

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

May 11, 2004

5:30 PM

Chairman Sysyn called the meeting to order.

The Clerk called the roll.

Present: Aldermen Sysyn, Guinta, Smith, O'Neil

Absent: Alderman Forest

Messrs.: T. Arnold, J. Hoben, T. Lolicata, R. Ludwig

Chairman Sysyn addressed Item 3 of the agenda:

Communication from Deputy City Solicitor Arnold requesting the current Center of NH Garage Operating Agreement be extended to June 30, 2004 and recommending acceptance of the proposed Operating Agreement renewal effective July 1, 2004.

Alderman Guinta moved the item for discussion. Alderman O'Neil duly seconded the motion.

Deputy Solicitor Arnold stated as the Committee is aware we have been negotiating over a renewal of the parking garage operating agreement at the Center of New Hampshire for some time now. We have reached an amendment and extension, which you have before you that all parties are in agreement with. Finance, I would add, makes the comment that although they don't like the deal so to speak they are in agreement with the mechanics. This, of course, has been run by the Center of NH's Council who is in agreement. I would be glad to answer any questions. I would add one more comment that the reason we are asking for an extension to June 30, 2004 is merely so the new agreement coincides with the City's fiscal year.

Alderman Guinta asked who did you say is not pleased with this agreement.

Deputy Solicitor Arnold responded I am not saying anybody is not pleased with it. What I would say since Finance isn't here is that they are not in agreement with

the 50/50 split of revenues but they are in agreement with the mechanics set-up in this agreement for how that money would be accounted for and distributed.

Alderman Guinta stated Finance has been very vocal about their objection to the 50/50 agreement and I would just remind the Committee that the 50/50 agreement was voted and executed two years ago by the Board and I believe it was a unanimous vote. Could you just give us the quick highlights of this agreement?

Deputy Solicitor Arnold replied sure. This is a five-year agreement. It essentially preserves the present fiscal arrangements after some discussion. It does have a provision for if the City should wish to segregate the spaces to the Center of New Hampshire from those retained by the City. It basically calls for the City to do that as far as getting together and negotiating on certain items and that is contained in paragraph 16. It basically says if we choose to do that we will get together and work out such details as to how we will account for revenues generated and how certain parking patrons will be directed to the other's parking spaces. I think that is probably the major change in the agreement. What I did and the reason this agreement is four pages long is there were a couple of amendments to the original operating agreement. As you can see in the beginning paragraph what I did was deleted those amendments and restated them in this agreement so that we would only have two documents to work off of. I didn't want to get into a situation where we had multiple amendments to one agreement that were hard for anybody to figure out what is going on.

Alderman Guinta asked what about collection of revenue and disbursement of revenue. How is that addressed? Is that addressed?

Deputy Solicitor Arnold answered that is addressed. I believe what the agreement provides is that the Center of New Hampshire will continue to collect the revenue. They will disburse 50% of it to the City and retain 50% of it. There were a couple of meetings involving Finance. At one of those meetings the Center of New Hampshire produced some of the reports that they give to Traffic and although I don't want to speak for Finance I think that they found their reports covered their concerns about making sure that all of the income for parking operations at the garage were accounted for.

Alderman Guinta asked and the revenue to the City goes to the general fund or does it go to Highway.

Deputy Solicitor Arnold answered it goes to the general fund but I would note that the agreement does have provisions for things like operating accounts that have to be maintained at a certain level.

Alderman Guinta asked funded by the City or funded by the Center or funded by the revenue.

Deputy Solicitor Arnold answered funded by the revenue but in the case of a shortfall revenue funded by the City.

Alderman Guinta asked could you say that again. In case of a shortfall? How can we have a shortfall if there is always going to be a 50/50 split? There is always going to be revenue.

Deputy Solicitor Arnold replied no there is always going to be revenue but what I am referring to is paragraph 10. There is an operating account. The agreement merely calls for that operating account to have a balance of \$42,000 in it so that there might be a situation where the City would have to replenish that account.

