

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

January 11, 2010

5:00 PM

Chairman Roy called the meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Long, Osborne, Ouellette, Shaw
Aldermen O'Neil and Arnold

Messrs: P. Goucher, B. Stanley, K. Sheppard

Chairman Roy addressed item 3 of the agenda:

3. The Traffic and Parking Divisions have submitted agendas which need to be addressed:

RESCIND NO PARKING ANYTIME:

On Valley Street, north side, from Belmont Street to Wilson Street

Alderman Osborne

On Wellington Road, south side, from Foxwood Circle to Wellington Road (Ord. 8961)

Alderman Pinard

RESCIND NO PARKING – HANDICAP ZONE:

On Dix Street, south side, from a point 55 feet east of Taylor Street to a point 25 feet east (Ord. 7073)

Alderman Shea

NO PARKING ANYTIME:

On Valley Street, north side, from Belmont Street to a point 80 feet west

On Valley Street, north side, from a point 120 feet west of Belmont Street to Wilson Street

On Cass Street, east side, from Central Street to a point 55 feet north

Alderman Osborne

On Rogers Street, west side, from Hayward Street to Harvard Street

Alderman Shea

On Old Wellington Road, north side, from Eastern Avenue to Foxwood Circle
Alderman Pinard

On Calef Road, east side, from a point 240 feet south of Titus Avenue to a point
220 feet southerly

Alderman Garrity

Alderman Lopez

Manchester Street north side, from a point 294 feet west of Union Street to a point
96 feet westerly

Manchester Street, south side, from a point 210 feet east of Pine Street to a point
72 feet easterly

Harrison Street north side, from Elm Street to Chestnut Street

Alderman Long

15 MINUTE PARKING:

On Valley Street, north side, from a point 80 feet west of Belmont Street to a
point 40 feet west

On Massabesic Street, south side, from a point 132 feet east of Spruce Street to a
point 37 feet east

On Belmont Street, west side, from Massabesic Street to Cedar Street

Alderman Osborne

RESCIND 2 HOUR PARKING - 8 AM – 6 PM/ MONDAY – FRIDAY:

On Massabesic Street, south side, from a point 50 feet south of Spruce Street to
Belmont Street

(Ord. 9341)

Alderman Osborne

TWO HOUR PARKING - 8AM – 6PM – MONDAY – FRIDAY:

On Massabesic Street, south side, from a point 50 feet east of Spruce Street to a
point 46 feet east

Alderman Osborne

RESCIND TWO HOUR PARKING – MONDAY – FRIDAY

8:00 AM-3:00 PM

On Spruce Street, south side, from a point 74 feet east of Cypress Street to a point
31 feet east

Alderman Osborne

RESCIND NO PARKING ANYTIME –EMERGENCY ORDINANCE

On Massabesic Street, east side, from Hospital Avenue, to a point 85 feet south
Alderman Osborne

NO PARKING ANYTIME – EMERGENCY ORDINANCE:

On Massabesic Street, east side, from Hospital Avenue to a point 37 feet south
Alderman Osborne

On Island Pond Road, north side, from East Industrial Park Drive to Cohas Avenue (western section)

On Island Pond Drive, south side, from a point 250 feet west of Cohas Avenue (eastern section) to Cohas Avenue (western section)

Alderman Pinard

On South Jewett Street, east side, from a point 132 feet north of Jobin Drive to a point 81 feet north

Alderman DeVries

NO PARKING LOADING ZONE:

On Green Street, north side, from Pine Street East Back Street to a point 23 feet east

Alderman Sullivan

NO PARKING LOADING ZONE MONDAY-FRIDAY 8:00 AM--5:00 PM:

Manchester Street north side, from a point 390 feet west of Union Street to a point 22 feet westerly

Alderman Long

NO PARKING LOADING ZONE – EMERGENCY ORDINANCE:

On Massabesic Street, east side, from a point 37 feet south of Hospital Avenue, to a point 18 feet south

Alderman Osborne

METERS – 2 HOUR LIMIT:

Amherst Street south side, from a point 50 feet east of Elm Street to a point 54 feet easterly

Amherst Street south side, from a point 18 feet east of Nutfield Lane to a point 107 feet easterly

Elm Street, west side, from a point 22 feet south of Mechanic Street to a point 76 feet southerly

Alderman Long

1 HOUR PARKING – MONDAY – SATURDAY- 8:00 AM – 6:00 PM:

Manchester Street south side, from a point 282 feet east of Pine Street to Union Street

Alderman Long

NO PARKING HERE TO CORNER:

Manchester Street, north side, from Union Street to a point 33 feet westerly

Manchester Street south side, from Pine Street to a point 54 feet easterly

Alderman Long

RESCIND NO TRUCKS – 9:30 PM – 7:00 AM:

On Highland Park Avenue, from Candia Road to Laydon Street (Ord. 6665)

Alderman Shea

STOP SIGN:

On Douglas Street North Back Street at Allard Drive –SWC
Alderman Ouellette

STOP SIGNS – 3-WAY – EMERGENCY ORDINANCE:

On B Street at C Street – SEC, NEC
Alderman Smith

CROSSWALK – EMERGENCY ORDINANCE:

On River Road, west of Union Street
Alderman Mark Roy

RESCIND NO PARKING:

Harrison Street, north side, from Temple Court to a point 170 feet east
ORD 6461
Harrison Street, north side, from Elm East Back Street to Elm Street
ORD 9071
Harrison Street, south side, from Elm Street to Chestnut Street
ORD 3119
Alderman Long

