

COMMITTEE ON LANDS AND BUILDINGS

June 21, 2010

4:30 PM

Chairman Osborne called the meeting to order.

The Clerk called the roll.

Present: Aldermen Osborne, Lopez, Shea, Greazzo

Absent: Alderman Roy

Messrs.: L. LaFreniere, D. Beauchesne, B. Beurivage, T. Brennan,
D. Cornell, Mayor Gatsas

Chairman Osborne stated Alderman Roy had an illness in the family and he is unable to make it this afternoon.

Chairman Osborne addressed item 3 of the agenda:

3. Communication from Planning and Community Development regarding a petition to acquire city-owned lands on Groveland Avenue (TM 492, Lots 3A & 3B).

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

Chairman Osborne asked this land from my understanding has an offer that has been put in for \$40,000, correct?

Mr. Leon LaFreniere, Planning & Community Development Director, answered I think that is the next one, item 4. Item 3 is Groveland Avenue.

Chairman Osborne asked there is no sewage there?

Mr. LaFreniere responded presently that is the case, yes.

Chairman Osborne asked can you give us a little profile of this piece of land?

Mr. David Beauchesne, Planning & Community Development, stated the City received a letter from the petitioners who owned a couple of parcels that are related to what we are dealing with out at the end of Groveland Avenue. For those who aren't specifically familiar with Groveland, it is about half a mile up Candia Road from the traffic circle. Groveland itself goes between Candia Road almost to the Route 101 right-of-way. We are talking about the very end of the paved portion of Groveland Avenue. The petitioner owns two parcels, Lots 3 and 4 and they are interested in acquiring two small adjoining tax deeded City-owned lots, very small lots, that are situated immediately between their two parcels. The paved road goes only as far as the second of the two parcels and doesn't reach their Lot 4, which is undeveloped. They have a home on the very small size; a 7,500 square foot lot at Lot 3. All of the lands are in the R1-A zoning district that requires 12,700 square feet of buildable land. City sewer services are not available at the present time; the prognosis is that the City will be extending lines out there sometime next summer if things go well. There is no absolute assurance that will occur but that is the plan right now according to the Department of Public Works. The petitioner, as they stated in their letter to the City, would like to acquire Lots 3A and 3B, the City-owned lots, and merge them with Lot 4, the undeveloped lot, in order to sell the merged lot to someone who may wish to buy it. They also stated their intent to sell their house at Lot 3 at its current size of 7,500 square feet. Lot 4 is kind of steep sloped. Do you have the map? If Lot 4 were to be...even if it were to be enlarged there would need to be multiple zoning variances in order to allow building activities. I would also point out that the petitioner's existing residential property at Lot 3 was created prior to the enactment of current zoning rules and is an existing non-conforming lot of record. Needless to say, its 7,500 square foot size is well below the minimum lot size needed for both modern septic systems and the minimum lot size for that district, which as I mentioned earlier is 12,500 square feet. It also has only 60 feet of frontage along Groveland Avenue where the zoning for the district requires a minimum of 100 feet. When considered individually, each of these City-owned properties at 3A and 3B are also non-conforming lots of record and are too small to be developed as house lots. If they were to be merged, we calculate that it may be possible, but we aren't sure, that it could contain a very small residential building. In looking at the established City policies that affect these lots Mr. Chairman, we note two in particular that caught our attention and they are both in the zoning ordinance. In article 11.03 of the zoning ordinance is a rule that states "in cases in which development is proposed on a non-conforming lot with abutting other lot or lots in the same ownership, these lots shall be consolidated as necessary to eliminate the non-conformity to the maximum extent possible." So if the petitioner were to acquire City-owned lots 3A and 3B, then application of this policy of the Board of Mayor and Aldermen would require the merger of 3A, 3B and their undeveloped Lot 4 with their residential Lot 3 to make it one larger parcel if we were to follow this policy. Secondly, the other established City policy