Alderman Guinta asked what money comes out of that account.

Deputy Solicitor Arnold answered the operating account is basically used for the operations of the garage.

Alderman Guinta stated let me make sure that I understand. The revenue, the total revenue...I thought that operating expenses come off of total revenue and then there is a 50/50 split. Is that not accurate?

Deputy Solicitor Arnold responded we basically have two types of revenue in the agreement. If you are referring to the Verizon Event Revenue so to speak, the expenses for that are split 50/50 as is the revenue. The Center of NH collects the revenue. The expenses are...there is a strange system. Essentially they are paid and then reimbursed. 50% of those expenses are reimbursed by the Center of NH. That is contained in paragraph 11 if you wish to look at it.

Alderman Guinta asked have the arrears been paid in full at this point.

Deputy Solicitor Arnold answered I believe that it has.

Alderman Guinta stated one of the things that this document does is it cleans up the problem that we had in the past of having to go to Traffic and finding money in Traffic to pay the amount owed to the Center. Correct? That has been resolved.

Deputy Solicitor Arnold responded yes. That was an issue before, however, recently when Finance was shown the reports that were generated and again I am hesitant to speak for them but fairly stated I think the position they took is that the 50% of the revenues that go to the Center of New Hampshire are not revenues or

income to the City and, therefore, they wouldn't need an appropriation to send that money or allow the Center of New Hampshire to retain that money.

Alderman Guinta asked who sets the parking rate at that garage.

Deputy Solicitor Arnold answered the City does by ordinance.

Alderman Guinta asked do we know what the estimated annual revenue is for the City.

Deputy Solicitor Arnold answered we do know that but I don't have the figure in front of me.

Alderman Guinta asked is it \$500,000.

Mr. Thomas Lolicata answered it fluctuates a little bit because you have to remember that of those 400 spaces half of them are leased. I understand now that we can possibly go up to that 400 maximum with bonding so you might see an influx in that also. With the adjustments that we have made you will probably see an increase.

Alderman Guinta asked but this is now going to be a revenue source for the City where before it was not considered a revenue.

Mr. Lolicata answered it was considered a revenue source but remember...

Alderman Guinta interjected but we had an accounting problem because you ended up having to pay out of your department, which was not a line item. You had to find the money.

Mr. Lolicata responded you are right. Now there is not an appropriation needed as Mr. Arnold explained so I think we will be all set now.

Alderman O'Neil asked where does it state on here how collections are going to be made on whether it is a Verizon split or general operating revenues. Where in here does it say how and when that money shall be turned over to the City and records, etc.?

Deputy Solicitor Arnold responded throughout the agreement you can see that it refers to Verizon revenues. Verizon revenues is a defined term to state revenues received from Verizon Wireless Arena patrons when events are being held at the Verizon Wireless Arena. That would be Verizon revenues. Other revenues from the garage...

Alderman O'Neil interjected I am not questioning the types of revenues, I am questioning how and when are they due to the City of Manchester. I didn't see that in here. I might have missed it.

Deputy Solicitor Arnold replied that would be contained, I think, in the original agreement.

Alderman O'Neil asked do you have any idea where that is in there.

Deputy Solicitor Arnold stated Article V starting on page 7 deals with the fiscal matters. Article 5.5 deals with the use of accounts and funds. In the amendment, paragraph 11, which amends Article V, paragraph 5.5 deals with how the Verizon revenues are accounted for and distributed.

Alderman O'Neil stated I still don't see it here specifically. Okay, now I have it.

Chairman Sysyn called for a vote on the motion to extend the current Center of NH Garage Operating Agreement to June 20, 2004 and to recommend acceptance of the proposed Operating Agreement renewal effective July 1, 2004. There being none opposed, the motion carried.