RESCIND 1 HOUR PARKING:

Manchester Street, north side, from a point 420 feet west of Union Street to Pine
Street
ORD 3284
Manchester Street, south side, from Pine Street to Union Street
ORD 3295
Alderman Long

RESCIND 15 MINUTE PARKING:

Manchester Street, north side, from a point 145 feet west of Union Street to a
point 50 feet west
ORD 6483
Alderman Long

RESCIND METERS – 2 HOUR LIMIT:

Elm Street, west side, from Mechanic Street to a point 60 feet south
ORD 7911
Amherst Street, south side, from a point 50 feet east of Elm Street to a point 1254
feet east of Nutfield Lane
ORD 7607
Alderman Long

NO THROUGH TRAFFIC: – (Emergency personnel exempt – access achieved through the use of pre-emption system controlled gates)

On Sewall Street at Ross Avenue

On Gold Street, from Ross Avenue to Bradley Street

[Proposed traffic regulations related to Wal-Mart project]

RESCIND STOP SIGN:

On Sewall Street at Ross Avenue – SWC (Ord. 2620)

[Proposed traffic regulations related to Wal-Mart project]

City Clerk Matt Normand stated the agenda includes a no parking zone for Ahearn Street, which is an addendum submitted by the Traffic Department.

Chairman Roy asked do you all have the agenda that was handed out about the no parking on Ahearn Street? I would like a motion on this and we will cut out the last two items so that we can discuss them.

On motion of Alderman Long, duly seconded by Alderman Osborne, it was voted to approve the Traffic and Parking agendas except for the last two items.

On motion of Alderman Shaw, duly seconded by Alderman Osborne, it was voted to discuss the two items that were not included in the approved agenda.

Chairman Roy stated we are talking about the no through traffic on Sewall Street at Ross Avenue and on Gold Street from Ross Avenue to Bradley Street and rescinding a stop sign on Sewall Street. Both of these have to do with the proposed traffic regulations related to the Wal-Mart project. This is an administrative item that the Planning Board has sent us. They are two of the twenty points that they have told Wal-Mart that they have to do in order to build. They have sent it back to us because they do not have the power to restrict the flow of traffic on any street. That has to be the Aldermen that do that. This is an administrative issue.

Alderman Shaw stated I'm very concerned that there are still issues regarding traffic that have not been addressed. I feel that there should be some input from the state. I also feel that there are numerous traffic issues that have come up, that are present, and I feel that it is too premature...we have new Aldermen who have not had time to become familiar with this situation. I think we have a duty to the citizens, not only in the south end, but in the entire City, to make sure that this traffic impact...we need to know where this traffic impact is going to occur and how serious it is going to be. I would like to move that this be tabled.

Chairman Roy stated before I recognize that I want to remind everyone what we are looking at here. The process that we have gone through is that this came to the Board of Mayor and Aldermen for rezoning. Once it was rezoned, it was sent through the proper channels and procedures. Anytime someone wants to develop in the City, it goes through the Planning Board. All of the traffic studies that are going to be submitted or have been submitted have had the due diligence from the Planning Board. We're not here to try to redo that process. We are here to say yes or no about whether we want to go along with the Planning Board's wishes. They sent that for us to do administratively. My belief is that putting it on the table at this Committee isn't going to do us any good. All of the information that can be used at this level has already been submitted. If we send it to the Board, the whole Board can have their say and vote it up or down. It can be vetted by the Board. To table it at this Committee isn't going to accomplish anything.

Alderman Shaw asked isn't this the Committee that deals with public safety and traffic? Therefore, shouldn't our duty be to make sure that the traffic issues are addressed?

Chairman Roy replied in the normal course you would be absolutely right. However, with this development, that process is taken care of by the Planning Board.

Alderman Long stated I have to agree with Alderman Shaw. Will this go to the 19th meeting of the Board if we were to pass this through?

Chairman Roy replied yes, it would.

Alderman Long stated that would give me a week to get down to the Planning Department and look at the traffic. I understand where you are coming from when you say it is administrative. However, there is a reason it is at the Board. I believe that we have to do our due diligence to figure out if we want to close these, if they are worth closing and what impact that will have on the neighborhood. I don't slight the Planning Board. I'm sure they have done all that they had to do. However, this hasn't been on my plate for a week yet and with all the emails and phone calls that I have been getting, I'm not sure how I would vote on this. I would like that extra time to review everything that is in front of me. If you accept the motion, I would second it.

Alderman Osborne stated I would like to voice my opposition. I say no to that traffic situation on South Beech Street and the other streets in that area because we have Brown Avenue that goes into South Beech Street that turns into a nightmare. It has been for years and they just reconstructed all of that. It is still just about the same situation where it stacks up. That hasn't been solved. By putting a street light on the corner of South Beech and Brown Avenue, I think it is going to stack everything

further. It is hard to get the sequence that you want with all the different ins and outs. I don't think that is going to help at all, to take all the streets and dump them onto one, like President Road for instance. It is not fair. That's all we can do in this situation, but we don't want to hurt the businesses on the other end of Calef Road by doing that and having a \$60,000 sandbag on the other end in case we have to close President Road as well. I think that is what is going to happen one way or the other because it is going to be hard on the people on President Road. With all the traffic coming down President Road, we will have no choice but to close that as well. That is why I would vote no on this particular situation. I don't need to go into too much detail, but that is the way I feel and I like to sleep at night.