that comes into play also falls within the zoning ordinance in the Lake Massabesic Overlay District section, which is established to protect Manchester's drinking water supply. The ordinance, article 117.11B asks that such protection be carried out in part by avoiding "impacts" that may affect the drinking water supply over the long term and by avoiding land use activities that could potentially be a non-point source water quality issue. We consulted with Water Works about this and asked that they review the petitioner's application. As thing stands now, with no sewer line going out in that direction and only the availability of developing by septic systems at this point, they wish to see all of the lots, if the petitioner were to acquire them, joined together into one lot so the opportunity would be available for the presumed small and perhaps inadequate septic system on Lot 3 be partially expanded. With respect to surplus determination on these lots, based on our review of everything we don't believe that there are any overt City needs to keep and maintain Lots 3A and 3B for any special reasons. As such, we would recommend that if the Committee wishes to return these properties to private ownership, Lots 3A and 3B be determined surplus and disposed of in a manner consistent with City ordinances. With respect to the matter of disposition, we would support the disposition of 3A and 3B to the private sector, but we would seek to uphold the established City policy and, therefore, if you were to grant to the petitioners the opportunity to acquire these lots then we would recommend that the sale be conditioned so that all four lots be merged for some of the reasons we mentioned already with respect to City policy but also by doing so it would be advantageous to the petitioner in that the greatly undersized Lot 3 would be expanded to above the minimum lot size and it would be possibly available for a significantly more appropriate septic system if the sewer line did not go up the street to the very end. If offered for sale, a newly enlarged lot would be marketed by the owner at a higher sale price than the current residential lot. So it would be presumably advantageous to them. Also, if the scheduled 2011 sewer line extension were to be delayed, the new larger sized residential Lot 3 could accommodate a beneficial upgrade to the existing septic system. Currently Lot 3 is non-conforming and the minimum lot frontage of 60 feet would be increased to the 100 foot lot frontage in the R-1A district, which would boost the marketability of this residential property we think as opposed to not doing so. Lastly, the owner of Lot 3 currently stores without permission and as you can see in this picture that you have in front of you, equipment and vehicles at various times on the two City owned lots in question. Needless to say, consolidation in their ownership of these lots would correct this problem and add to the attractiveness again of selling the property. That is presumed. I am not trying to say that it would be in fact. Lastly, to dispose of City-owned Lots 3A and 3B in this matter, the Committee would need to follow the procedure we believe outlined on pages 3-3 and 3-4 in today's agenda. That is first you would find that City-owned Lots 3A and 3B are surplus to City needs. Secondly, you would find that justice will prevail if Lots 3A and 3B are acquired by the petitioner for specific reasons and that is that residential

Lot 3 would become newly conforming with respect to size and frontage. The petitioners are the only direct abutter to the lots in question, not counting the common land immediately to the west, which is part of a manufactured housing development nearby. Lastly, the safety of the public drinking water supply would presumably be enhanced. We would recommend conditioning the sale of Lots 3A and 3B on the petitioner's acceptance of their market value as determined by the City's Assessors Office or any value you think is appropriate. The fourth condition is any sale of City-owned Lots 3A and 3B upon their merger with the abutting petitioner owned Lots 3 & 4, which bound them on each end. Fifth because the paved portions of Groveland Avenue partially crosses 3A and 3B right now, we recommend that the sales of those two lots should be conditioned upon the granting to the City of an appropriate road easement satisfactory to the Highway Department and the Solicitor's Office. Lastly, we recommend that if you would see fit to sell it and follow this, the Board of Mayor and Aldermen pass an ordinance that authorizes the disposition of the city owned, tax deeded lots in the manner that we've just discussed.

Chairman Osborne asked Dave Cornell, what would you say is the value of this land or what is its assessment?

Mr. David Cornell, City Assessor, responded both lots are now assessed at \$12,600. The value that we would put on it would be somewhat contingent upon your decision here. There's a value if it's a buildable lot, and then there is a value if you accept the recommendation here that we would want to consolidate the lots.

Chairman Osborne asked are there any easements at all? I don't think there are.

