they had first priority for the field. I think that if a particular ballclub were to show up on that property at that time and they were not supposed to be there, I think these people would be nice enough to leave. If they are not, then I guess it is a police issue. I don't know how we could police things of this sort. How are we going to watch who belongs there and who doesn't?

Alderman Shea replied with all due respect, we do police other things so I would say that the newly devised division I'm sure can discuss with the people who run the Parks and Recreation Department what they have done in the past and what would be possible solutions to solve this problem. The problem is not going to go away, Mr. Chairman, unless we do something to solve the problem. It is a problem for people who have ballparks near where residences are. If people from out of the City of Manchester are using ballparks and they are not supposed to use them without a permit and they don't have a permit, they will continue to use them as they have in the past. What I am suggesting at this particular time is for discussion of the matter in trying to resolve the problem that exists. I realize in all deference that you have been an Alderman in the past and obviously you have encountered problems at Harriman Park, which is not a ballpark of course and down at Sheridan-Emmett, which is in your ward and doesn't have a baseball field, but I think this is an ongoing problem at the park. That is why I am bringing it up.

Chairman Osborne stated that is what I was trying to do, toss it back and forth here. The big thing is policing it and who we fine. Who are we going to fine if there is a ballclub there playing toss or a bunch of kids trying to play baseball and they are on the field and if they give the person with a permit a hard time and we

give him a summons or whatever it is going to be, who do we fine on that ball field?

Alderman Shea replied that's a question that we have to resolve. Those are very good questions to ask and I think we may come to a solution as far as how to do that or what might be done.

Alderman Lopez stated organized softball and baseball teams always get a permit. I think the cost is \$10. I think that is an issue that we addressed during the budget process that Parks and Recreation was going to take a look at. I agree with Alderman Shea. You need to have a permit and produce it. The fee of \$10 is a very minor fee that should be looked into as we suggested during the budget process. I agree with Alderman Shea to come up with a fine that is reasonable to the fee.

Chairman Osborne asked who are you going to fine? This is what I am trying to say. Who are you fining?

Alderman Lopez replied I think Alderman Shea has mentioned, if I may, Mr. Chairman, as we go through this process, the organized teams that go to Prouts Park, in most cases...I understand what you are saying. If there are a couple kids go on the field and hit the ball, I don't think Alderman Shea is saying to fine the kids. He is talking about organized teams that go there. They need a permit and Parks and Recreation is responsible for that.

Alderman Greazzo stated I agree with Aldermen Shea and Alderman Lopez. If there are organized teams that are coming from out of town...

Chairman Osborne interjected we don't have a problem with those. There is no problem with organized teams.

Alderman Greazzo stated well apparently we have some organized teams that are using the fields without getting permits and I do believe that they should be fined.

Chairman Osborne stated I thought you mentioned that there were people out there who were giving these organized teams a hard time, Mr. Shea.

Alderman Shea stated you're not in the same ballpark as me. What I am indicating to you is that people from out of town are coming into Manchester and using the ballpark without permits and there are certain ballparks in Manchester where permits should be issued for these people. Livingston Park is a great park for older guys to play ball in. Prouts Park is not a good park for people in their 20s or 30s who are hitting a hard ball around. Therefore, what I am trying to tell

you is that they are coming into Manchester, driving around the City, finding a park that is not being occupied at the time they want to play and they start playing there. Everyone else in the City who is using the parks like Babe Ruth and other teams have to get a permit and therefore, what I am trying to do is prevent these people from using parks without authorization. It should be discussed. Some of the questions that you have asked like who is going to pay the fine can be resolved by discussing the problem and then going to the park at the time they are there and asking them who is in charge of the ballclub, whether it is an organized deal or guys who are throwing money into a pool and playing, but someone has to be in charge there and indicate that they are using the park without authorization and therefore they have to pay a \$10 fee because they have used the park. If they come back again and use it again without authorization they should be fined a certain amount of money, whatever the Public Works Department decides. My proposal is that we send it to the Parks Division of the Public Works Department so they can report back to the Committee in about a month when we have our next meeting with stipulations that would address this concern that I have raised.

On motion of Alderman Shea, duly seconded by Alderman Greazzo, it was voted to refer this item to the Parks, Recreation and Cemetery Division of the Public Works Department for their recommendation, to be reported back at the next Committee meeting.

TABLED ITEMS

10. Communication from Jack Baringer, Site Acquisition Manager for Goodman Networks, submitting a proposal for Clearwire to Lease City Property.
(Note: Tabled 1/19/10; Leon LaFreniere, Director of Planning & Community Development to work with staff and provide a recommendation.)