Alderman Ouellette stated I would like to say that this is a very difficult situation for all of us. We put our names on the ballot and we are here to make tough choices and tough decisions. That is why we are here. We are also here to represent our constituents. I understand that. We are also here to make decisions on behalf of the betterment of the City as a whole. That being said, I think this Committee has no jurisdiction on whether or not the Wal-Mart project goes forward. The Board already approved the Wal-Mart project. The Wal-Mart project is going forward. Now we need to decide where we go from here. I respect Alderman Shaw's motion, but I think delaying this does no good. I agree with you. We need to make a decision one way or another. One of three things is going to happen: Either all the streets are going to be closed, President Road will be open, or none of the streets will be closed. That is what is going to happen because the project is moving forward. I'm going to vote against the tabling motion because I think it is time to move forward and send it on to the full Board. There is a week to get information for the new Aldermen who don't have the information. I was a new Alderman last term and we had to get information in a very quick manner. Sometimes things are dumped in your lap. When I became an Alderman, the arches on Kelley Street...they look nice, but Rimmon Heights is written on them. They were already in place when I became an Alderman. It became an absolute nightmare for me. It was something that I had nothing to do with or made a decision on. Do I think this is the same situation? Obviously not. I'm just telling you that there are similar situations that come up in your ward before you become an Alderman and it is thrown in your lap. It is an unfair situation, but it is the situation. That being said, Mr. Chairman, I am going to support the Planning Board proposal. I think they did do their due diligence and their work and they spent many hours on this. For some of the newer Aldermen who will look more closely into this, they will find that to be the case. Is there other information? Maybe, but I haven't seen that. In terms of another traffic study, we would need to figure out who would pay for that. I'm very confident in the information that the traffic study gave us. I expect it to be accurate. I think the Planning Board did their job and the only thing we are here to do is close streets or have streets remain open.

Chairman Roy stated thank you and I agree with those comments. You are right that the Planning Board has spent ten to fifteen hours listening to testimony and anything that needed to be presented needed to be presented at that time. They also studied this for approximately four months. I think it is unfair to the Planning Board if we let it sit here on the table and not act on it. I think it is unfair to the people who have been working on this from both sides. We need to get this to the Board and let them vote it up or down.

Alderman Ouellette stated Mr. Chairman, I would think that this would be unfair to the rest of our colleagues as well.

Alderman Osborne stated they spent 30 hours, but we have only spent 30 minutes. It is hard for the Aldermen here to make a decision sometimes, but like Alderman Ouellette said, we're here to make decisions. Sometimes I feel that I am all alone. Who am I, trying to represent thousands of different people? I try to go the best way that I can for my constituents as well. That is why I have a feeling for Mrs. Shaw. She is new and it is very hard for her to come up with these problems right off the bat. There is no doubt about it. Is there a timeline on this? Do we have to decide on this item tonight?

Chairman Roy replied again, I said it was unfair to not move this forward when everyone is waiting for an answer, especially the Planning Board and the people who are trying to develop down there. The reality is that the process that we have has the Planning Board handling this. That is why we haven't looked at all the traffic studies and everything else. That has already been done. It has already been vetted. That is the process that we have. If we want to change the process, that's fine, but it isn't going to help us in this situation. We could have the Aldermen meet every first and third day Thursday and do the job of the Planning Board, but I don't think the Aldermen are going to want to do that. That is why they have handed out that work to the Planning Board. We have to trust in that.

Alderman Osborne stated I have no problems with Wal-Mart. I'm not trying to block Wal-Mart. I voted for the rezoning because that area should be rezoned that way anyway. That's the way that whole area is. I have no problem with that either. I have a problem with South Beech Street and Brown Avenue. That is a nightmare to me and that is what is going to cause all the problems. Within a year, President Road will be closed because the people on President Road will get tired of traffic going from Brown Avenue to the highway or wherever. I go down Gold Street and I live on Cedar Street. I don't like to go down South Willow Street. Not everyone wants to go up South Willow Street. I'm saying that this is what is going to happen within a year. President Road will be closed, whether you like it or not. These are my true feelings. I sleep nights. That's the way I feel.

Alderman O'Neil stated thank you, Mr. Chairman, for allowing me to speak. Please don't take my comments as singling out any one Alderman or person. I'm going to say what I want to say. We have a responsibility to represent the citizens of our City. We did not do that job with the rezoning. We didn't do our job, plain and simple. We were the beginning of the problems with the project by not thoroughly reviewing this project. I can't remember the last time that we suspended the rules and approved a project of this magnitude or a rezoning the same night. That was a mistake by this Board. In my opinion, the Planning staff didn't do their job. Now the BMA has a second chance to do what is right for the businesses in south Manchester and most importantly, the residents of south Manchester. With all due respect, and you can correct me if I am wrong, but not all the information was received by the Planning Board. My understanding, the McDivett business paid for a traffic study and that was not allowed to be submitted to the Planning Board. From my understanding, Hannaford paid another consulting firm to do some type of study. I don't know what it is. I didn't see it. That was not allowed to be submitted to the Planning Board. Regarding paying for another traffic study, we pay dues to the Southern New Hampshire Planning Commission and they have professional planning engineers on staff who could be involved in this. All due respect, Mr. Chairman, but I look at this as more than an administrative function. If it wasn't it wouldn't be here. I think this Board has an obligation to the residents and the businesses of south Manchester to do what is right. We should allow all the information to come in, properly review it and then make a determination. Alderman Ouellette is not wrong that there are probably going to be three options: all the streets stay open, all the streets are closed or the Planning Board recommendation goes. I don't think this Committee can sit here tonight and make this decision. I think there is a lot of information that still has to be received by the Board. Thank you for allowing me to speak. I would strongly urge this Board to support Alderman Shaw's motion.