Mr. LaFreniere responded not currently. However, the current parcel portion of Groveland Avenue does apparently go across this property, so we are recommending, as Mr. Beauchesne pointed out, that that area be reserved as an easement.

Chairman Osborne stated so these stipulations would be put in. Should this go out for a public auction or anything like that to see if this is excess land for the City or not?

Mr. LaFreniere responded that would be a decision for the full Board. However, we feel that it is appropriate to transfer this by ordinance, given the fact that there is only one abutter who would reasonably benefit from the transfer of this property.

Alderman Lopez stated I'm going to try to repeat everything that Dave said. The May 20th letter and the June 11th one, are they identical?

Mr. Beauchesne responded the May letter should have been withdrawn. It was entered by mistake. We replaced it lately because of recent information we discovered concerning the sewer line being extended up Groveland Avenue. We did not know that would be the case until earlier this month.

Alderman Lopez stated David, you said if we pass this it would be a different value. Would that be part of the minimum bid?

Mr. Cornell responded right. If the Board accepts the restrictions on the property, and if the restriction they are suggesting now is you would consolidate all four lots, from a market value standpoint, there is a different value than if it went to the open market and someone could possibly put a house on the property. Clearly, for the reasons stated, we would concur with the recommendation that all of the lots be consolidated, so we can be looking for a value based on the restriction that these lots be consolidated.

Alderman Lopez asked Leon, does the buyer understand that?

Mr. LaFreniere responded I don't know if they understand it. We have discussed this matter with them. They have indicated their interest in pursuing further subdivision down the road.

Alderman Lopez stated but you don't know if the buyer, if we approve this, thinks he is going to buy these at \$12,600.

Mr. LaFreniere stated that conversation has not taken place. We have informed them of the process and how the value would be set.

Mr. Beauchesne stated they are holding out the hope, Alderman Lopez, that they would be able to acquire the city owned property and merge it with Lot 4, and ultimately have two lots right there. That is their hope. They've been maintaining that till just recently.

Alderman Lopez stated I just bring that up because the Assessor has said it makes a big difference as to what it will be used for as to what we would accept as a minimum bid for the two lots. Staff can move forward with this. I'm comfortable, Mr. Chairman, to move forward with this.

Alderman Lopez moved to accept the recommendation of staff. Alderman Shea duly seconded the motion.

Chairman Osborne stated from what I understand, this property itself that the City owns cannot be built on right now, if you were to sell it right now, the way it stands. It needs a septic tank, right?

Mr. LaFreniere responded that is correct. There is no sewer there currently. It would require that a septic design be done that could fit on that very small lot.

Chairman Osborne stated that's impossible. It can't be done unless they go through the ZBA or something.

Mr. LaFreniere stated it would require zoning approval, yes.

Chairman Osborne asked what are the steps going to be in reference to this, once we sell it as a non-buildable lot, but it could become buildable?

Mr. LaFreniere responded as Mr. Beauchesne has pointed out, we do have a recommendation for some stipulations and the stipulation to cover that instance is we recommend that this lot be merged with the other lots that he already owns, rather than to be merged separately.

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

4. Communication from Planning and Community Development regarding a petition to acquire a city-owned parcel of land off Eve Street (TM 273 Lot 32).

Alderman Lopez asked and one acre...what could go on one acre, Leon?

Mr. LaFreniere answered in this case it is likely that no more than one single family dwelling could go on that lot, both because it has no frontage on the perspective street and also because it is very steep in most of its area. There is a flat area at one location so it is really only one house.

Alderman Lopez asked could one house go down to the...I guess if I am looking at this it would probably be north where the City of Manchester, 273 Lot 32...has anybody figured out how much area there is for one lot, which is 15,000 square feet?

Mr. LaFreniere asked 273 Lot 2?

Alderman Lopez answered I am looking at the black area that is kind of a banana shape and you have a white area there where you have the words "City of Manchester DPW." My question to you is do you know if a house could be built and to what extent to equalize 15,000 square feet? Here is the point I am getting at to try to help you. I am looking at the houses that are in place now and I believe there are six to give them an opportunity to maybe get that piece of property added to their property to be fair.

