

## COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

March 1, 2010

5:30 PM

Chairman Roy called the meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Osborne, Long, Ouellette, Shaw

Messrs: N. Campasano, B. Stanley, W. Sanders, T. Arnold

Chairman Roy addressed item 3 of the agenda:

3. The Traffic Division has submitted an agenda which needs to be addressed:

**RESCIND NO PARKING ANYTIME:**

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

Alderman Ludwig

On Massabesic Street, north side, from a point 33 feet east of Belmont Street to a point 17 feet east (Ord. 9502)

On Massabesic Street, north side, from a point 50 feet east of Belmont Street to a point 125 feet east (Ord. 9417)

Alderman Osborne

**RESCIND NO PARKING ANYTIME – EMERGENCY**

**ORDINANCE:**

On Patterson Street, east side, from Salem Street to Glenwood Avenue.

Alderman Greazzo

**RESCIND 15 MINUTE PARKING – 6 AM-9 AM:**

On Putnam Street, north side, from Notre Dame Avenue to Notre Dame Avenue West Back Street (Ord. 6527)

**RESCIND NO PARKING - 8AM - 6PM – MONDAY – SATURDAY:**

On Taylor Street, east side, from Somerville Street to Harvard Street (Ord. 7438)

Alderman Shea

**RESCIND NO PARKING DURING SCHOOL HOURS:**

On Merrill Street, south side, from a point 180 feet east of Jewett Street to Woodman Street  
Alderman Shea

**RESCIND 30 MINUTE PARKING:**

On Massabesic Street, south side, from a point 120 feet west of Cypress Street to a point 100 feet west (Ord. 9134)  
On Massabesic Street, north side, from Cypress Street westerly to 334 Massabesic Street (Ord. 3366)  
On Massabesic Street, north side, from a point 85 feet west of Cypress Street to 334 Massabesic Street  
Alderman Osborne

**NO PARKING ANYTIME:**

On Old Wellington Road, north side, from Eastern Avenue to a point 520 feet westerly  
Alderman Ludwig  
On Putnam Street, south side, from Notre Dame Avenue to a point 42 feet west  
On Putnam Street, north side, from Notre Dame Avenue to Notre Dame Avenue West Back Street  
Alderman Ouellette  
On Massabesic Street, north side, from Cypress Street to a point 25 feet east  
Alderman Osborne

**NO PARKING ANYTIME – TOW ZONE:**

On Massabesic Street, north side, from Belmont Street to a point 175 feet east  
Alderman Osborne

**NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Patterson Street, west side, from Salem Street to Glenwood Avenue  
Alderman Greazzo

**NO PARKING - 8AM – 6PM – MONDAY – SATURDAY:**

On Taylor Street, east side, from Somerville Street to a point 275 feet north  
On Taylor Street, east side, from a point 360 feet north of Somerville Street to a point 110 feet northerly  
Alderman Shea

**NO PARKING – 7 AM – 3 PM - ON SCHOOL DAYS:**

On Merrill Street, south side, from a point 180 feet east of Jewett Street to Woodman Street  
Alderman Shea

**30 MINUTE PARKING – 8AM - 5PM – MONDAY – SATURDAY:**

On Massabesic Street, south side, from a point 120 feet west of Cypress Street to a point 100 feet west  
On Massabesic Street, north side, from a point 75 feet east of Cypress Street to a point 140 feet east  
Alderman Osborne

**10 MINUTE PARKING – NO TRUCK DELIVERIES:**

On Massabesic Street, north side, from a point 25 feet east of Cypress Street to a point 50 feet east  
Alderman Osborne

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

Chairman Roy addressed item 4 of the agenda:

4. Communication from Sara Anderson, Sales Manager for Clear Channel Manchester, requesting to use Arms Park for the 19<sup>th</sup> Annual Rock 101 Sky Show on Sunday, May 30, 2010 with set up to commence on Saturday, May 29, 2010. A rain date is set for Monday, May 31, 2010 if necessary.

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

Alderman Long stated I know last term there was an issue. They need to work with the City heads and the neighbors of the Arms Park area. It is a pretty far reaching area that is affected by this. People were all over the Millyard with respect to setting up grills and having a good time. However, the owner of those buildings had to pay the costs to clean up those areas. Is there something in this contract, within the last couple of years that expanded that neighborhood?

City Clerk Matt Normand replied not to my knowledge.

Alderman Long asked can we be assured that the area that is affected by the Sky Show is to be cleaned up by Clear Channel people? I'm talking about the Dow Street area, where people can set up and watch the fireworks and they have a cookout or bring a picnic, but there is trash left over the next day.

Chairman Roy asked can we ask the City Clerk to send a letter to that effect?

City Clerk Normand replied we can certainly make that a condition of licensure.

Chairman Roy addressed item 5 of the agenda:

5. Communication regarding facts about the National Incident Management System (NIMS).

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

Mr. Nicholas Campasano, Deputy Fire Chief, stated you should have in your packet the fact sheets for the two programs, IS-700 and ICS-100, which is an introduction to incident command and introduction to national incident management. In 2003, the federal government adopted the National Incident Management System as the recommended method of managing emergency situations. Since that time, the State has taken a progressive approach to mandating that training. Currently, we have all of the Fire Department's rank and file firefighters, lieutenants, captains and senior staff trained to the incident management and incident command. The Police Department has this as well. We are currently coordinating with the Highway Department and the School Department while the Health Department has people who are trained so the intent is to progressively have all City employees who may find themselves working at an emergency situation to operate under the Incident Command System and the National Incident Management System. At this point, it is your turn. The elected officials are also required to have a basic understanding of national incident management as well as incident command. The two introduction programs that you have in front of you, those facts sheets, are the programs that are recommended for elected officials to have, particularly if you are going to be working in the emergency operation center as we found this weekend during the power outage.

Alderman Long asked do I understand correctly that all I need to do is go online for three hours and go through this program and get certified or whatever they give you? Or is there going to be a class given for the elected officials? How do I do this?