Chairman Roy stated thank you, Alderman O'Neil. I want to assure you that the Planning Board did their due diligence. You said that their studies weren't accepted. I have their study right here that was done on behalf of Hannaford. Maybe all the information that has been put out there isn't quite clear.

Alderman O'Neil asked those were all received and put into the record by the Planning Board?

Chairman Roy replied yes, they were.

Alderman O'Neil stated it was my understanding that that did not happen.

Chairman Roy stated that is why I have copies of them.

Alderman O'Neil stated I'm not saying they weren't presented to you. Were they received and used as tools by the Planning Board? That is what I am asking you.

Chairman Roy replied everything that we received we use as a tool. I can guarantee you that we went through all of them, including the original one that was seven inches thick. There could have been things that were submitted after the appropriate time. I don't know about that because I wouldn't have gotten it.

Alderman O'Neil stated I will check on that, Mr. Chairman, thank you.

Alderman Lopez stated thank you, Mr. Chairman. I just want to clarify in my own mind that 7-5 is what we are talking about. Am I correct that the two items the Planning Board is submitting are the two items that you are talking about plus President Road and the conditions whereby the applicant is to set in escrow a certain amount of money? Is that what we are talking about?

Chairman Roy replied we are talking about what is on our agenda about no through traffic and blocking off Sewall Street at Ross Avenue and Gold Street.

Alderman Lopez asked isn't it 7-5?

Chairman Roy replied no, it isn't 7-5. You are looking at the letter? Is that what you are talking about?

Alderman Lopez replied 7-5 and 7-6 from Planning and Community Development. This is all part of it. Isn't that correct?

Chairman Roy replied on 7-6 that is correct. On 7-6 it is items one and two. Now I understand where you were going.

Alderman Lopez stated 7-9 was put into the packet. I want to make sure that the traffic improvements and benefits to the City of Manchester, just for the record, are stated: more than \$3.5 million invested in offsite traffic improvements, improved traffic flow on South Willow Street corridor, significant improvements including double turn lanes to access John Devine Drive, reduction in current traffic level on Gold, Sewall and Bradley Streets, substantial road and/or intersection improvements, \$60,000 placed in escrow, and \$81,000 contribution for extension in neighborhood improvements. I wanted to bring that up to make sure it is clear in my mind. Under state law I know the Traffic Committee will have to make a recommendation one way or another to the Board of Mayor and Aldermen. I wanted to clear it up for the public so they know what we are talking about.

Chairman Roy stated that's correct.

Alderman Lopez stated thank you very much.

Alderman Shaw stated I am quite familiar with the situation because I have been following it and been a part of it even before becoming an Alderman. My biggest concern is the fact that even if they do plan to put lights at Brown Avenue and South Beech Street that can't be our decision. That is a decision the state has to make. I don't see anything anywhere that has any type of engineering plan that shows officially where the lights are going to go or how the traffic is going to flow. The key to all this is the word traffic and I feel that being on this Public Safety and Traffic Committee, we should have some say on traffic. I think this is an issue that still has unanswered questions and postponing it for a few weeks certainly wouldn't be to the disadvantage to the people of the City of Manchester. In fact, I think it would be to everyone's advantage if we knew exactly what was going on and what is going to be done so we can see whether or not this is going to work.

Chairman Roy stated Vanesse is already in communication with the state and the state is working with them to put in that intersection. They don't have the detailed plan that I know of yet, but they are talking with them and they are going to coordinate their lights so they match up with the off ramp lights. That is already in the works. It isn't like the state doesn't know about it. They have agreed that they could do that. As far as putting this off, all of the information is very easily accessible in one week. If we wait three weeks or a month, you're not going to get any more information than you can get in one week. There is no advantage to putting this on the table. We should be putting this forward to the Board so they can vote on it as a whole.

Alderman Shaw asked when did Vanesse meet with the state? When did this come about? This wasn't mentioned at any of the Planning Board meetings.

Chairman Roy replied when the Planning Board sent it over here, I don't know if that had taken place, but it has since then. They have already started the discussion with the state. If I remember right, when the conditions were put down there was something about already being in contact with the state. I can't tell you an exact date. I don't know that. Maybe staff does. Pamela, do you know? Was it August or September when they started talking?

Alderman Shaw asked is there an way to get information about that?

Chairman Roy asked staff, do we have that information?

Ms. Pam Goucher, Planning and Community Development Director, replied we have a lot of information and files and two or three traffic reports that the Vanesse Associates have done. We have traffic reports that a couple other abutters have presented that are all part of the file. We have a lot of email correspondence back and

forth and general letters regarding a variety of issues. I think we have three or four folders, not including the plans, and anyone is certainly welcome to ask questions. I have had some Aldermen who have asked for the minutes as well as traffic reports and letters.

Alderman Ouellette asked don't pages 7-10 and 7-11 tell you in detail what is going to happen and what is going to be constructed? I believe all these costs are going to be covered by Wal-Mart.