Chairman Sysyn advised that the Traffic Department has submitted an agenda, which needs to be addressed as follows:

STOP SIGNS:

On Trolley Street at Brent Street (northern end), southwest corner - 3-way

On Brent Street (northern end) at Trolley Street, northwest corner and southeast corner - 3-way

On Brent Street (southern end) at Trolley Street, northwest corner and southeast corner - 4-way

Alderman DeVries

RESCIND PARKING FOR POLICE VEHICLES ONLY:

On Cedar Street, southside, from Union Street to a point 70 feet easterly -

Ordinance #8189

Alderman Guinta

RESCIND NO PARKING LOADING ZONE:

On Cedar Street, southside, from Beech Street to a point 60 feet westerly -

Ordinance #2771

Alderman Osborne

AUDIBLE PEDESTRIAN SIGNALS:

Maple Street and Valley Street

Beech Street and Valley Street

Alderman Osborne

On motion of Alderman O'Neil, duly seconded by Alderman Smith it was voted to accept the traffic agenda.

Chairman Sysyn addressed Item 5 of the agenda:

Discussion pertaining to the banners and flags on Elm Street.

Alderman O'Neil stated an observation from the St. Patrick's Day Parade, we worked, Alderman Smith, Alderman Lopez and a couple of the crew members from the Traffic Department installed a flag in front of City Hall to see how it would be affected with the banner. It looked close but it didn't look like it was going to be a major issue. As all of the flags got installed it started to become a major issue and in my opinion we have the viewing of American flags being blocked by the banners. With Memorial Day coming up it is something that needs to be addressed. I apologize. I meant to bring this in at the last Traffic meeting, but it is something that has to be addressed whether it is lowering the flag brackets or raising the banner brackets. I would be concerned about lowering the flag brackets because then we start getting down into truck traffic. Another issue with these banners is as everyone is aware it is fairly windy on Elm Street. There are very few locations where those flags don't get wrapped around and now they are getting wrapped around the banners, which have some cotter pins on them. It may not seem like a major issue but out of respect to those that served our country, especially with Memorial Day coming up I think it is something that we need to address as soon as possible. I don't know what the answer is.

Mr. Jim Hoben stated the first thing we need to know is the protocol. Should the American flag be higher than the banner?

Alderman O'Neil stated my guess would be that there should be no banner on top of an American flag. The American flag is usually the highest...is Alderman Lopez here.

Mr. Hoben stated we also have problems with the banners. We have signage and Christmas lighting that is all on the same pole.

Alderman O'Neil asked, Alderman Lopez, should the flag be the highest thing on the pole.

Alderman Lopez responded yes.

Chairman Sysyn asked so how should we go about this. We need to solve this problem.

Alderman Lopez stated I think how we go about it is the Traffic Division go down and work with Intown and make everything right.

Mr. Hoben responded you are saying that the US flag should be at the top so I think the banners will probably have to come down.

Alderman Lopez replied well I don't think they have to come down I think what you have to do with the banners is move them down 4" or 6" or whatever the case may be and then take the other bracket and put it on top and put the American flag on it. I will assist you.

Mr. Hoben stated you also have the Irish flag.

Alderman O'Neil responded any flag should be...I mean the Irish flag, they are a sovereign nation so they should probably be higher than...seriously I mean if a Canadian flag or any flag should probably be higher than...you are right Jim that there is an awful lot of stuff on many of these poles now. We have about 8,000 signs on some of them but it is an issue and with Memorial Day coming up it is an issue that needs to be resolved.

Mr. Hoben asked so you would like to see the US flag at the highest point.

Alderman O'Neil answered yes and the Irish flags would only be up around St. Patrick's Day and I would think they would be treated no different than the American flag. They are a sovereign nation so I think they should be...

Alderman Lopez interjected Alderman O'Neil what they do is put the American flag as you come down Elm Street on the right and put the Irish flag on the left.

Alderman Smith stated we will have to put them on both sides because we put the American flags on both sides so they will have to be adjusted east or west. Both of them will have to go up in my estimation.

Mr. Hoben asked both sides of the pole or both sides of the street.

Alderman Smith answered both sides of the street.

Alderman O'Neil stated maybe we have to come up with some different manner moving forward but at least for Memorial Day I don't see any other option.