Mr. LaFreniere responded that is exactly the reason that we thought a public sale might be an appropriate way to dispose of this property.

Alderman Lopez stated I understand the public sale but the public sale to one individual that would have ownership to everything versus breaking it down and giving the opportunity...homeowners slicing out, let's take the far upper house there with the swimming pool. Figure out what that is and give that owner there an opportunity to buy that piece of real estate.

Mr. LaFreniere replied you certainly could do that. However, the problem is that the City would likely encounter several thousands of dollars worth of surveying and sub-division costs to be able to split that parcel up into pieces. It might be more reasonable if those neighbors wanted to get together, purchase it and then subdivide it themselves to create those lines. They could do that. For example, those six houses could get together, buy it together and then further subdivide it later but for the City to do it it would create some costs for the City to be able to make that happen.

Alderman Lopez asked so if I am a real estate person and I buy this I have the capability of building one house and I could go to these neighbors and say hey do you want to buy 20 feet and work out the deal with the neighbors individually?

Mr. LaFreniere answered they could do that.

Alderman Lopez stated sounds like a plan.

Alderman Shea asked where was the \$40,000 being considered?

Mr. LaFreniere answered the \$40,000 was the price that was bid by the person who was interested in the property. He would be willing to pay \$40,000 if he had a variance.

Mr. Beauchesne stated I am sorry for not mentioning that in my presentation Alderman.

Chairman Osborne stated first of all, it is landlocked. The guy has to spend money to get a road to there. So spending money for this and that, I don't think he has the intention of selling a little piece of property to each abutter there. I think he has better things to do. Anyway, that is what I have. It is landlocked period. It is dead land.

Alderman Lopez replied I think you might be right. The only way he can come in is through Boston Street?

Mr. LaFreniere responded actually the only way he can come in is from the lower end of the property. Boston Street doesn't provide access. He would have to come in off of Eve Street.

Alderman Lopez stated but Boston goes all the way down to his land.

Mr. LaFreniere replied we have done some research on that. The Highway Department did some research and determined that this lot has no legal frontage on Boston Street or no legal means of accessing Boston Street. It has to do with the way the streets were laid out and accepted in that vicinity. Marty Miccio at the Highway Department can't find anything that would give the owner of this parcel, including the City, any legal right to access Boston Street.

Alderman Lopez asked David, in evaluating what the value would be, would it be valued only on the one acre at the present time regardless of who buys it and slices it up?

Mr. Cornell replied right. We would be looking at the one acre value. The current assessment now of \$126,000, there certainly are some issues with the site as far as the topography is very steep and the ability to only put one house on a one acre lot is kind of unique also. Typically for a one acre lot you would have the ability to put more than one house on there. So certainly because...if it was in private ownership already the assessment of \$126,000. We may have heard about the issues through the abatement process so that \$126,000 value with the problems with the property, it is probably slightly high and we would not expect a purchase price of the \$126,000.

Alderman Shea stated and right now because it is City-owned we are not getting any money even though it is assessed for that amount.

Mr. Cornell stated that is correct.

Alderman Shea moved to find the property (TM273 Lot 32) surplus, to send it out to public auction, and to condition the sale on the development of appropriate public infrastructure easements.

Chairman Osborne stated I think you have an offer for \$40,000 so I think we should start there.

Mr. LaFreniere replied we certainly can start there as a minimum bid and if in fact for any reason we don't get any bids we can come back to the Committee and try it again.

Mr. Beauchesne stated also please insure that you find the property surplus and that you note that any sale be conditioned on the development of appropriate public infrastructure easements.

Alderman Shea asked and the ownership of the property does not...I am not sure about the stipulation that they wanted about having a variance; that we would support a variance.

Mr. Beauchesne answered we are not even taking issue with that. I would stay away from that all together.