Chairman Roy replied absolutely. It covers the \$3.5 million right there. That's what I'm saying. That's the information.

Alderman Ouellette stated we have the information.

Chairman Roy stated you may gain more insight by going down to Planning. However, you can do that within a week. It is not going to be at any advantage to wait a week.

Alderman Osborne stated I hope I can speak for the last time because we could talk about this all night long. The whole thing with the lights down on Brown Avenue and South Beech Street, whether they put them there or not...if they do put them there, you are going to have a problem with that, but the traffic going through President Road is going to be phenomenal. Like I said, that is eventually going to be closed. The traffic light doesn't really mean that much. If they didn't put it on there at all and President Road was closed, then they wouldn't have to put traffic lights there because you wouldn't get more traffic than there is now. True? Once Wal-Mart goes there it is going to draw in more traffic. This is the whole situation that I can see. I'm not against Wal-Mart. It is a good store. I wasn't against rezoning because I think that area would eventually be rezoned that way anyway. I have a real problem dumping everything onto one street when the street is going to be closed anyway. The street lights that they are going to put up there are nice and we should have them. If we had President Road blocked off and had those lights it wouldn't be bad, but I don't think putting the lights there is going to help because they are going to stack up. I don't think they can sequence all those. They haven't done it with the other lights, so how is another going to fit in? It will probably make it even worse. Nobody knows this until it happens. This is why I am voting the way I am voting and I think the Alderman deserves some respect so we should at least hear what she has to say. I don't think it is going to make that much difference when it has been going on for this long of a period. It is not going to be built tomorrow.

Alderman O'Neil stated regarding the traffic issues, this Board has one chance to do this right. We're not talking about a neighborhood. We are talking about a section of the City. I have come to know more about Gold and Sewall Streets and President

Road than I ever thought I would know. I've driven down there, I've met with residents, and I've met with the businesses. From a study the Southern New Hampshire Planning did, there are 1,000 cars today on President Road. There are 5,000 cars on Gold Street. They are talking about another 1,000 cars once the Wal-Mart opens. We're talking about putting 7,000 cars a day on President Road, yet we have all the information. I don't understand that. It doesn't make any sense to me. We have a responsibility to do this right. We didn't do it right the first time. We suspended the rules and approved the project and the rezoning the same night. We have the chance to do this right. I have all the respect for Alderman Shaw. If this was any of our neighborhoods we would be putting up the same fight and asking the same questions. She is due that respect by this Committee and the full Board. I encourage you to support the tabling item for however long it takes it takes to get the information to the Board. This is more important than an addition of a garage. In my 20 years here, I have never seen a project that will have this much traffic impact as this project. It doesn't matter the name. You can call it XYZ Company. By their own traffic study, they are bringing traffic to that site. We have one chance to do this right. If we make a decision and it is wrong, there is no turning back. I'm not getting hung up on \$3.5 million in improvements. The people on President Road pay \$125,000 in property taxes every year. The businesses on President Road probably pay a similar number and employ all kinds of people and put money into our economy. We have a responsibility to do this right. I encourage you to support Alderman Shaw and the tabling motion.

Chairman Roy stated to clarify, you are right. There is more traffic going there, but the numbers that you said aren't quite accurate. It is significantly less than that, but the point is taken.

Alderman Ouellette stated my desire to move this forward and out of Committee is not a lack of respect for Alderman Shaw, if it seems that way; I apologize because that is not what it is for. I think this Committee needs to make a decision. It needs to send it to the full Board, up or down, however the vote goes the vote goes. It can always be tabled at the full Board. If more Aldermen need more time to look into this, there is nothing that prohibits the Board from tabling anything. I think that getting it out of Committee and getting the process moving to the full Board...I think pretty much everyone knows how they are going to vote on this as Alderman Osborne said. Tabling it in the Committee, who knows how long this is going to sit there. Then what happens? Is that fair to the residents or Wal-Mart? I don't think so. I think moving it forward to the full Board, if they need more time, they can table it there. Everyone there can take a crack at it.

Chairman Roy stated I agree with you. Alderman Shaw, I want you to know that I agree with him. There isn't any disrespect in any way.

Alderman Shaw stated no, I don't feel disrespected at all. I'm just standing up for what I feel is right. As a member of the Committee on Public Safety, Health and Traffic, do we ever receive reports of any type or can we request reports? My purpose in tabling this is to get more information because I know that in the past South Beech Street and Brown Avenue have been denied by the state to put lights there. That has been denied in the past.

Chairman Roy stated about 20 years ago.

Alderman Shaw stated I don't know if this is something that is going to be able to be done. I think there are other traffic issues with the state that I feel should be determined before we make a decision. That is why I want it delayed.

Chairman Roy stated I won't disagree with you. What Alderman Ouellette said is true. It could always be tabled at the full Board instead of here so the work can be done. If it sits here, where will we be in three weeks when we send it to the full Board? We're not going to get any more information than we have now.

Alderman Shaw asked why not?

Chairman Roy replied in other situations on this Committee you are absolutely right. You may see something later that when something comes forward and we haven't received any information, we ask for a report from Traffic. However, in this situation the Planning Board does that. All that information has already been submitted. It is all available.

Alderman Shaw stated with all due respect to the Planning Board, I feel that there should have been an allowance to let more information come in. I thought that the last meeting of the Planning Board was closed prematurely. There were still many questions that were unanswered. I feel that delaying this for a little while so we can get more information so that it would let the other Aldermen who just came on board to get more familiar and see whether they agree with these things and see whether or not something should be done, but at least we give them the option to do some research and it gives me the chance to do research with the state to see what is going on here.