Chairman Sysyn stated Ron Ludwig is here too and I think he was in on part of this discussion before. We are talking about moving the American flags up over the banners that are on Elm Street.

Mr. Thomas Lolicata stated the banners were put up by Intown. They did most of the banners downtown.

Chairman Sysyn stated so they would have to lower them and then we would have to put our American flags higher.

Mr. Ron Ludwig stated at the request of the Clerk I did about a month ago look at the flag situation and the wrapping around of the banner. I don't know if Tom or Jim looked at them and I don't want to volunteer work for them but it looked like to the best of my recollection if we could lower that bracket a little bit and it still keeps the American flag or whatever flag is going to be flown above the height that someone could reach it to tamper with it that gets it out of the way of the banner. Again, that is something that they would have to tackle with their bandit tool mechanism that I think they use to fasten those brackets up with.

Alderman Sysyn asked could we get the different departments together.

Alderman O'Neil responded one of the discussions though was that the flag should be higher than anything else on the pole.

Chairman Sysyn stated if we got the departments together maybe we could get this resolved between Intown and Traffic and maybe Ron Ludwig could help out.

Alderman Smith asked did Intown send this to any Committee when they put up the banners.

Deputy Clerk Johnson stated the Board actually had approved the banners going up. I don't know what the coordination factor was on how they went up.

Alderman Smith stated I know that the flags will have to go up and they will have to go up higher than anything else that is on the pole there. You will probably have to lower the banners down somewhat but maybe we can all get together and have a demonstration tomorrow and see what the best avenue to take would be.

Mr. Hoben stated I have a question. The use of the poles with all of the ornaments on them...we have a pole topper in front of Citizen's Bank one day. These light poles aren't really meant for the banners and the signs and the flags.

Alderman O'Neil replied that is why I said maybe in the long-term we have to get Planning and Highway involved to figure out a game plan but we need to do something for this Memorial Day and continue to work on it. We have Flag Day in May and Veteran's Day in November. We have to come up with a short-term plan and then a long-term plan.

Mr. Hoben stated we will contact Intown.

Alderman O'Neil moved to have the Traffic Department, Intown, Aldermen and the Parks Department work together on a short-term solution for hanging flags and banners on Elm Street and to have the City departments work together on a long-term solution and come back to the Committee with a recommendation.

Chairman Sysyn asked on Flag Day didn't we used to put the flags on the sidewalk. When I was a kid they were on the sidewalk.

Alderman Smith responded yes they used to have a brass support for the sidewalk but they got a lot of complaints and people picked them up or hit them.

Alderman Smith duly seconded the motion.

Deputy Clerk Johnson stated I would like some clarification. I just want to make sure that as I understand it Aldermen Lopez and Smith are going to work with the City departments.

Alderman O'Neil responded yes and we have two different issues. We have short-term for Memorial Day and not only with Traffic and Parks but maybe bring in Highway and Planning to figure out something more long-term to come up with. I want to make sure that we are properly honoring the flag on Memorial Day.

Alderman Guinta asked isn't the short-term solution to lower the banner and the long-term solution is to keep the banner at that new height. Do we need all of this...

Alderman O'Neil interjected it could be. The problem is lowering the banners depending on how...the flag should be the highest thing and by lowering the banners I don't know if it creates any issues for truck drivers.

Mr. Lolicata asked we are talking strictly Elm Street only right.

Alderman O'Neil answered yes.

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

NEW BUSINESS

Alderman O'Neil stated I have been asked by the folks at Central Little League to request a crosswalk on Lincoln Street in the area that was split, the two ballfields that are on Lincoln Street approximately near Easter Seals, the backside of Easter Seals, and the state has a number of offices there. I didn't measure it out. I understand it is an old issue that hasn't been resolved and I would like to see it resolved.

Mr. Lolicata stated I have taken a look at that. It goes back quite a ways. There are two factors there that I don't like. Of course we all know about midblock crosswalks but the other factor is the east side of the street is all driveway and on top of that it is a parking driveway for part of that mall. They actually go up and can park there. I think it is part of their property. Plus I guess the whole plaza is being renovated.