Chairman Osborne stated this gives a fair chance to those abutters that Alderman Lopez was talking about if they want that property. I guess it starts at \$40,000.

Alderman Greazzo duly seconded the motion of Alderman Shea. Chairman Osborne called for a vote. There being none opposed, the motion carried.

Chairman Osborne addressed item 5 of the agenda:

5. Communication from Manchester Water Works regarding Conservation Easement funding for Audubon Society Property.
(Note: A Conservation Easement Deed from Water Works has been attached.)

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

Mr. Robert Beurivage, Water Works, stated in your agenda packet you will see a small display showing a piece of property that we are concerned with. This is located on what is called Battery Point, which is adjacent to Lake Massabesic. If you look at the plan, the area of the shoreline is owned by the Water Department and the darkened interior piece that is labeled 129 acres is owned by the Audubon Society of New Hampshire. The problem that we face is that the Audubon

Society in the last couple of years is facing very serious financial issues as a result of a downturn in the economy. Potentially this 129 acres of property could be foreclosed upon. The concern is obviously that there could be residential development put on the property. It is really close to the lake and very critical to our watershed protection program and the drinking water supply. We would like to very much keep it in its natural state. What we have been doing over the last six to eight months in order to try and tie up the land is to place a conservation easement on the property. What we have done is to form a partnership with the Audubon Society and the Town of Auburn. The Water Department has agreed to put up \$400,000 of the \$1 million of appraised value. The Town of Auburn will put up \$100,000 and that leaves us approximately \$500,000 short of the \$1 million appraised value. We then went to the New Hampshire LCHIP program. We applied for a \$500,000 grant and we received about \$200,000. That left us shy still about \$300,000. We went to the Southeast NH Land Trust, which is another conservation grant organization and they applied to the federal government and came up with another \$375,000 of what is called a National Resource Conservation Grant. So we were able to come up with \$1,075,000 between all four parties to contribute to doing a conservation easement on this particular parcel of property. The above funding has all been approved by the Board of Water Commissioners and because this is a land issue, it has to come before the Board of Mayor and Aldermen and that is why it is before you today. What would be necessary is for the Lands & Buildings Committee to approve the concept of moving forward, accepting both the LCHIP and the federal money, the NLCS money and then moving that forward to the full Board. This will require a number of legal documents, cooperative agreements, conservation easements, descriptions of the property; all of that would have to be reviewed by the Solicitor's Office and any approvals would be contingent upon their review and approval. That is kind of where we are at and we are hopeful that you will allow us to move forward with this.

Alderman Shea moved to accept the LCHIP and federal National Resource Conservation Grant funds and allow Water Works to move forward with a conservation easement on the Audubon Society property. Alderman Lopez duly seconded the motion. Chairman Osborne called for a vote. The motion carried, with Alderman Greazzo being duly recorded in opposition.

Chairman Osborne addressed item 6 of the agenda:

6. Communication from the Manchester School District regarding the purchase of office space for their relocation of the School District administrative staff.

Mayor Gatsas stated thank you Mr. Chairman. At this time I think you have all of the pertinent data – the purchase and sale agreement, the appraisal, the environmental study, the escrow agreement, the condominium documents, the third amendment to the declarations, the first amendment to the declarations, the deeds, certificate of insurance and the financial statements. I don't know if there are direct questions regarding any of those documents but I can tell you that the School District has been looking for an awfully long time for a home of their own so that we can reduce the cost of \$298,000 a year that we spend in rent. This will bring that cost down and save us about \$127,000 a year. That cost will be running somewhere around \$170,000 plus a month for the debt service at this location, along with the \$2.90 per square foot for the condominium charge. The fit up will take place and move in looks like somewhere around August 15th. With that, I will entertain any questions you may have.

Alderman Shea stated earlier today I asked about condominium fees. I am sure that buying a condo today you have to have fees attached to it.

Mayor Gatsas replied it is \$2.90 per square foot. It is about \$26,668 per year.

Alderman Shea asked how much is that again?

Mayor Gatsas answered \$26,668 per year.