Alderman Osborne stated I thought I wouldn't talk again, but I guess I have to. First of all, things are sent to a Committee like this to get more information and tonight it just seems to be passed on to the full Board. Why does it come here in the first place? We're not working on it.

Alderman Ouellette asked Mr. Chairman, may I ask Alderman Shaw a question?

Chairman Roy replied you may.

Alderman Ouellette stated Alderman Shaw, if we were to table this tonight, do you think that by next month you would be able to have all the information to satisfy you to move forward one way or another?

Alderman Shaw replied possibly. It depends on what information comes in. I think there are more questions. I am very concerned about the relationship between the City and the state. I understand that the information that was submitted to the Planning Board was to the best of our ability according to the Wal-Mart spokesperson about the effect of the traffic and the lights. To me, there needs to be a more definite plan, like an engineering plan, that shows exactly what is going to be done and exactly what the impact is going to be so that the state can then get on board. The state won't do anything until they have something concrete.

Alderman Ouellette stated let me rephrase my question. Are you willing to work with the Planning Department in the next month to try and answer all the questions you have so that we can finally try to make a decision on this by next month?

Alderman Shaw stated I don't want to promise anything...

Alderman Ouellette interjected I am not asking you to promise.

Alderman Shaw stated I would be willing to do that.

Alderman Ouellette stated my point is that I understand what Alderman Shaw is saying. I don't necessarily disagree with her; however, I don't want this going on and sit on the table in this Committee for two, three, four, five, or six months. I don't think that is appropriate. However, one month, maybe two, if you are not satisfied with the information, I think might suffice as to getting the information that you need. I certainly am not trying to rush people's decision one way or the other. I think we all need to take the time and work at this and make sure that all of our minds are clear. This issue has been going on for a long time so maybe I am not being cognizant of what the new members are going through. That having been said, Mr. Chairman, I will support the motion to table this evening.

Alderman Shaw stated I have no intentions of dragging this on forever. I just want more answers.

Alderman Ouellette stated that is fine with me then.

Chairman J. Roy stated I will say this again. I don't think that there is going to be any more information in a month than there is now.

Alderman Ouellette stated I agree with you, Mr. Chairman. I agree with you 100%, but so that everyone can feel comfortable in moving forward, in this new administration, this new Board, I am willing to wait a month to make that happen.

On motion of Alderman Shaw, duly seconded by Alderman Long, it was voted to table this item. Alderman Roy was duly recorded in opposition.

Chairman Roy addressed item 4 of the agenda:

4. Ratify and confirm phone poll conducted on January 7, 2010 approving the request from the Red Cross for three free parking spaces on Elm Street in front of the Hampshire Plaza on Saturday, January 9, 2010.

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted that the phone poll from January 7, 2010, be ratified and confirmed.

Chairman Roy addressed item 5 of the agenda:

5. Communication from Montgomery Street area residents, requesting two stop signs and a "No Truck Route" sign be placed on Montgomery Street.

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

Alderman Arnold stated thank you, Mr. Chairman, and I appreciate you observing that items five and six are very much linked. By way of background, I'll point out to the Committee that this is not a new issue in Ward 12. It is especially not new to individuals who live on and around Montgomery Street. Just so there is no confusion, the petition and letters included in the attachment through the Committee's agenda were sent in during a time when the Ward 12 Aldermanic seat was vacant. I wanted to clarify that point. Since taking office, I have been in contact with a number of the individuals who signed the petition as well as the Laflamme's, who authored the letter in item six. I'm here to go on record in support of a four way stop at the intersection of Montgomery and Dexter Streets. At its most basic level this is a public safety issue. Speed is a concern of Montgomery Street residents, but is not the only concern. Visibility, property damage and the risks associated with that are concerns. Based on my conversations with individuals who signed the petition, there have been a number of instances over the last several years where damage to property has occurred. In a couple of cases damages to individuals have occurred. In the abstract at least,

these accidents could have been prevented with a four way stop. For the Committee's information, this intersection is not in the middle of nowhere. It is two blocks away from Northwest Elementary School. I wanted to make sure that everyone is aware of that as well. I know that some members of the Committee I have spoken with have expressed interest in visiting the intersection themselves. I can appreciate that. I will offer this final concern and then leave it in your hands. If ultimately nothing is done at this intersection and something happens, whether it be property damage or an injury to an individual, it is my opinion that an "I told you so" from the Montgomery Street residents and the individuals who live in that area would certainly be warranted. With that, I will leave it to the Committee's consideration. I appreciate the opportunity to speak.

Alderman Osborne stated I would like to make a motion to table this. If anyone wants to speak before I do, they may.

Alderman Ouellette stated I read this. I have been on this Committee for four years. I understand that when a four way stop comes up a big red flag always comes up. There is an issue right now with that intersection in terms of safety and I think that is the most important thing. There is a resident that has 40 to 50 feet of bushes that go north from Dexter Street up Montgomery Street. I was on the phone with Alderman Arnold when I was at the intersection because I wanted to know what he was thinking and what his work with the residents was. I drove through that intersection. I was going west on Dexter Street. There is a stop sign on Dexter Street, but no stop signs on Montgomery Street. You have to be at least half way into the intersection before you can see around those bushes. I could support a four way stop at that intersection from that aspect alone. Even without the foliage on the bushes you still can't see around that intersection. I don't think that making the resident cut the bushes back is going to enhance the resident's property at all. I think they would have to take the bushes out and the privacy that those bushes provide would be compromised. Rather than making the resident do all that, I would support the motion for a four way stop sign.