Mr. Campasano replied we can do it both ways. We can offer it so the Fire Department will come in at your leisure and we will set up some programs to do it in a classroom format. It is also available online so if you want to, on your own initiative, go online and take the program and take the exam you can do it that way as well, but we can do it either way.

Alderman Long stated the online says it is about three hours if you have a class. Would that knock the three hours down?

Mr. Campasano replied absolutely. We probably could do both programs in about three hours.

Alderman Long stated I would ask for a classroom for the elected officials.

Chairman Roy stated I think the Deputy was saying that both will be offered to us. Is that what you are saying?

Mr. Campasano replied yes and we can do it at your convenience. We can offer a class during the day and also one in the evening to accommodate schedules.

Chairman Roy asked is this tied into some grants, the education of the elected officials?

Mr. Campasano replied absolutely. The Homeland Security Grant and most federal grants currently are tied to compliance with NIMS. The state certifies whether or not you have met compliance.

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

Chairman Roy addressed item 6 of the agenda:

6. Communication from Cleveland, Waters and Bass, P.A. Attorneys at Law, regarding Hannaford's concerns and opposition to the closure of Gold and Sewall Streets.

Alderman Long moved to receive and file this item. The motion was duly seconded by Alderman Shaw.

Alderman Osborne asked are they here? I want to know how I'm going to vote.

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

Chairman Roy addressed item 7 of the agenda:

7. Communication from Brandy Stanley, Parking Manager, regarding overtime parking enforcement.

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

Ms. Brandy Stanley, Parking Manager, stated as the letter indicates we are looking to start physically chalking tires to mark vehicles for overtime enforcement. That is a departure from the way we do it now. We had looked at it before and the Mayor had asked us to take a look at it. We agree that it is much more effective way of doing it, but with physically marking a car, we wanted to make sure that the Traffic Committee was aware because it is possible that it may generate some calls.

Chairman Roy asked but it is more effective?

Ms. Stanley replied we believe it is way more effective. It is going to take a lot less time and enable us to time more of the two hours than we currently are.

Alderman Long asked this is a policy change in your division, right? We're not changing this. We are saying that we are in agreement, but it is not a policy change from the Board. This is something that is already in your purview to do.

Ms. Stanley replied I believe so, but we wanted to make sure that the Board was aware because we didn't want to have phone calls being made because people might not approve of the change.

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

Chairman Roy addressed item 8 of the agenda:

8. Communication from Brandy Stanley, Parking Manager, submitting a proposed Ordinance amendment to Section 70.55 of the Code of Ordinances regarding the use of residential parking permits.

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

Ms. Stanley stated this Ordinance change writes into the Ordinance portions of the existing policy. It does not change the way we do business. We have had a policy in effect for many years that residential permits are not valid in spaces that are timed for one hour or less or in the City's parking lots. Again, it has been a policy that it has been distributed with all of the residential permits that are distributed. However, it is not written in the Ordinance and we recently got challenged on it so we thought the better thing to do would be to write it into the Ordinance.

Chairman Roy stated so you are formalizing a policy that has been in effect for a while.

Ms. Stanley stated that's correct.

Alderman Long asked with respect to handicapped placards, do you know if the State allows those placards to park in 15 minute or less than an hour spots?

Ms. Stanley replied the only thing the State law calls for is to allow people who have walking disability placards to park for free at metered parking spaces. It is up to the City to determine how long that period of free parking lasts. The City of Manchester has determined that that should be four hours. Someone with a placard can park in a metered space for four hours without paying. If they park in a 15 minute time zone, they are still subject to the 15 minute time zone. If they park in a one hour they are still subject to the one hour. It only speaks to free parking at metered parking spaces.

Alderman Long stated there are some metered spaces that are 15 minutes parking because we have the kiosks that have a drawn line of parking and within that parking zone there is 15 minute parking. Are they allowed to park in that 15 minute zone? Let me give you an example. On Pearl Street and Elm Street, there is a laundromat that has 15 minute parking and it is within the parking zone painted line. I guess you would say that is metered parking, but that one space is for 15 minutes.

Ms. Stanley stated it is actually not a metered parking space because it does have a 15 minute time limit. If you do park in that space, even though...the change was made after the point when we could change the striping on the street so the striping still exists, but you don't have to pay to park there and it is just a 15 minute parking space. That 15 minute limit also applies to walking disability placards.

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

Chairman Roy addressed item 9 of the agenda:

9. Communication from Brandy Stanley, Parking Manager, submitting a proposed Ordinance amendment to Section 70.36 of the Code of Ordinances to add parking regulations for the compact part of the city.  
*(Note: Additional proposed revisions to this Ordinance are currently tabled. The subsection may need to be relettered depending on the Committee's action.)*

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

Ms. Stanley stated this particular Ordinance was brought to our attention by Alderman Lopez when we were looking at the change in the fire hydrant fine. Alderman Lopez noted that there were several places throughout downtown where there are striped and metered parking spaces closer to a fire hydrant than 15 feet. That also applies to intersections and crosswalks. There are several places downtown where parking spaces are considerably closer than what the City Ordinance and the typical State RSA allows. We did some research and there is a State RSA that allows municipalities to override or supersede those State regulations. If we use a fire hydrant for an example, a municipality can ordinance a space closer than 15 feet within the compact part of the City which would be downtown. We wanted to make sure that it was written into the Ordinance because the way the City Ordinance is written, any space that is striped less than 15 feet from a fire hydrant is technically illegal because we didn't write the ability to make that exception into the Ordinance. That is what this change does. It incorporates the basic language of the State RSA that allows us to do that into the Ordinance and makes those spaces legal.

Alderman Long asked with respect to those closer than 15 feet, do we get the authorization from the Fire Department or give them notification and they approve it? What is the process? If we are parking six feet from a hydrant and they are unable to get to it...I want to make sure that there is an implementation in place where the Fire Department is notified that on Orange and Elm Streets there is a fire hydrant and we are letting cars park within six feet and that isn't a problem with them.