Alderman O'Neil responded but they were told that a year ago and there is still nothing going on and in the meantime there is no crosswalk there.

Mr. Lolicata replied basically we don't know where to put the crosswalk.

Alderman O'Neil stated well even if we have to move it at a later date, there are hundreds of kids using Central Little League now and they are requesting, for safety reasons, a crosswalk there.

Chairman Sysyn asked so where would you put it.

Alderman O'Neil answered I will go down there and measure it out tomorrow.

Mr. Lolicata stated also you realize that you have to have a curb cut and we have to put no parking on the other side so we are going to take up parking spaces.

Alderman O'Neil responded this seems like a very simple thing. I don't know why we are making a big deal out of this.

Mr. Lolicata replied I am telling you what goes with a crosswalk.

Alderman O'Neil stated I will work with...I spoke to Alderman Osborne because this is his ward and he fully supports the request and I will work with the Traffic Department to make sure this gets put in the proper place.

Alderman O'Neil moved to have a crosswalk on Lincoln Street across from the Central Little League fields. Alderman Guinta duly seconded the motion.

Alderman Smith asked is there a crosswalk at the corner of Auburn and Lincoln right now.

Mr. Lolicata answered yes there is.

Alderman Smith asked how far would this crosswalk be from that particular crosswalk.

Mr. Lolicata answered well to the first field if they go to the outfield fence it would be probably 75', homeplate you are going over 200' and then there is another field so add another 100'.

Alderman O'Neil stated probably a couple of hundred feet easy but the kids are cutting through there. They are not going down to the corner. They are cutting across. I don't know if it is an official alley or private property but they all come down from Green and those streets and cut across between Easter Seals and the state buildings there. That is where the issue is. That is my understanding.

Alderman Smith stated I know what Mr. Lolicata is getting at. Not to be in disagreement but that company does have quite a few parking spaces and it is like an apron all the way along there. I think they park 15 or 20 cars there. I could be wrong. Am I correct?

Mr. Lolicata responded you are correct. You would have to go on the other side of that private way or public way. That would be my choice.

Alderman O'Neil stated I would have to think that we could figure this out.

Chairman Sysyn stated well you could discuss both spots that he is talking about. It doesn't have to be exactly...it can be moved one way or the other.

Deputy Clerk Johnson stated the only thing I would say is that in order to do that normally that would show up on a Traffic Committee report so if you could get to it within the next couple of days we can submit the report for the next Board meeting.

Alderman O'Neil responded we will.

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

TABLED ITEMS

6. Portion of report of Traffic Committee referred back to Committee 04/08/2003 regarding the adoption of regulations:
One-Way Streets
Hollis Street
Kidder Street
(Tabled 04/08/2003 pending a meeting between Alderman Guinta, Tom Lolicata, and the constituents involved.)

This item remained on the table.

7. Report, if available, from the Building Commissioner and City Solicitor regarding speeding up the demolition process.
(Tabled 08/12/2003 pending collection of comments from departments and final version of the ordinance.)

Deputy Solicitor Arnold stated I can report that the Building Commissioner and I met some time ago. Unfortunately part of the delay in those types of cases is imposed by the requirements of the statute involved and the court system. The Building Commissioner and I did get together to try and make sure that those types of cases would be referred to the Solicitor's Office more quickly so we could get it to court in a more expeditious manner.

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

Alderman O'Neil stated we are talking about speeding up the demolition process and we can't speed up getting the work done by the City.

Alderman Guinta stated the initial request was made on May 22, 2003 and it was asked that it be done within 30 days. Can we get it done within 30 days of today?

Deputy Solicitor Arnold responded I certainly can. I am just not sure what the Committee is looking for at this point. As I said, unfortunately the delay is imposed...

Alderman O'Neil interjected we had buildings that should have been torn down that stood up for years. We had a very slow process. We were not aggressive in trying to get those buildings torn down. That is what I believe years ago the Committee was looking for.