Alderman Shea responded also when you belong to a group that has condominiums there, are there are any additional fees because you belong to a condo...

Mayor Gatsas interjected that is the common area charges that I just gave you of \$2.90 per square foot.

Alderman Shea asked that would be included in it as well? That common charge?

Mayor Gatsas answered this includes roughly 12,860 square feet along with 70 parking spaces that the District would also own for the employees. So let's say in five years for some reason there would be another City building that would become available that they could move into at no cost, the property would then be put on the market with the 70 spaces.

Alderman Shea asked the actual purchase price again is what?

Mayor Gatsas answered \$2,400,000.

Alderman Shea responded you said earlier today that there is money available for moving and this would be refitted...

Mayor Gatsas interjected the refit is included in the \$2.4 million. Moving costs are included in the budget currently. They are already appropriated.

Alderman Shea replied and the move would take place prior to the...

Mayor Gatsas interjected hopefully everything will be done and we will be in sometime around August 15th.

Alderman Shea asked but you have to be out of the other place on September 30th?

Mayor Gatsas answered yes.

Alderman Lopez asked regarding the \$26,000 annual fee, what do we get for that?

Mayor Gatsas answered those are the common area charges for outside clean up, hallway clean up, janitorial services and that sort of thing.

Alderman Lopez asked is that for janitorial services inside too?

Mayor Gatsas answered hallways and the common area space. It would also include heat for the common area space.

Alderman Lopez replied maybe for the public you can talk about square footage and where we are talking about. I know we have that information but is that public information.

Mayor Gatsas responded I don't think that is public information until we have the full meeting this evening.

Alderman Arnold stated Your Honor, I know there were discussions long before I joined this Board on the best location for the School District. I know that in years past when the issue has come up I believe at one point there was a suggestion about the School District possibly moving near the Hackett Hill business park or at least what that area is now. From what I have heard, the concerns there were accessibility and whether or not that was centrally located enough. I guess I welcome any comments from you or the Superintendent as to the accessibility of this location.

Mayor Gatsas replied I think that other than saying that this structure is on the west side of the river, I think proximity to downtown is basically the same and

certainly it gives the School District the accessibility for people coming in and knowing exactly where they are by location so it is not a difficult thing for the citizens of this City that have to visit the School District to find it and get to it.

Alderman Arnold stated I believe you commented on parking.

Mayor Gatsas responded there are 70 spaces for the employees of the School District that will be there and offered to them. There are other spaces available to the citizens to be able to go in and get access.

Alderman Arnold asked do you or the Superintendent know what you have access to now in terms of parking?

Dr. Thomas Brennan, Manchester School District Superintendent, responded we have 75 parking spots currently.

Alderman Lopez requested a recess to meet with legal counsel.

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to recess the meeting to meet with legal counsel.

Chairman Osborne called the meeting back to order.

Mayor Gatsas stated I guess the question was the documents that we have, should we open them as public documents, and I have no problem with doing that. After speaking with the City Solicitor, the location of the property certainly is available to everybody and should be known and I think that is a point of discussion if that is what the Committee wishes.

Alderman Shea stated I am interested in comparing your present facility with the anticipated facility in terms of whether you plan on utilizing any other City services because of the difference between where you are now and where you are going. In other words, are you going to be able to do anything more where you are going now than you are able to do where you are presently or is it just a matter of investing in property that would replace whatever you are paying now for rent? Again, that is what I am interested in finding out.

Dr. Brennan responded it is basically a relocation. I don't think you will see any net gain in terms of the notion of different services but it does provide us an opportunity to own the property as opposed to leasing it and that was a significant issue and has been a significant issue since I have arrived and before that. Again, if circumstances change and there is an opportunity to sell it we would be able to do that if we were to relocate into a City-owned building. With the lease as it is,

the only option we have as of September 30th is another five year option and at the continued rate we believe it is in our best interest and the City's to go forward with this proposal.

Alderman Shea asked so the general public is going to get the same kind of services at the new facility as they received at the old facility?