Ms. Stanley replied I don't believe that there has ever been any type of formalized procedure between the Fire Department and the Traffic Division because the Traffic Division, before the Parking Division came into effect, typically ordinance these. We can certainly put something like that into effect. I have spoken with the Fire Department and as long as we don't block the fire hydrant completely with spaces, they didn't indicate that that was a problem. We can certainly put in a formalized procedure. I can put together a list of all those that are closer than 15 feet and I can forward it to them to look at.

Chairman Roy stated I think in the past, if the Fire Department has found a situation that was too tight they would report it and it was taken care of.

Alderman Long asked have we been giving tickets to closer than 15 feet hydrants?

Ms. Stanley replied only if it is not marked. If a fire hydrant is not marked with signage or striping closer than 15 feet, then the 15 feet...for instance on Brown Avenue if there is not striped parking spaces, no signage or anything, if it is closer than 15 feet we are going to write a ticket, but on Franklin Street they are striped closer so we're not going to give them a ticket because it is actually striped and signed.

Alderman Osborne asked how is a driver supposed to know six feet, ten feet or fifteen feet? How does the average layman know whether it is striped, not striped, ten feet, six feet or fifteen feet? I think something should be one way myself. I know the State says we can supersede their statute or ordinance. How do you police this? Like you just said, if it isn't striped it has to be 15 feet and anything beyond that is striped by how many feet?

Ms. Stanley replied that is one of the reasons we actually wrote into the addition of the Ordinance that if there is going to be something that is going to be striped closer to an intersection or sidewalk that it must be striped and clearly marked with signage. It specially says that in the change to the Ordinance. The rule is 15 feet and that is in everyone's driver's manual. It is the State RSA and City Ordinance. Most people who go through the driving test should know that it is 15 feet, but it is striped and signed closer, then it is typically fairly obvious to the parker that they can park closer than the 15 feet.

Alderman Lopez stated I agree with Alderman Osborne and I have brought this up many times. It is not fair that striping on a certain street and then if you go to another street and if it is 15 feet by state law, that's what we were told last time, that's 30 feet of parking spaces when other people have the enjoyment of parking six feet from a hydrant. It doesn't take that much to mark a stripe by the hydrant. Practically anyone can do that. I just wanted to bring that up because that is an issue with me. People are going to get tickets. I talked with the Chairman before and it is 15 feet from the hydrant. That's 30 feet. That takes a lot of parking away from a lot of people. I wish that we could take a good look at that, I don't want to say break the law, but it isn't fair. That is the only point I want to make.

Alderman Long stated Brandy can correct me if I'm wrong, but the only way we can bring that 15 feet in is in a compact area. A compact area is defined as what, besides the downtown?

Ms. Stanley replied there is no actual definition in the state RSA that we could locate. I could work with the City Solicitor's Office to do more research to see if there is a more formal definition in the State RSA. We haven't been able to find one. It could apply to other places downtown other than downtown like over by Central High School or other places where it is more compact. I don't know; I would be happy to look into that.

On motion of Alderman Long, duly seconded by Alderman Ouellette, it was voted to accept this item with the stipulation that this Ordinance would not extend beyond the compact area.

Chairman Roy addressed item 10 of the agenda:

10. Communication from Brandy Stanley, Parking Manager, submitting a proposed Ordinance amendment to Section 70.54 establishing a City Hall Parking Lot and removing Seal Tanning and Granite Street Lots.

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

Ms. Stanley stated this Ordinance is basically housekeeping. The Mayor requested two signs for the Planning and Zoning Board. We knew that we had to write an Ordinance. We went and looked at it and discovered at that point that the three spaces on Litchfield Lane and the seven or eight spaces that are off of Stark Street behind the City Hall Annex have never actually been ordinances. Therefore, any sign that is up there is not technically ordinances. We wanted to make sure that we ordinances it.

Chairman Roy asked did you say Litchfield Lane?

Ms. Stanley replied I'm sorry, it is Hampshire Lane. We wanted to ordinance it so that the signage that was there was technically on the books. Also, because the City has sold the Seal Tanning and Granite Street Lots, we wanted to take them out of the City Ordinances because we no longer own them.

Chairman Roy stated if we establish this City Hall parking lot, can we still maintain that...if this Committee was to decide they didn't want to have those two spots kept open for the Planning Board or Zoning Board members during the day, could it still be open to the public? I'm guessing yes. I'm just wondering if we should deal with it all at the same time.

Ms. Stanley replied I wrote two different versions of this Ordinance because we knew we had to Ordinance a lot anyway, regardless of whether or not the Committee wanted to pass the other. This is the clean version. If you do decide that you want to go with number 11 then you would pass that one and it would be basically an addendum to this one.

Alderman Long asked with respect to the Mayor's letter, I understand taking care of the day parking, but could this be used if there is an event? I know the Planning and the Zoning Boards have a hard time parking if there are events. They aren't here early enough. Is that part of what we were looking at?

Chairman Roy replied I think we should discuss that on the next article, which is article 11. I would like to combine article 12 with that so we can have that discussion about the different methods.

Alderman Long stated so on these aluminum signs, they don't have to be used. They can be open parking from what Alderman Roy has said.

Ms. Stanley stated actually, there are already signs up there saying that there is one hour parking on City business. You would need to do this and then if you wanted to, under item 11, it takes this Ordinance that is under item ten and adds one sentence under there about reserving two spaces for Planning and Zoning.

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

Chairman Roy addressed items 11 and 12 of the agenda:

11. Communication from William Sanders, Finance Officer, submitting a proposed Ordinance amendment to Section 70.54 designating two parking spaces in the alley connecting Market and Stark Streets for daytime parking for Zoning and Planning Board members.
12. Communication from Brandy Stanley, Parking Manager, regarding free parking for Boards and Commissions.  
*(Note: Tabled 2/1/10 pending further study. Additional information has been forwarded by Brandy Stanley and attached.)*

On motion of Alderman Ouellette, duly seconded by Alderman Long, it was voted to remove item 12 from the table.

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

Mr. William Sanders, Finance Officer, stated the letter that I submitted was submitted at the request of the Mayor, which you can see on page 11-2. It was the Mayor's request that we implement the procedure specifically identifying two parking spaces in the alley between the two buildings for daytime parking for the Planning and Zoning Commission members as they were doing day work at City Hall. He believes that this would eliminate this issue on placards.