Alderman Guinta asked so we are looking for an ordinance.

Alderman O'Neil answered right that says if the building has to come down it has to come down. We seem to let these landlords drag on forever with these things.

Chairman Sysyn stated it took me three years to get one down.

Alderman Guinta asked could we craft an ordinance for review within the next 30 days or for the next Traffic Committee meeting.

Deputy Solicitor Arnold answered yes.

Deputy Clerk Johnson stated from what I am understanding of the discussion it is actually state statutes that are creating some of the drawbacks to it so perhaps they could come back with some suggestions on a state law revision that might be more...

Deputy Solicitor Arnold interjected as I said the Building Department and Solicitor's Office have gotten together to make sure that the Solicitor's Office gets those cases more quickly but the statute provides certain due process rights, which I think you would have trouble changing. For instance, it provides that notice has to be given to the property owner. He has to be given time to comply with the order of the Board of Mayor and Aldermen. If he hasn't complied then we have to file a petition in court and we have to serve him again and that process just takes time.

Alderman O'Neil replied it shouldn't take three years or more.

Alderman Smith stated I know in the case of a severe fire if the Fire Department comes in and says that the building is unsafe and everything like that they only have a few days to take care of the situation. I think if safety is involved it should be a priority.

Chairman Sysyn responded right. That bowling alley came down pretty quickly.

Alderman Guinta moved to have the Deputy Solicitor summarize the current statute and make some recommendations whether it be ordinance, RSA changes or

policy set by the Board to insure the timely demolition of buildings within the next 30 days. Alderman O'Neil duly seconded the motion.

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

8. Report regarding parking garage contract RFP's.
(Tabled 08/12/2003)

This item remained on the table.

9. Communication from Alderman Forest requesting that the City Clerk be allowed to study the parking control issue and report back to the Committee with recommendations.
(Note: This was approved on 02/10/2004; awaiting report from City Clerk.)

This item remained on the table

10. Report of the Traffic Committee recommending that all metered parking be changed from Monday-Friday, 8AM-8PM to Monday-Friday, 8AM-6PM.
(Tabled 03/09/2004 awaiting recommendations from Finance and Planning of a draft request for proposal for study of the City's downtown parking program and relative policies and identifying a source of funding for the study.)

This item remained on the table.

Alderman Guinta stated at the last Traffic Committee meeting we talked about trying to put some spots on Elm Street in front of Just Jitters right next to Fleet Bank.

Mr. Lolicata responded I am sorry I didn't get back to you. I went down to the bus company and spoke with Mr. Davis. He doesn't go along with that because you would have to take out that whole Oedipus. The bus would have to go up forward if you did this for one spot. He thought it would be a good idea to leave it alone.

Alderman Guinta asked can you explain that again because I am not understanding you.

Mr. Lolicata stated there is a whole area of bus stop north of Lowell. He said if we split that up we would be lucky to get one or maybe two spaces at the most.

Alderman Guinta responded that is all we are looking to get.

Mr. Lolicata replied he doesn't recommend it. He would rather leave it there because of the Oedipus. They have a great big long MTA shelter and that whole thing would have to come out.

Alderman Guinta stated but the shelter is on the southern most portion of...

Mr. Lolicata interjected that is correct but a bus needs so many feet to come in and go out again. With the ADA rules and the lift they have to come in a certain way and go out a certain way and have so many feet. That is the explanation I got from Mr. Davis.

Alderman Guinta stated I have a hard time believing that we would have to move that shelter. Could we do a measurement? Does the MTA have their own requirement in terms of how much space they need or is it an ordinance?

Mr. Lolicata responded because of the situation and the fact that there is a knoll that is what he is talking about. The bus needs at least 45' or more.

Alderman Guinta asked is your position that we couldn't find the room either.

Mr. Lolicata answered yes I would have to agree with him.

Alderman Guinta asked can we issue a letter to...Just Jitters was the company that asked that we look into this. Could we issue a letter stating that due to the...come up with the explanation given by the MTA to bring closure to the issue?