Chairman Roy stated we adopted all the state regulations. Stop signs need to be warranted before you put them up or there is a liability to the City. I would be inclined to go along with Alderman Osborne and ask Traffic to do a study that includes speeding and accidents numbers there and see if it is warranted.

Alderman Ouellette stated I don't think the speed warrants a stop sign. I think we have been down that road many times. That is not the reason why I want a stop sign. I want the four-way stop because I think that is a very dangerous intersection.

Alderman Osborne stated that is the reason I wanted to table it. I wanted to go over there myself and take a look at those bushes. I think the Building Department should take a look. They are already on that, aren't they? There is an Ordinance that those types of things are not supposed to block an intersection. Is that true? I guess no one is making any moves to get rid of the bushes. I would like to take a look at it. Maybe we can come up with something that wouldn't warrant a four way stop. That is what I am trying to say. I asked Alderman Arnold how far it was from the school. I was always one to have four way stops only around schools and parks. I believe in that because of the children who play there. I believe in that wholeheartedly. Outside of that, you have to have a good warrant to put it there. That is why I am tabling it. I guess it is already in Building and Traffic can also take a look and see what they come up with for the accident counts on that corner for the past couple of years. The corner of Maple and Spruce Streets has 21 accidents a year and they had lights there. It is a hard thing. It is hard to cure.

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted to table this item. Alderman Ouellette voted in opposition.

Chairman Roy addressed item 6 of the agenda:

6. Communication from W. Jean and Lucielle D. Laflamme objecting to the neighbor's proposal to the removal of stop signs on Dexter Street.

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted to table this item. Alderman Ouellette voted in opposition.

Chairman Roy addressed item 7 of the agenda:

7. Amended and Restated Petition to close streets by gates submitted by Wal-Mart Real Estate Business Trust attorneys Devine Millimet & Branch, Professional Association.

(Note: Communication from Attorney Daniel Callahan withdrawing the Petition to close streets by gates related to the Wal-Mart project on Gold Street has been attached. Additional attached documentation includes; a recommendation from Michael Landry, Planning Board Chairman, communication from Pamela Goucher, Deputy Director of Planning & Zoning outlining the conditions of the Planning Board's approval of the site plan, and communication from Susan Duprey identifying benefits to the City of Manchester related to the Wal-Mart project.)

Chairman Roy stated I will take a motion to table this so that they can address this after the decisions have been made, up or down, on the whole Wal-Mart project.

On motion of Alderman Ouellette, duly seconded by Alderman Long, it was voted to table this item.

Chairman Roy addressed item 8 of the agenda:

8. Communication from Brandy Stanley, Parking Manager, submitting a request for John Brady for free parking while conducting city business.

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

Alderman Ouellette stated members of the Planning and Zoning Boards are volunteers of the City, basically. We should ask Brandy to come up with a proposal. I don't think parking at the Victory Garage is appropriate. There should be some sort of way or mechanism to get them free parking during meetings. I'm not sure if we can monitor if they are on City business. I wouldn't know how to go about that.

Chairman Roy stated he isn't asking for this just during meetings. He is asking for anytime he might come down to go to City Hall.

Alderman Ouellette stated I understand that, but I think it is very difficult to...

Alderman O'Neil interjected I think regarding the Planning Board and Zoning Board they put in many hours away from the official meetings. What I have read here is a little bureaucratic...parking in the Victory Garage and getting approval ahead of time. We don't necessarily have people stepping up to serve on those two dedicated Boards as it is. When Jack Brady was on the Board, I don't know how many hours he put in. My suggestion to the Committee would be to come up with something very streamlined and easy that is not bureaucratic. I agree with Alderman Ouellette. They shouldn't be parking in the Victory Garage if they have to come to the Community Development Office for either Planning or Zoning Board issues.

Chairman Roy asked should we table this until Brandy gets back to us with a plan? What do you want to do?

On motion of Alderman Ouellette, duly seconded by Alderman Long, it was voted to direct the Parking Division to come up with a proposal and report back to the Committee.

Chairman Roy addressed item 9 of the agenda:

9. Communication from Brandy Stanley, Parking Manager, submitting two requests for the use of Arms Lot and free parking, one for Nation MS Society Walk and one for the Southern New Hampshire Planning Commission monthly meeting.

On motion of Alderman Long, duly seconded by Alderman Ouellette, it was voted to approve this item.

Chairman Roy addressed item 10 of the agenda:

10. Communication from Brandy Stanley, Parking Manager, requesting that the increased fine for parking in front of a fire hydrant, Section 70.78 of the Code of Ordinances, be added back into the current code of ordinances.

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

Chairman Roy asked Brandy, is this something we can handle tonight or table it if it is going to be long and take it up next time? What would be your pleasure?

Ms. Brandy Stanley, Parking Manager, replied very simply, this Ordinance was duly passed and ordained by the full Board and went through the whole process in 2007. We inadvertently left it out when we requested another Ordinance in May of this year.

Alderman Osborne asked Brandy, the fines stay the same? \$75?