This item remained on the table.

11. Request to obtain lot number 611-4A Island Pond Road.
(Note: Attached is a memo from Joan Porter regarding the Tax-Deeded property; appraisal from the Board of Assessors, if available. Tabled 9/1/09, additional information submitted by the Director of Planning & Community Development. Retabled 1/19/10; Leon LaFreniere, Director of Planning & Community Development to work with the City Solicitor and provide a recommendation.)

This item remained on the table.

12. Draft agreement submitted by the City Solicitor's Office between the City of Manchester and the Manchester Dog Park Association for a proposed dog park in the city.

(Note: On November 10, 2009 the Committee voted to send the agreement to the Dog Park Association and table this item until they have responded.)

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

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

13. Communication from Chuck DePrima, Acting Director of Parks, Recreation and Cemetery Department, regarding dog park site investigations for Dunbarton Road and Crescent Road.

(Note: Referred by the Board of Mayor and Aldermen on 10/6/09. Tabled on November 10, 2009. An additional proposal for a possible site on Varney Street has been submitted by Chuck DePrima, Acting Director of Park, Recreation & Cemetery Department.)

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

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

14. Report of the Board of Mayor and Aldermen advising that is has requested staff to prepare documents to provide that the City agree to extend the term on the 2nd mortgage relating to Lowell Terrace Associates property located at the northwest corner of Lowell and Chestnut Streets to coincide with the expiration of the existing first mortgage in 2013.

*(Note: The Committee has requested clarification from Finance as to whether financials from 1984 – 2001 have been provided; Solicitor to provide a fair market value for the property as established by the Superior Court in October; Tabled 8/04/08; The Committee requests the Solicitor to provide an updated Certificate of Insurance for the property; Retabled 12/2/08. Information to be provided by the Assessor. Retabled 7/07/09 waiting for disposition letter. Retabled 9/1/09, Finance Officer and City Solicitor to provide a final disposition letter.). Retabled 1/19/10, Mayor, Finance Officer and City Solicitor to provide a final disposition letter.)
On file for viewing with Office of the City Clerk, One City Hall Plaza.*

This item remained on the table.

NEW BUSINESS

Alderman Greazzo stated I have some new business that won't take very long. The previous Committee and Board had approved the sale of a parcel attached to 126 Phillip Street and as a matter of housekeeping I think we need to reapprove that vote so that the full Board can dispatch with that piece of property. Alderman Arnold can give you a quick synopsis of it and we'll be done.

Alderman Arnold stated first, thank you to Alderman Greazzo for bringing it up and Mr. Chairman, I will be brief. A constituent of mine expressed interest in purchasing a piece of property that the City owned several years ago. The long and the short of it as Alderman Greazzo indicated, is this Committee took action on it, but the property was never actually conveyed. I'll ask the City Clerk to weigh in. I've had conversations with the Planning & Community Development Department as well as the City Solicitor's office and the Assessor's office. They are ready to answer questions if the Committee has any, but I think that the Clerk might be able to clarify the issue.

City Clerk Normand stated as you see in the handout, the action taken by this Committee on April 17, 2007, was to refer this to the Mayor's Office and the City Solicitor's office to negotiate a price on this property. Apparently that didn't occur. That is where we are right now.

Mr. Arnold stated if I could clarify, our office was involved. Mr. Clark put together an offer that was sent out to the property owner. The property owner, I understand because of financial considerations, did not respond. The Committee took it off the table and voted to receive and file the request in November of 2007. I gather that tonight the action that is being looked for is to vote to find the property in surplus and sell it to the property owner in accordance with the original offer that was made back in 2007.

Chairman Osborne asked that was \$10,400?

Alderman Arnold replied I can explain, Mr. Chairman, that originally the value that was discussed for the property was in the range of \$10,000. However, there was some give and take between City staff and the property owner, the individual who was interested in purchasing the property, and ultimately, staff recommended a purchase price of \$4,000. The reason is that the individual who wanted to purchase the property was willing to execute a general release of liability for the

City, and I believe the City Solicitor's office gave some value to that release, which justified the purchase price of \$4,000. The City Solicitor is correct that what I would be asking the Committee to do tonight is authorize the City staff to sell the property to Ms. Howard for the recommended amount of \$4,000.

Chairman Osborne stated this is at the last moment type of thing and I can't figure this all out from handing me a sheet of paper. Are they buildable lots? They are not buildable lots.