Mr. Lolicata answered Mr. Davis would probably do it for you if you asked him.

Deputy Clerk Johnson stated I will take care of that.

Alderman O'Neil stated I have one other item. Could I have Lt. Valenti come forward please? I observed something today. I was coming across Chestnut Street and we have a loading zone from a point on the West Side of Chestnut from Hanover X number of feet north. The UPS truck stops and double parks on the westbound lane of Chestnut Street parallel to the last two parked cars instead of pulling in. Are the loading zones serving their purpose? Are the delivery people using them? What it forced was everybody in the right lane...now you had a little going from two lanes to one lane. Are they serving their purpose?

Lt. Valenti responded I would say they are very much so. I think UPS sometimes takes the liberty to double park because of the size of the truck.

Alderman O'Neil replied but this is one right there at the end of the...there was no trouble having to parallel park. They could have pulled in and pulled right out. So it is not an issue?

Lt. Valenti responded no it is not an issue.

Alderman O'Neil stated the other issue with the loading zones is they end at 5 PM so people I know have figured out that you can park from 5PM to 8PM there for free. I don't know if that is a major issue or not. They are all over the downtown.

Mr. Hoben stated we have a couple of dual use spots like you are talking about down by the Verizon where it is a loading zone 8AM to 5PM and we put a meter in there and have it as two hour parking or ten hour parking from 5PM until 8PM so the loading zone is a loading zone 8AM to 5PM but from 5PM until 8PM we are picking up the revenues.

Alderman O'Neil stated I am just pointing it out that people are using it. One other final item of new business. What is the policy for the people with the black bags? When they leave for the day aren't they supposed to pull them off the meter?

Mr. Lolicata responded no but my understanding was that for the weekend they were. In other words, if somebody is working down at McQuades...there is a company there now utilizing the bags so they leave them on.

Alderman O'Neil asked is that a policy or is that the ordinance.

Mr. Lolicata answered there is no ordinance or policy. What I heard for a so-called "policy" or "agreement" was that on Friday nights they should take them off for the weekend.

Alderman O'Neil asked who is the agreement with.

Mr. Lolicata answered with the people who come in and get the bags.

Alderman O'Neil stated in my opinion they shouldn't take up parking spaces when they are not there. There are a couple over on Merrimack by Elm and people can't park there when these spaces aren't being used and unless we are getting some outrageous amount of money for these spaces...

Mr. Lolicata interjected they are paying \$10/day for a bag and that is more than we would get at the meter.

Alderman O'Neil asked so for \$50/week they get 24-hour use of those spaces.

Mr. Lolicata answered it is not 24 hours. It is just for whatever the ordinance is for those meters. After 8 PM anybody can park there.

Alderman O'Neil responded but people don't because the bags are still there. We should tell these people that they have to get rid of the bags.

Mr. Lolicata stated I guess they do that for when they are going back early in the morning.

Alderman O'Neil responded but they are not paying for that. I would like to take a look at that because it happens all over the downtown.

Mr. Lolicata replied they are paying for them on a daily basis.

Alderman O'Neil stated my personal opinion is there is an abuse of this bag policy.

Mr. Lolicata responded when each company comes in with their checks they are monitored...

Alderman O'Neil interjected I don't care about their checks. I think they are abusing the policy.

Mr. Lolicata stated there is none.

Alderman O'Neil responded well there probably should be. They leave them up so they have a space in the morning...that is not what they are buying. They are not buying 24-hour day use of a space and if they are we are not getting enough money for them then.

Mr. Lolicata replied right now we are getting \$10/day.

Alderman O'Neil stated we should be getting \$50/day then for 24-hour use. That means that people coming down to use the downtown at night there are fewer spaces and it is pretty prevalent around the downtown.

Alderman Guinta stated I would agree. First of all we should set the policy that the meters start at 8 AM and they end at 8 PM. That should be the timeframe that the bags are utilized and I think we should consider increasing the fee. How do we do that?