Alderman Ouellette asked are two spaces adequate and sufficient?

Chairman Roy replied we have nine members of the Planning Board and I think three or four alternates and it is two spaces. I have some questions about this. I'm questioning whether this is the right route to go as well. Is it adequate? To be honest with you, I don't know.

Alderman Ouellette stated we'll have to wait and see I assume.

Chairman Roy stated if we were to make these two parking spaces for Zoning and Planning Board...this came out of the discussion that we had regarding giving all Board members free parking and it was going to be pretty difficult to do this because of the number of people involved. If we were to do that, we're back to have placards aren't we? The enforcement agents aren't going to know that those vehicles belong to Zoning or Planning members when they are parked there. We would have to have some type of placard for them anyways and then we are back into the issue of them being used at inappropriate times. Am I wrong on that figuring?

Mr. Sanders replied no, I don't believe you are wrong, Alderman. I think there would have to be some specific identification of the vehicle so the PCOs would know whether they are authorized to be in those spaces or not.

Chairman Roy stated those signs are going to be mounted on the wall so we may still have the general public parking there because we just opened those spaces up to the general public use and it is heavily used. I came past there several times today and all of the spaces were filled by different cars each time I came by. We may still have a problem with residents trying to park near the annex and they're not going to read the sign because they are used to parking there now. It seems like that is a problem as well. Am I wrong on that one? They are going to be mounted on the wall, correct?

Mr. Sanders replied yes, they would be mounted on the wall. I'm sure that there would be a transition period of residents understanding what has been done with those two spaces.

Chairman Roy stated Brandy, the last time we met we had asked you to look into a couple of different things. I know one of the things that I asked you to look into was the submission of Committee members and their ticket stubs and an explanation of the date, time and meeting they had gone to. One of the reasons I wanted that information was because I don't think it is fair that it is just the Planning and Zoning Board people who get taken care of. I know the Airport Authority doesn't meet here, but in the event that they did for some reason, I think that they should have access to free parking as well. This wouldn't give it to them. Do you have any information on that?

Ms. Stanley replied we did look into how such a program would work and basically the Board and Commission members would pay the meter if there wasn't a one hour space available in front of City Hall. In the interest of making it a little easier for them, we would issue a fairly small change bank to the City Clerk's office. They would just need to come into the City Clerk's office, submit their receipt, the City Clerk would reimburse them, and once a month we would go over and get the receipts and reimburse the cash. If a member exceeded the one hour time limit because their duties kept them longer, they would need to bring the ticket down to Ordinance Violations, the City Clerk's office or our office and we would go ahead and take care of it. That wouldn't involve any placards or anything like that. It would require the Board and Commission members to actually submit the receipt or parking tickets if they did get them.

Chairman Roy stated it would also facilitate all those other members who are on the Boards if they needed that type of free parking. They could access it as well.

Ms. Stanley stated if the Board voted to extend that privilege to all of those people then yes.

Alderman Osborne asked how is the figure of two arrived at?

Ms. Stanley asked in terms of the two spaces on Hampshire Lane? I would probably have to defer to the Mayor.

Mr. Sanders stated I would have to agree with Ms. Stanley that I would have to defer to the Mayor. That was his suggestion and recommendation.

Alderman Osborne stated it just reminds me of the dog park, just these dogs and not the rest. I don't understand why just two spaces when you have how many Board members. They are going to fight over these spaces? I don't know. It doesn't make too much sense to me there.

Alderman Shaw stated it doesn't make any sense to me either. To me, the idea of reimbursement makes more sense than two parking spaces for how many people. You would have to get there at five o'clock in the morning to get the parking space. I don't see the purpose of two.

Alderman Lopez stated the way I understand it for the Committee, the two parking spaces are mostly for during the daytime for the Chairman to go see the Planning or vice chair whatever the case may be. I don't think you are going to get all the members at one time coming down here. Maybe it would help the Committee if Brandy could explain the parking situation out here at night about how people can park in the lot for nothing because they are doing business here. Could you explain that?

Ms. Stanley replied basically whenever there is a public meeting being held at City Hall, the City Clerk's Office will install a sign at the entrance to the Middle Street parking lot that says City Hall parking only. At that point, we do not enforce paid parking in the area of City Hall whenever there is a public meeting. I believe what this is trying to address is when these members come down and there is not a public meeting. When there is a public meeting there is free parking in the Middle Street Lot.

Alderman Ouellette moved to accept item 11. The motion was duly seconded by Alderman Long.

Alderman Ouellette stated I moved to approve this because I think going forward we may have, for the first four or five months, a trial and error period where they may come back to the Committee for some tweaking. I think this is a good first step so we can try it for a month or two and see how it works. If it doesn't work we can always work on this again and get something that works. That's why I'm voting to approve this.

Chairman Roy stated for me, the number two is arbitrary. More importantly, we're not going to issue placards to everyone on the Zoning and Planning Boards. I guess other boards might be upset about that. I'll vote against it.

Alderman Ouellette stated but again, if it becomes an issue we can address that.

Chairman Roy called for a vote on the motion. The motion failed, with Chairman Roy and Alderman Shaw being duly recorded in opposition.

Chairman Roy asked can I get a motion to do the parking by reimbursement?

Alderman Long moved to accept item 12. The motion was duly seconded by Alderman Shaw.

Alderman Long stated I'm not sure if either one can handle it. Is that going to be any extra burden on our violations department? We're going to have possibly 18 to 20 people going there with reimbursements.

Mr. Sanders replied I'm sure that it is going to be a little bit more work. I guess we don't exactly know because we haven't gone through this reimbursement process before. It would be some additional work for the Clerk's Office, I presume, whether it would be that significant I'm not sure. I don't think it would be that significant.

Alderman Ouellette stated I'm a little concerned because this is not coming from the staff of how they are going to handle this policy when someone comes in. Who do they see, are we issuing checks or cash? There is no plan in place in terms of how we are going to handle this right now so I'm not comfortable moving forward with this.