Alderman Roy stated not that I want to be a fly in the ointment, Mr. Chairman; this may be the best thing to do, but asking us to decide at the last minute and just putting this in front of me now...I would like to view the lot. Is there value to it? Have these people been taking care of it like the other people we saw before us? There are a lot of questions from me. I don't want to create a hardship for anybody, but I would like some more information.

Chairman Osborne stated I was on the Board then, but I can't quite remember everything.

Alderman Arnold stated I might yield to the Planning & Community Development Department and the Assessor's office as to the time sensitivity and why it was brought forward this evening. I do apologize to the Committee members for the late notice.

Mr. Leon LaFreniere, Planning & Community Development Director, stated I received a call from Alderman Arnold asking to meet with him and the constituent about this matter and based upon those discussions that took place, it is my understanding that the constituent in question, Ms. Howard, is anticipating a project on her property that would necessitate, in part, expropriation of this City owned parcel. This project that she is looking to undertake as quickly as possible is time sensitive. That is in part the reason why this has been brought forward this evening.

Chairman Osborne asked why is it time sensitive? You keep saying, but there is no reason. Why is it time sensitive?

Alderman Arnold replied first of all, I will say that the constituent has a timeline for how she wants to expand, I believe it is a garage, that requires a variance and part of the big picture of the variance application and going before the Zoning Board is this other tangential issue of the City owned property, which this Committee, according to the City Clerk, has already voted on a couple years ago. I think the City Clerk can possibly offer some clarification. I really don't have an answer for that.

City Clerk Normand stated the only thing that I would add, Mr. Chairman, is what I just read based on that motion.

Mr. Arnold stated back in June of 2007 at the behest of the Committee, Mr. Clark wrote to Ms. Howard. The letter is brief; I can read it for you: "Dear Ms. Howard: City staff will recommend the sale of lots 32 and 32A to you by a deed without warranties or covenants for a price of \$4,000. This price is based upon your execution of a general release to the City of Manchester. The document will release the City of Manchester from any further liability relating to your property from past or future flooding from the pond or water run off. If this is satisfactory, please contact me so that the documents may be drafted and forwarded to the Board of Mayor and Aldermen for their consideration". That letter was sent to Ms. Howard. We did not receive a response. As a result of not having received a response, in November of 2007, approximately five months later, the Committee took the item off the table and voted to receive and file it. That is where it got left.

Chairman Osborne stated and now it is time sensitive.

Alderman Lopez moved to move forward with the sale of the property and allow the City Solicitor's office to offer the property once more. The motion was duly seconded by Alderman Shea.

Alderman Roy stated I don't know how much land this is. Like he said, this was received and filed before. Now it is time sensitive? This couldn't have come up two months ago? I would assume we would table this to find out all the information that we need. That is my concern. I want to make sure we are doing the right thing. I hear there is going to be a development. I guess it is just an addition on the house, but I don't know that. I have some problems with voting on that. If we take the vote right now, I'll vote against it just because of that.

Alderman Shea asked Mr. Chairman, may I ask David to make a comment?

Mr. Cornell responded the size of the lot is an 8,000 square foot lot. I'm not sure if you remember or not, but this is the property on Phillip Street. If you remember back to the Mother's Day flood, this property was probably the most severely impacted property in the City when it came to the flood. They had water in the basement for about six or seven months. The property up until that time had never flooded. The City owns two pieces of property that abut her property and it was a way to try to help alleviate some of the flooding.

Chairman Osborne asked other than that, nothing else can be built on this 8,000 square feet outside of enlarging a garage or something like that that they own? Is that what you are saying?

Mr. Cornell replied that's correct. The way that the lot is configured, you cannot build another house on the lot, but she does need this extra lot for the garage that she is planning to build.

Alderman Shea asked how big are those two lots that the City owns? How many square feet?

Mr. Cornell replied it is a total of 8,000 square feet and it is two lots. The first lot is a 20 by 200. They are both 4,000 square feet lots.

Chairman Osborne stated and they are both underwater. Let's put it that way. Whenever we have a bad rain storm...

Mr. Cornell interjected a portion of the site gets water and that is part of the release of liability...

Chairman Osborne interjected it is a swamp, so it is really useless to build on. Right, Leon? It is just space.

Mr. LaFreniere replied yes. My understanding of the original action by the Committee was that a condition of the sale be that the properties be merged with her parcel so that there would be no further subdivision.

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

Chairman Osborne stated the only thing I am opposed to is bringing things like this at the last minute.

Alderman Greazzo stated I apologize to the Committee. Alderman Arnold had asked for that to be moved. I am offering my apologies for bringing that up. It was requested. I thought we would have time under new business, but again my apologies.

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

A True Record. Attest.

Clerk of Committee