Mr. Lolicata responded it is done through this Committee. It went up twice in the last three to four years.

Alderman Guinta asked for bags.

Mr. Lolicata answered yes. We took that over from Parking Violations and I think two years ago we went to \$10.

Alderman Guinta asked who is primarily using the bags. Is it just construction companies?

Mr. Lolicata answered it is telephone, it is construction, it is people who have to work in those buildings at a particular place that they mark down because they have to have their truck or something there so they can get their equipment to work in that particular place. There is a big renovation down at McQuades that is getting everybody's eye and that is all I can tell you about that.

Alderman O'Neil stated but because it is a renovation project doesn't mean they have the right to have bags, take up a good majority of the spaces and then think they own those spaces Monday at 7 AM or 8 AM until Friday night. It is all over the downtown. I really think we should come up with a policy and I think they need to be removed. I also think we should increase the fees because I think it is pretty cheap.

Mr. Lolicata stated I suggest that you can make a policy and we will go along with it.

Chairman Sysyn stated you are getting more at \$10/day then you would if I put my quarters in there.

Alderman Guinta responded but it is not a revenue issue. I think the issue is having spaces available.

Mr. Lolicata stated you could also get rid of more abuse if you increase the fees. That is up to this Committee.

Alderman O'Neil moved to have the Traffic Department and Solicitor's Office come up with a policy for use of parking meter bags and an increase in the fee and report back at the next Traffic meeting.

Deputy Solicitor Arnold stated I believe the bags are there by ordinance. I was looking for it but I haven't located it yet. I would be happy to work with Traffic to come up with a solution.

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

Alderman Guinta stated I have one more piece of new business. I had a constituent today ask me if there is a possibility of having some sort of oversight of City employees with respect to wearing seatbelts in City owned vehicles. I don't know if there is anything...Tom can you research what the policy is?

Deputy Clerk Johnson stated I believe in the Fleet Maintenance policy it states that. I can review it for you or Tom can.

Alderman Guinta responded essentially if there is a policy I would just like to make sure that all City employees are adhering to it.

Deputy Clerk Johnson stated we could send a letter out to the department heads asking that they enforce it.

Alderman Smith stated I don't know how fellows would have a seatbelt in the back of a garbage truck.

Alderman Guinta responded I am not talking about garbage trucks.

Alderman Smith replied well I am just saying if you are going to set a policy you better make provisions for...

Alderman Guinta interjected it can exclude the guys on the back of a garbage truck unless the garbage truck comes with a seatbelt.

Alderman O'Neil stated one of the things that has been my understanding with many of the safety committees is we don't have one blanket safety policy for the City. Every department has their own and I think that is an issue. I think that is something that would be...I don't know if that is our mission or HR's but we should have one blanket safety policy that says if you are in a vehicle you wear a seatbelt or whatever it may be like the use of a hardhat or safety glasses. One of the things I am aware of is that every department has their own policy and they are not all the same.

Alderman Smith stated I would be in and out of my car about 200 times a day and it is time consuming and everybody says it is okay for safety but even the State of NH doesn't require seatbelt use.

Alderman Guinta responded I understand that concern but I think the concern that was brought to my attention by a constituent and I would agree is that the City is

self-insured and there is a liability. If we are providing vehicles and people are not using the safety features properly thus creating a liability, that is something that we need to at least address. If there is a policy already in place I think at the very least that City employees should be adhering to the policy.

Deputy Clerk Johnson stated we can review the current policy that is there for vehicles and the rest of it perhaps the Committee could consider the Safety Review Board.

Alderman O'Neil asked could we get information on what are the safety policies with vehicle use, etc. from the various departments.

Deputy Clerk Johnson replied some of it may be set-up as part of the City policy. Let me just look into it and we will send e-mails out to the department heads.

Alderman O'Neil stated Mr. Ntapalis should probably be involved with that.

Alderman Guinta asked is a motion necessary.

Deputy Clerk Johnson answered let us come back to you at the next meeting with whatever information we get.

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

A True Record. Attest.

Clerk of Committee