Alderman Long stated I'm in favor of this for the simple reason that the person who requested this received a couple tickets that were taken care of. I don't think we are going to see a lot of these board members doing this because in the past it really hasn't been an issue. It was just brought to us before by one member who had an issue and I believe it was one issue. I don't really think that we are going to have 20 people rushing to the violation bureau to get reimbursed. I believe that everyone does their due diligence and they are avoiding tickets and I don't believe it is that much of a problem so I'll support this motion.

Alderman Shaw asked how are they reimbursed now?

Ms. Stanley replied as it is now, they are not.

Alderman Shaw stated I thought that you said that they had been in the past.

Chairman Roy stated in the past there have been a few individuals who have gotten a ticket for being parked in a parking spot for too long and when they came to the enforcement bureau and said that they were at a board meeting they didn't have to pay that ticket. They were relieved of that duty. The problem was taken care of. They had to go in and explain that they were donating their time to the City and it was taken care of.

Alderman Shaw asked so that could continue?

Chairman Roy replied absolutely. At the same time, if there are ten people coming to this facility during the day for a meeting, all they have to do is take their receipt and bring it into the Clerk's office and they will give them the change right there.

Chairman Roy called for a vote on the motion to move towards a reimbursement program for parking for Boards and Commissions. The motion carried with Alderman Ouellette being duly recorded in opposition.

City Clerk Normand asked does that resolve item 12?  
Chairman Roy replied it does.

City Clerk Normand asked do you want to receive and file that?

On motion of Alderman Ouellette, duly seconded by Alderman Shaw, it was voted to receive and file item 12.

### **TABLED ITEMS**

13. Communication from Brandy Stanley, Parking Manager, submitting revisions to 70.06 and 70.36 for Overtime Parking.  
*(Note: Tabled 1/11/10)*

Alderman Long asked has 13 been taken care of with the overtime parking?

Chairman Roy replied no, it hasn't.

This item remained on the table.

14. Communication from Montgomery Street area residents, requesting two stop signs and a "No Truck Route" sign be placed on Montgomery Street.  
*(Note: Tabled 1/11/10. A review from the Traffic Division is attached.)*

This item remained on the table.

15. Communication from W. Jean and Lucielle D. Laflamme objecting to the neighbor's proposal to the removal of stop signs on Dexter Street.  
*(Note: Tabled 1/11/10)*

This item remained on the table.

16. **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]*

*(Note: Tabled 1/11/10)*

Alderman Ouellette moved to remove this item from the table. The motion was duly seconded by Alderman Roy.

Alderman Osborne stated I have to explain my motion.

Alderman Ouellette stated point of honor, Mr. Chairman. We need to take a vote on taking this item off the table.

Chairman Roy called for a vote on the motion. The motion passed with Aldermen Shaw and Long being duly recorded in opposition.

Alderman Osborne stated I want to explain my vote. I have been against this particular situation from the very beginning. It is not that I want to see what's happening, that's for sure, but for the sake of the residents in that area as well as the Board members, there is a full Board here, we have a duty to do, which is a tough situation sometimes. We're put right in the middle of everything. I feel that at this time, the way it has gone hasn't been good in my view. I'm dead set against the traffic study itself and I don't believe it is ever going to be right down on Brown Avenue and South Beech Street. It is going to be a chore on South Willow Street. For the sake of the full Board here and the sake of the residents, I guess a lot of residents don't understand the whole picture because they don't have everything before them. By closing the streets over Sewall Street...I even said that President Road from the beginning, if they are going to do it, should be closed from the beginning because that is what's going to happen. Eventually this is what's going to happen; there is no doubt in my mind. We have to put this to vote and by leaving it here in Committee all this time, it is not good for anybody. The monies are there now from Wal-Mart to do this project of gates and so on and so forth and the additional \$60,000 that is put aside for President Road which I say will be used eventually. If we keep holding off like this or if we go against it, it goes back to Planning and this project, from what I know anyway, can go ahead even without closing those streets. You don't have much of a choice. I would like to move this along with the recommendations of the Planning Board, but when it

comes to the full Board vote, I am going to be against it. I can tell you that now. I'm doing this for the sake of everybody, for the full Board and for the residents of this City.

Alderman Ouellette moved to approve item 16. The motion was duly seconded by Alderman Roy.

Alderman Shaw stated I was told at three o'clock this afternoon that this wasn't coming up tonight. I'll tell you my reasons why I didn't want this to come up tonight. About three weeks ago, I had a meeting with the State and I asked that they look into this because I felt that the State should be involved and I was told that there was an encroachment agreement on South Willow Street with the State so the State called a meeting, it will be two weeks tomorrow, at which I was in attendance with Aldermen DeVries and Long. I have that wrong; at the last meeting Alderman Roy was there. The previous meeting Aldermen DeVries and Long attended. Anyway, the encroachment agreement...the State was going to look into the Wal-Mart proposal. They asked Wal-Mart to submit their proposals for South Willow Street and for Brown Avenue and South Beech Street intersections. I have not seen any letter; I have not heard anything from the State so I don't know what the State has to say about this. I don't think this is fair to vote on this tonight. I asked this afternoon for two weeks and then you can call a special meeting and then we can vote on whether to pass it on to the full Board. I think what the State has to say is very important in this. I think it is wrong to bring it up tonight. What I would like to see ultimately is a comprehensive traffic plan proposed by the City, State, all of the engineers that are involved, Wal-Mart and TF Moran, and see if there is some way that we can alleviate the traffic congestion that is going to occur on South Willow Street. They did it with the Mall of New Hampshire. They closed off Huse Road from the residents. Everyone in the east side has to come around and go to South Willow Street to go to the mall and it works. What is the difference with the south end? Why can't we be closed off down there? Unless we have some sort of a complete traffic plan this is like putting a Band Aid on a virus. We shouldn't be voting on this until we know what the State has to say about this.