Ms. Stanley replied the fine right now is \$50. You passed it to \$75 in 2007.

Alderman Osborne stated I know. I was the one who put in for that.

Ms. Stanley stated we left it off of a fine schedule in May of this year so now it is back down to \$50. That was not the intent of the Board, but we inadvertently left it at \$50.

Alderman Osborne asked how do we get it back to \$75?

Ms. Stanley replied you would need to pass this Ordinance and send it to the full Board.

Alderman Osborne asked didn't we do all that back then?

Ms. Stanley replied you did, but then you passed the same Ordinance that did not include the \$75 fee. It was an administrative error on our part.

Chairman Roy stated by passing this on to the Board we are going to correct that problem and put it back to \$75.

On motion of Alderman Ouellette, duly seconded by Alderman Shaw, it was voted that the request from Brandy Stanley be approved.

Chairman Roy addressed item 11 of the agenda:

11. Communication from Brandy Stanley, Parking Manager, submitting revisions to 70.06 and 70.36 for Overtime Parking.

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

Chairman Roy asked Brandy, can you explain this one to us? If you can't explain it quickly we can table it.

Ms. Stanley replied I don't think I can explain it quickly.

Chairman Roy stated it is not time sensitive so we can table it until the next meeting.

On motion of Long, duly seconded by Alderman Shaw, it was voted to table this item.

Chairman Roy addressed item 12 of the agenda:

12. Communication from Kevin Sheppard, Public Works Director, requesting revisions be made to Ordinance Section 70.08(B) and 71.13(A) pertaining to the City's Snow Emergency Ordinances.

(Note: The BMA took action on November 10, 2009 to amend Section 71.13(A) for the 2009-2010 winter season.)

On motion of Alderman Osborne, duly seconded by Alderman Long, it was voted that the requested revisions of the City's Snow Emergency Ordinances be approved.

Chairman Roy addressed item 13 of the agenda:

13. Communication from Kevin Sheppard, Public Works Director, requesting approval of the attached Mutual Aid Agreement and authorizing the Mayor to execute said agreement for the City.

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

Alderman Long asked are we currently a member of the LGC?

Chairman Roy replied we are. That is something that will probably come up in the next couple of months. I think we pay about \$30,000 a year for dues. Not for this program, but in dues. Is this something that we have been doing for a while, Kevin?

Mr. Kevin Sheppard, Public Works Director, replied no, actually we don't belong to this program. I forget how many cities and towns throughout the state belong. This started up about five years ago. It is a way to formalize mutual aid amongst town and cities in the state.

Chairman Roy asked it is formalizing what we have been doing?

Mr. Sheppard replied right. If a town or city asks for our assistance, we typically would go to the Mayor and provide it if necessary. We haven't had to do much of that in the past, but this formalizes it. For example, during a FEMA event storm, this would formalize the agreement so there would be reimbursement for those costs. That is part of why the whole mutual aid program began.

Chairman Roy stated I think the confusion comes in on the last page, 13-12. If this goes on to the full Board, I would like to see the agreement that we have with them or that is involved with this, to see where the funds are going and where they are coming from.

Mr. Sheppard stated there is an annual fee of \$25.

Chairman Roy stated it also says that they are going to serve as a fiscal agent for special grants, awards, processing and accounts. Knowing that there is a little history there, I would like to know exactly what is going on and what their agreement is with the LGC.

Alderman O'Neil stated I believe that this was originally started by the association you belong to, the American Public Works Directors Association. I don't know how all these others got involved in it. Is there any way to do this with you being a member of that association? I'm guessing that your coordination is with most of the public works directors.

Mr. Sheppard replied correct.

Alderman O'Neil stated I think the intent of this is good. I agree with my colleagues. It seems like everyone and their brother has a hand in it though.

Chairman Roy stated it seems like a redundant service. You have accounts receivable and payable and all that stuff being taken care of by your office now. I'm wondering why we need to do that with this group.

Mr. Sheppard stated Public Works Mutual Aid is not part of it. LGC oversees that all the newsletters go out and finances are in the correct spot. They help the association oversee the day to day administrative functions. I'll confirm what the LGC's part is in this. Again, this is just to formalize the agreement so if Keene has a problem with a waste water treatment plant, they can call us and asked if we have any trucks that we could send over for a day. We don't have to send anything when requested. We can say no because we don't want to or because we need the trucks. This formalizes and puts us in the pool.

Chairman Roy stated personally I would like to see how the LGC is involved in this whole thing and whatever their agreement is with this group.

Mr. Sheppard stated sure.

Alderman Ouellette asked how long will it take to get us that information?

Mr. Sheppard replied about a week.

Chairman Roy asked so you can get it to us before the next Board meeting which is in two weeks?

Mr. Sheppard replied that shouldn't be a problem.

Chairman Roy asked is it time sensitive? Do we have to do this right away?

Mr. Sheppard replied no, it is not time sensitive.

Chairman Roy stated then we will handle it the first of next month.

Mr. Sheppard stated that's fine.

On motion of Alderman Ouellette, duly seconded by Alderman Osborne, it was voted to table this item.

TABLED ITEM

14. Communication from Rene Fortin of Gold Street, requesting alternate solutions to commercial expansion in the Gold Street neighborhood.
(Note: Referred by the Board of Mayor and Aldermen on 08/18/09. Tabled 8/31/09 waiting for Planning Board meeting.)

This item remained on the table.

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

A True Record. Attest.

Clerk of Committee