Dr. Brennan answered yes, but I think it will be better organized and we would have more space for other things that we need.

Alderman Greazzo asked how long have you been looking for a property?

Dr. Brennan answered since I arrived we have been looking for properties. At one point we had selected a piece of property out on East Industrial Road that was not accepted by the Board due to concerns they had relative to some of the analyses of that property. I would say that I have looked at at least a dozen pieces of property since I have been here trying to match up what we need and trying to address the need to be in the center part of the City. Parking is a significant issue and even when we look at pieces of property, parking is very limited. We need at least 70 spots as discussed and the ability to have more in the general parking area. It is a real concern but we have been looking for over two years. Since I have been here we started the search.

Alderman Greazzo asked how many total have been looked at in general?

Dr. Brennan responded I know that I have looked at at least 12 and I am sure other people looked at others.

Alderman Greazzo replied can you tell us why you decided on this location rather than some of the other ones you have looked at?

Dr. Brennan answered mainly the accessibility, the parking, the fact that it would be a custom design as others would be but the renovations fit our needs. The other properties were too small square footage wise. We actually reduced our footprint needs significantly. We are around 12,000 to 14,000. We had other designs early on. Those are the main reasons – location, accessibility and the fact that we could have it to meet our needs.

Alderman Greazzo asked is it safe to say that the customized space adds to the cost of the overall facility that you are going to be purchasing?

Dr. Brennan responded I think in any building we looked at we would have required renovation. The ones that I looked at were either a warehouse or other

properties that had already been designed in certain ways that would not have accommodated our needs. Regardless of what property we settled on, we would have been looking at renovations.

Alderman Greazzo replied so everything you need will be included in this?

Dr. Brennan answered yes.

Chairman Osborne stated a couple of us know already what I had in mind. I guess it is a little late in the game here but what I had in the back of my mind is that the City just purchased...of course I have only had this in my hands for three days – the \$4.4 or \$4.6 million and so on and so forth so it is kind of hard for a Committee Chairman to sit here and determine what is right and what is wrong. I guess from what I understand all we are being asked is to okay this to be sent to the full Board. Actually I guess it is all taxpayers' money. Even if the School District does pay for it, the citizens of Manchester pay for it. As an Alderman I have to do this because I sleep nights as an Alderman. I always have and I always will. I am just bringing this forward and maybe one or two other people here know what I am going to say but we purchased this land for \$300,000 up on Lake Avenue. It is the Odd Fellows Hall on Lake Avenue and Hall Street. I thought this would be a good spot for it seeing that the City itself would own it. You wouldn't have to worry about condo fees or anything else. Parking could be made there eventually. It will take time but there is no time left. I have only had this in my hand for three days. It is kind of hard to determine what to do with \$4.4 million in three days.

Mayor Gatsas asked where do you get the \$4.4 million?

Chairman Osborne answered the purchase...

Mayor Gatsas interjected the purchase price is \$2.4 million.

Chairman Osborne stated okay, excuse me. That was my mistake. So it is kind of hard to determine all of this in our own minds. We are all sitting here okaying this for the School Board. It is a tough decision for me anyway. All I can say is this particular building would have been a nice place to be. You could always make the parking. It has the square footage and a good atmosphere right in the ward. I just wanted to bring this forward. I have some questions for Leon LaFreniere. As far as we know, if this were to have come forward sooner...I know it is kind of late now because they have timelines to meet here but this would have been an ideal spot wouldn't it have been? This could have been worked out in the future with a little time.

Mr. LaFreniere replied I really couldn't add much to the analysis that has been done for the appropriateness of the location for the School District. We haven't been involved with that project at all. I don't have any understanding personally of what their needs are. It would be very difficult for me to make that kind of assumption.

Chairman Osborne stated anyway, I guess the figures are all at about the same place because both buildings would have had to be renovated and so on and so forth. I guess it would have been a nice place to be. I just wanted to bring it forward, not that we would be able to do anything now with it. Just so a lot of people out there would know what I was talking about.