Alderman Ouellette stated my first reaction to that is that this Committee has been dealing with this issue, in this term, since January. We were asked twice to put it off for more time. More time was granted twice, if I recall. I personally think this issue should have been put to bed in the last term. However, it wasn't; it was handed down to this Committee. I couldn't agree more with what Alderman Osborne said in terms of what happens if we just keep dragging our feet. My fear is that the worst is going to happen. Wal-Mart is well within their rights to go to the Planning Board and ask for a relief of the conditions. Quite frankly, if we delay this anymore, I don't blame them because it is time for us to make decisions.

That's what we are here for. Fourteen of us were elected to make decisions. I think that's what we should do. Whether or not a person votes on this Committee to send it to the full Board and votes against it at the full Board, I have nothing but the utmost respect for that. I have no problem with that because he is voting his conscious and voting his mind. He is doing it as an Alderman and as an elected official for the residents that he represents and represents his feelings for the City as a whole. That is what I think we need to do. In terms of the State, the State is going to do what the State is going to do. These types of things happen all the time during City business. If the State has a problem with the final plan they say that this isn't going to work and nothing happens, absolutely nothing. If we drag our feet, the exact opposite could happen. Wal-Mart is going in, whether or not with all the bells and whistles, and quite frankly, Mr. Chairman, I applaud you because you have done a tremendous amount of work on this issue, not just as a member of this Board, but as a member of the Planning Board. You have a lot of hours invested in this and there is probably no one who knows this issue better than you. I have quite a lot of hours myself and I clearly understand the issue. To be fair to the residents, let's stop playing punt the football here, and let's make a decision because that is what I was elected to do. It is a terrible situation. I would not want to be in Alderman Shaw's shoes. I totally respect her viewpoint and the fact that she is fighting so hard for her constituents, but I feel that going forward, this is in the best interest of the City, the neighborhood and the congestion on South Willow Street and Brown Avenue. I think it is time to move forward, Mr. Chairman.

Alderman Osborne stated I want to bring up the thing with Alderman Shaw. I think she is doing a good job. She is working very hard for you people out there. There is only so much she can do. It is a tough job and I think she has done her job and she is going to stick by you. The other thing is traffic...I'm not going to go for it because I'm thinking of another situation. I hate to bring it up right now, but the access road to the Airport...I don't think a lot of them are thinking about that. What happens when that access road opens up to the Airport? The Airport might alleviate about 20% off of Brown Avenue heading towards the Airport, but what happens when that opens and all that traffic comes from Merrimack and they want to go to the Super Wal-Mart and they are going to take the access road and come right down Brown Avenue to South Beech Street to President Road? There is a lot to this and I side with you a whole lot, believe me. It took a lot for me to do what I'm doing this evening, to twist it this way, but I think it is on the safe side. I think it is going to the full Board, for which they have a right to have their say and their vote. I wish you all good luck, along with Alderman Shaw. She worked very hard and I commend her.

Alderman Long stated I also want to commend you on all the work you've done with this, both on the Board and on the Planning Board. However, I didn't have the luxury of sitting on a Planning Board. I did my last term so I would see first hand the due diligence that was done. I unfortunately came in in January and this was thrown on my lap. There was no way that I could, in two months, make a decision. If I were to make a decision now, that decision would be contingent on better than nothing and I'm not going to make that decision because I think it is better than nothing. My decision is going to be based on what is in the best interest of our citizens in our City. I agree with Alderman Shaw. I sat with the DOT and there was a scope meeting that they suggested. They suggested that this Committee request a scope meeting which would be with Southern New Hampshire Planning and the Department of Transportation. I'm under the understanding that's the first time that I've heard of a possible scope meeting. I'm under the understanding that with the scope meeting that it wouldn't cost the City anything. They would look at all the traffic studies that were submitted and they would come up with some proposals for us. The proposals would not only be for the current Wal-Mart situation, but for any further situation if another Market Basket or whoever was to go into that area, we would already have proposals to address the traffic. I'm hearing from a lot of Aldermen that it is a tough decision. It shouldn't be a tough decision. It's not a tough decision for me. Once I know that this is in the best interest of the City then I make that decision. Right now, I don't know that. Whether the residents went before the Planning Board and said they wanted these roads closed, whether they didn't, I still see an issue of traffic and I see an issue of traffic once Wal-Mart is approved. If another company decides to go in there, and they have the right to do that based on our zoning, there would be another traffic issue. That's why I'm not in support of this. It is my responsibility to do what is in the best interest of Manchester and not on the best deal I can get. Right now, I would be voting on a better than nothing deal in my opinion.

Chairman Roy stated I would like to address a couple things here. First of all, the Planning Board did not approve this thinking that this is the best deal we can get. The due diligence was done. I can guarantee you that and everyone was listened to. As far as the scope meeting goes, it will blend into the meeting I had in Concord with Alderman Shaw and DOT representatives, because essentially that was a scope meeting that we had up there. It was the beginning of a process and a scope meeting. All of the parties came together, as we did with this project before it came to the Planning Board and Aldermen Mark Roy, Lopez, and me along with Planning... In a scope meeting, they say here are the areas that we have to look at and we have to figure out what the traffic problems are going to be. That is completely different than developing final plans that cost hundreds of thousands of dollars. When we were at that Concord meeting, a couple things were stated by the State. They were very impressed with the way the City of Manchester and the

Planning Board had handled this. They said it looked really good and we had taken care of business essentially. They also stated that this was unusual that they had a meeting at that early stage in the game because this type of encroachment situation happens all the time down in Salem on Route 28 and many of the other roads around the State. They don't get this information beforehand. What happens in all of those cases is a company goes in, gets permission to develop, get all of the approvals by using the preliminary study that Vanesse brought and the study that the developer developed and gave them a copy. Their comment at the end was that it was very good and thorough. That's what they saw and they didn't expect to see the finalized plans for the intersection of John Devine Drive and Gold Street or South Beech Street and Brown Avenue because they know that companies aren't going to go out and spend hundreds of thousands of dollars on those final designs for the State to look at and say yes that meets all of our concerns or no you have to do this or that. That aren't going to do that until all the permits are in place. There was no way that they were coming down with a decision. They weren't sending us a letter. They were looking at that information and they said they would give them a head start so the project could go forward and they got those final plans. I wanted to explain those points at this time.

Alderman Ouellette stated I want to be very careful so I want the City Solicitor to pay attention because I don't want to cross an area I probably shouldn't be crossing. I want to know who called that meeting at the State and if City staff was invited.

Alderman Shaw stated City staff was invited and it was the State that called the meeting at my request.

Alderman Ouellette asked City staff was invited?

Alderman Shaw replied there was someone from the Highway Department that was there.

Chairman Roy stated that's correct. I don't know who called the meeting; all I know is that there was a meeting.

Alderman Ouellette stated we have been having meetings up at the State. Today is March 1<sup>st</sup> and this is the first time I, as a member of this Board and a member of this Committee, heard anything about any scope meetings. Where is the communication? Please don't bring things to me that you have had at a private meeting that I wasn't invited to and bring them to be on March 1<sup>st</sup> and say that the State said that we could have a scope meeting. Are you kidding me? Where is the respect? That is totally disrespectful. I don't know how anyone else feels, but this is a City issue. I'm bothered by that, very bothered. I don't have any notes. I have

no communication that happened in this meeting. I don't know whose fault that is, but I'm not happy about that. To me, that is totally disrespectful to me as a member of this Committee and as a member of the Board of Mayor and Aldermen. I understand when we are doing business in the City people go to different departments and have meetings and get information from them. I have no problem with that, but if we are going to the State, I think there are issues there and I'm not happy about this at all.

Alderman Shaw stated I'll take the responsibility for that. I didn't mean to offend anyone. I was looking for information for myself to try to find some way to resolve these issues in the south end and I went to the State to ask them if they had any jurisdiction over South Willow Street and was told that the commissioner had not heard of this project that was going on so he asked his people and one of them said that they had had a phone call from Vanesse asking them about possibly putting a light at South Beech Street and Brown Avenue. Other than that, there was no correspondence with them. Then the commissioner asked to have a meeting with the City, Vanesse, and Wal-Mart's associates and I told the Mayor that I was going to attend the meeting because they do have an encroachment agreement and usually in an urban compact area when they have an encroachment agreement, they usually get preliminary plans before they get the final plans so they can see what is going in. It was not meant to hide anything from anyone. It was just a meeting to see what was going on and they asked Wal-Mart to submit their plans to them so they could review them. I never got any correspondence from them saying what the results of that were. I would have definitely shared it with anyone, but here we sit with this off the table and that is why I asked for a couple of weeks so I could get in touch with the State and see if there was any letter or anything that could be presented to the rest of the Traffic Committee and see if something could be done. The City didn't say anything at that meeting. I don't know what I did wrong, but I apologize.

Alderman Ouellette asked can I ask the date of the meeting? That's all I'm going to ask? What was the date of the meeting?

Alderman Shaw replied it was two weeks ago tomorrow. It was the Wednesday before last Wednesday so February 17<sup>th</sup>.

Alderman Ouellette stated I'm just hearing about this today. I'm not going to drag this out. I think we all know how we are going to vote. I call the question.

Chairman Roy stated I'm not going to recognize anybody but the people on the Committee. I'm not going to do that because if it goes to the full Board then everyone is going to have their shot tomorrow night. I'm not going to take any comments from anyone not on this Committee.

Alderman Shea asked what about other issues that may come up in other Committee? Is this setting a precedent for the Chairman to allow no one to speak if he so wishes?

Chairman Roy replied I'm not setting a precedent. If it is a point of clarification, I will let you ask, but I don't need everyone weighing in tonight because we will be doing it tomorrow night.

Alderman Shea stated it should be clarified. Alderman Ouellette, concerning the role of the Planning Commission as far as...if in fact the Planning Commission was appealed to by Wal-Mart...In other words, Wal-Mart would like the Planning Commission to exchange the type of provisions that have been made. My understanding, and I have discussed this with the Solicitor, is that the role of the Traffic Committee is to control whatever traffic regulations should be made. Let's assume for the sake of discussion that it goes back to the Planning Board and they decide to change the provisions that they have made. That still goes back to the Traffic Committee and the Traffic Committee then has the responsibility to either accept that and present it to the full Board or recommend some other regulations that would be different than what the Planning Board on the appeal has made. I would like that clarification made by the City Solicitor.

Chairman Roy asked would you like to tackle it or would you like me to?

Mr. Tom Arnold, Deputy City Solicitor, stated replied basically, as I informed Alderman Shea the enactment of repeal of traffic provisions is within the purview of this Committee, with a subsequent recommendation to the full Board for action. It is not within the purview of the Planning Board. I guess that's what I could say.

Chairman Roy asked so I'm clear, you just said that the Planning Board can ask to have restrictions on the flow of traffic on streets that has to come through this Committee. However, if they don't have restrictions on those streets, it does not have to come through this Committee?

Mr. Arnold replied in a nutshell, yes, I believe that's correct.

Chairman Roy stated so that's why we are here and that's what I was going to explain. We are here because two of the conditions that were put on for this development call for the restrictions of the flow of traffic on two streets. That is why it is at this Committee. If they hadn't done that, it wouldn't be here. The developer can go back at any time and request a relief of conditions, whether we act on it or not. If the Planning Board grants that, goes through the process and says that they are going to allow them to build with no restrictions, it will not

come back to this Committee. There are no restrictions of traffic so there is nothing for us to vote on.

Alderman Shea stated my understanding is...may I respond, please?

Chairman Roy asked am I correct, sir?

Alderman Shea stated my understanding is that the Traffic Committee regulates traffic regulations.

Chairman Roy stated I would like to hear from the Solicitor.

Alderman Shea I know what he said. He is saying something that possibly should be, if it were to occur, looked at because I believe it is the purview of the Traffic Committee to set traffic regulations, even though they want to open up the three streets or close the two streets, etcetera. That is my understanding. You may disagree, but I think that may have to be clarified.

Mr. Arnold stated I think, Alderman, that your statements are essentially correct. The traffic regulations come to this Committee and then go on to the full Board. If there is no request for traffic regulations then it doesn't come here.