Mayor Gatsas stated let me just say that finding the School District a permanent home was one of my pledges as I took office. We were not going to spend \$300,000 a year for rent because they have been doing it now for five or six years. I was committed to finding them a building. I have driven this City not once, not twice, but several times and talked to different people about locations throughout the City. There were not many buildings, including the one you are talking about up on the Hollow because it is four stories. To encompass the space that you are talking about there would have to be an elevator and I am not too sure that Harriman Park has 65 parking spaces, but being on the corner of Hall Street and Lake Avenue there is no question that is in the center city but I think it was important that we find conducive space to what the School District was looking for all on one floor. That is how they are operating now. I think that would make sense that they would continue to operate on one single floor. That is what they have been doing and that is the space they have been looking for. I think it is important when we are talking about another building and I don't question that that purchase...we were going to buy that building if you remember for close to \$500,000 and when I was an Alderman I said that wasn't a good buy and we finally bought it at a price that I thought was fair market value. So I think that certainly your approach of bringing this forward is something we can look at for other alternative sources we have for education because I know we are looking at possible buildings where we can put in educational needs in the future. So that is a building that has already been considered for that. I have talked to the Superintendent about it. We can put students in there that have been expelled so we can get them off campus and into a place where we can make sure we keep them in the system. So those discussions have already started. Just so this Committee knows it is something that we have been talking about for probably the last five or six weeks, the Odd Fellows building.

Alderman Shea stated you piqued my interest about that building because I am always interested in children that are exceptional and I would like the City to

consider...and this is off the subject...but something like Boston Latin. We could always get something going in that regard. That would be a wonderful situation.

Mayor Gatsas replied we are working on that, Alderman Shea.

Alderman Shea moved to approve the purchase of the building at 195 McGregor Street.

Alderman Greazzo stated I want to follow-up on your queries into Odd Fellows Hall. I thought it was a very creative use of the space. I wanted to know if there was a possibility of extending your lease rather than signing another five year lease?

Dr. Brennan responded we have had some preliminary discussions about that and we do not believe that the landlord is looking to do that. I think the contract is what it is. We have actually had people walking through that space already. I don't think that is possible. We could look into that but I don't think that would serve our best interest.

Alderman Greazzo replied especially given the short timeframe.

Alderman Lopez duly seconded the motion. Chairman Osborne called for a vote. There being none opposed, the motion carried.

TABLED ITEMS

On motion of Alderman Shea, duly seconded by Alderman Lopez, it was voted to remove items 7 and 8 from the table.

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

Chairman Osborne asked on the Clearwire situation here, is this still live? Is it a live wire or is it time to receive and file this?

Mr. LaFreniere answered we have reached out to Mr. Baringer. David Beauchesne from my office has made a number of attempts to contact him and has not received any response.

Mr. Beauchesne stated we had an initial response from Mr. Baringer. He was told to go out and talk to the various departments that he needs to deal with the various City-owned land that he wants to locate these communication towers on. Once he has secured cooperative agreements and so on with the various City agencies that those lands are involved with, then he should come back to us and to this Committee. We have not heard from Mr. Baringer in a number of months since that first set of back and forth communications.

Chairman Osborne asked so is it just as well that we take this off and receive and file it and put it back on when they are ready?

Mr. LaFreniere replied I think it may be appropriate to in fact do that. It can always come back on the agenda once Mr. Baringer has more information.

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

8. 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; Re-tabled 12/2/08. Information to be provided by the Assessor. Re-tabled 7/07/09 waiting for disposition letter. Re-tabled 9/1/09, Finance Officer and City Solicitor to provide a final disposition letter.). Re-tabled 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.*

Alderman Lopez asked can the City Clerk send a communication to the Finance Officer regarding what we are going to do with this thing. It has been kicking around for two years.

Alderman Shea stated I would like some kind of resolution. In other words, get back to us before the next meeting so we have some insight into what is going on.

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

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

A True Record. Attest.

Clerk of Committee.