Alderman Ouellette stated I would like to further clarify that. We are not just being asked to close a street. Part of the condition is that Wal-Mart has agreed to pay to close the street. If they ask for a relief of the conditions they are going to ask for a relief of the condition to pay for closing the streets. If they get their relief of conditions and we say we want the streets closed, guess whose dime it is on?

Alderman Shaw asked if they ask for a relief of conditions, doesn't that automatically go back to the Planning Board and have to be reopened for hearing again? That is the understanding I have.

Chairman Roy replied I believe you are correct. There would be another limited public hearing as to those aspects and then it would go through the same process it went through before after the public gave their input.

Alderman Shea stated Mr. Chairman, thank you for recognizing me.

Chairman Roy stated and I apologize for the misunderstanding that I had.

Alderman Ouellette stated I call to move the question.

Alderman Long stated I just wanted to quickly clarify that it is my sense that it is a better than nothing. I'm not putting that in anyone else's words. If I were to approve this, I would be approving this under my sense that it is better than nothing. With respect to the State meetings, there are several times when I get my packet and I go flying all over the place to get the most information that I can. The one meeting that I had up at the State was for that reason, just to get some clarification on an issue that I had. As we do with all of these agenda items in our package, we go wherever we need to go to get the most information to do our due diligence. I feel that that my meeting with the State was under that guise.

Alderman Ouellette stated again, Alderman, I have no problem with that. I have a problem that there was a meeting called at the State. I have significant issues with that, not finding out information or back lining or whatnot. I have a problem with being kept in the dark for at least two weeks that I know of.

Chairman Roy asked Clerk, can you read the motion again please?

City Clerk Normand replied I believe the motion on the floor, made by Alderman Ouellette, seconded by Alderman Roy, is to approve the traffic restrictions identified in item 16, which is no through traffic and rescinding a stop sign.

Chairman Roy stated it would be sent to the Board with the recommendation to approve.

Alderman Shaw stated clarification...isn't the leaving of President Road open part of that agreement? Closing two streets...

Chairman Roy interjected it certainly hasn't been designated to be closed; otherwise we would be looking at it here.

Alderman Shaw asked can this go through to the main Board with exception of the approval of closing Gold and Sewall Streets but not approving of leaving President Road open?

Chairman Roy replied we're not addressing the President Road issue here. We're just addressing these two issues.

Alderman Long stated clarification... President Road is off the table. From what I understand, and maybe I'm wrong, what is in front of us is the two closures, Sewall and Gold Street...

Chairman Roy interjected the two traffic restrictions. They are not road closures.

Alderman Long stated thank you for that clarification. Also, the President Road money that is appropriated for a study a year from now, is that on the table in front of us?

Chairman Roy replied no, that is not in front of us. That is one of the other conditions that the Planning Board put on that doesn't come to this Board.

Alderman Shaw stated because it is on the letter that is in our packet, can't we add that as an amendment?

Chairman Roy replied no, we can't. We have been asked to do these two issues right here. We control the traffic.

Alderman Shaw stated but it is on the letter.

Chairman Roy stated the issue has been moved. You read the article.

Chairman Roy called for a vote on the motion. The motion carried with Aldermen Shaw and Long being duly recorded in opposition.

City Clerk Normand asked is it your intent to receive and file items 17 and 18?

Chairman Roy replied correct.

Alderman Long asked will this go to the full Board tomorrow?

Chairman Roy replied it will go to the full Board tomorrow.

Alderman Shea stated another point of clarification...City Solicitor, is it possible for someone at this meeting or a future meeting of the Board to add an amendment to the proposal so in the event that people want to close off President Road that that can be done? Since they can set the traffic regulations, is that possible?

Mr. Arnold replied any traffic regulation could be proposed and come to this Committee. The Committee could act upon it as they see fit and then forward their recommendation to the full Board, yes.

Alderman Shea stated so in essence this evening, the amendment that was proposed by Alderman Shaw could have been recognized if the Chairman of this Committee so wanted to recognize her amendment. Is that correct?

Mr. Arnold replied yes, I think that's correct. However, I would caution you that the traffic regulation...

Alderman Shea interjected I don't want the caution. I'm just asking if it were possible.

Mr. Arnold stated it is possible, but they should be in writing.

Alderman Shea stated so the Chairman is not correct in denying an Alderman the right to add an amendment of a traffic regulation if he or she so wishes. I just want that clarification.

Chairman Roy stated what I said was that that was an issue that...

Alderman Shea interjected I'm asking the City Solicitor. I'm sorry, I don't mean to be impolite or rude, but I'm asking his opinion.

Mr. Arnold stated the Chairman of the Committee runs the business of the Committee. He is free, under our rules, to recognize or not recognize motions, subject to appeal of the Committee.

Chairman Roy stated if you give me the opportunity, I'll explain myself. That is a condition that is set forth, along with about 20 other conditions, for Wal-Mart to meet in the future. After a year, they are going to do their study and if it is warranted, and President Road needs to be closed, it will be coming back to this Committee at that time because they can't do that without this Committee's action.

Alderman Shea stated my point being that you're saying that Wal-Mart is doing this or that.

Chairman Roy stated the Planning Board is.

Alderman Shea stated but the traffic regulations, I can't express that enough, are set by the Traffic Committee.

Chairman Roy stated I agree.

Alderman Shea stated and they can add an amendment even though Wal-Mart said that in a year from now they are going to come back. I'm explaining that under our traffic regulations set forth, that is an amendment that may or may not have been passed tonight.

Chairman Roy stated there is no regulating of traffic on that street at this time. There is no regulation of traffic on South Beech Street.

Alderman Shea stated this can be done by the Traffic Committee regardless of whether there is or not. That is what I'm trying to say because that's why this Committee is so powerful concerning traffic regulations.

Chairman Roy stated I think it is very clear and specific that we had two issues in front of us to address.

17. 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.)*

*(Note: Tabled 1/11/10)*

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

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

18. 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. )*

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

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

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

A True Record. Attest.

Clerk of Committee