

## COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

April 5, 2010

5:00 PM

Chairman Roy called the meeting to order.

The Clerk called the roll.

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

Messrs.: J. Hoben, R. Mello, G. Robinson, D. Cargill, C. DePrima,  
B. Stanley

Chairman Roy addressed item 3 of the agenda:

3. The Traffic and Parking Divisions have submitted an agenda which needs to be addressed:

**NO PARKING ANYTIME:**

On Willow Street, east side, from a point 190 feet north of Silver Street to a point 142 feet north

Alderman Long

On Merrimack Street, north side, from Beacon Street to a point 70 feet west

Alderman Roy

On Lake Avenue, south side, from a point 140 feet east of Kenney Street to a point 32 feet east

Alderman Osborne

**STOP SIGN:**

On Nashua Street at Pearl Street – SEC

Alderman Roy

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

On Massabesic Street, north side, from a point 75 feet east of Cypress Street to a point 140 feet east

Alderman Osborne

**RESCIND 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

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

On Massabesic Street, north side, from a point 75 feet west of Cypress Street to a point 140 feet west

Alderman Osborne

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

On Cypress Street, north side, from a point 25 feet west of Cypress Street to a point 50 feet west

Alderman Osborne

**RESCIND NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Massabesic Street, south side, from Spruce Street to a point 50 feet south (Ord. 9337)

Alderman Osborne

**RESCIND 2 HOUR PARKING 8 AM – 6 PM – MONDAY – FRIDAY – EMERGENCY ORDINANCE:**

On Massabesic Street, south side, from a point 50 feet east of Spruce Street to a point 46 feet east (Ord. 9835)

Alderman Osborne

**RESCIND 15 MINUTE PARKING – EMERGENCY ORDINANCE:**

On Massabesic Street, south side, from a point 132 feet east of Spruce Street to a point 37 feet east (Ord. 9838)

Alderman Osborne

**NO PARKING ANYTIME – EMERGENCY ORDINANCE:**

On Massabesic Street, south side, from Spruce Street to a point 45 feet east

Alderman Osborne

**2 HOUR PARKING 8AM – 6 PM – MONDAY – FRIDAY – EMERGENCY ORDINANCE:**

On Massabesic Street, south side, from a point 45 feet east of Spruce Street to a point 73 feet east

Alderman Osborne

**15 MINUTE PARKING – EMERGENCY ORDINANCE:**

On Massabesic Street, south side, from a point 118 feet east of Spruce Street to a point 36 feet east

Alderman Osborne

**CROSSWALK:**

On Elm Street, north of Grove Street

Alderman Long

**RESCIND ONE WAY STREET:**

River Front Drive, on the circular portion only, commencing at the southern extension northerly, thence westerly, thence southerly, thence easterly, ending at the southern extension (Ord. 9218)

Alderman Arnold

**ONE WAY STREET:**

River Front Drive, from River Front Drive Connector to Front Street, northerly, thence westerly, thence southerly.

Front Street, from River Front Drive to River Front Drive Connector – easterly  
River Front Drive Connector, from Front Street to a point 136 feet west of River Front Drive - easterly

Alderman Arnold

**NO PARKING LOADING ZONE (EMERGENCY ORDINANCE):**

Franklin Street, east side, from a point 30 feet north of West Merrimack Street to a point 178 feet north

Alderman Long

**NO PARKING ANYTIME (EMERGENCY ORDINANCE):**

Franklin Street, east side, from a point 208 feet north of West Merrimack Street to a point 14 feet north

Alderman Long

**PARKING METERS – 2 HOUR LIMIT (EMERGENCY ORDINANCE):**

Franklin Street, east side, from a point 222 feet north of West Merrimack Street to a point 17 feet north

Alderman Long

**NO PARKING ANYTIME (EMERGENCY ORDINANCE):**

Franklin Street, east side, from a point 239 feet north of West Merrimack Street to a point 16 feet north

Alderman Long

**PARKING METERS – 2 HOUR LIMIT (EMERGENCY ORDINANCE):**

Franklin Street, east side, from a point 255 feet north of West Merrimack Street to a point 107 feet north

Alderman Long

**NO PARKING ANYTIME (EMERGENCY ORDINANCE):**

Franklin Street, east side, from a point 362 feet north of West Merrimack Street to Market Street

Alderman Long

**2 HOUR PARKING DURING SCHOOL HOURS:**

Walnut Street, west side, from Bridge Street to Lowell Street  
Alderman Roy

**RESCIND NO PARKING LOADING ZONE:**

Franklin Street, east side, from a point 30 feet north of West Merrimack Street to  
Dean Avenue  
Alderman Long  
ORD 3045

**RESCIND METERS – 2 HOURS:**

Franklin Street, east side, from Market Street to Middle Street  
Alderman Long  
ORD 7779

Alderman Long moved to approve the Traffic and Parking agendas, including the addendum. The motion was duly seconded by Alderman Osborne.

Alderman Shaw stated I was just curious where it says emergency ordinance next to some of them what that meant.

Chairman Roy stated Mr. Hoben could probably explain it better than I. There are several that are emergency Ordinances and what it means is that they are already in effect because they considered it an emergency situation without our previous approval.

Mr. James Hoben, Traffic and Parking Divisions, stated a good example would be due to the weather. If there are no meetings in the summer it might have to wait two or three months and we need it immediately based on complaints of the Aldermen or the Police Department.

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

Chairman Roy addressed item 4 of the agenda:

4. Presentation by members of the Manchester Police Department on the newly-formed, grant-funded Sexual Offender Compliant Unit.

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

Mr. Ron Mello, Manchester Police Department, stated I'm the unit supervisor for the Sexual Offender Compliance Unit.

Mr. Gene Robinson, U.S. Marshall Service, stated I work in the sex offender branch up in Concord.

Mr. Dave Cargill, U.S. Marshall, stated I'm the U.S. Marshall for the District of New Hampshire.

Mr. Mello stated I would like to thank the Committee for allowing us to do an overview today of our Sexual Offender Compliance Program. Back in 2009, the Police Department applied for a grant under the COPS program. We were awarded that grant in 2009 under the Child Sexual Predator Program. The purpose for us was to aggressively supervise the registered sex offenders and hold them accountable in our City. The grant allows us to work with State and federal partners to create a multi-jurisdictional model that is a three pronged approach to achieve our goals. Sex offender compliance is very important to the quality of life here in Manchester, as well as the security standards that are expected by our community. Our main goal is to build a coordinated community response with our federal and State partners. The partners of this grant are the U.S. Marshall service that is here today, the Department of Corrections Probation Patrol, the Hillsborough County Attorney's Office, the U.S. Attorney's Office as well as the Manchester PD. According to the latest U.S. census, there are 108,874 residents in Manchester. At this time, we have 412 registered sex offenders that live in the City. That represents about 16% of the total sex offender population in New Hampshire and by far it is the most of any city or town in New Hampshire. Our goal is to advance the department's community policing strategies, to be proactive and reactive and be aggressive towards compliance when it comes to sex offenders. The unit itself was established in January of this year. The funding allowed us to hire two full time police officers so this unit is now comprised of three people, two police officers and myself. I supervise the unit. Officer Pelletier, does the day to day registrations, file maintenance and works with the State of New Hampshire Sex Offender Registry, the public and she handles all the day to day registrations when it comes to registrations and change of information for the sex offenders. The second officer position was a newly created compliance investigator, Officer Boisvert, who goes out every day and does compliance checks on our sex offenders. He goes to their workplaces and residences and makes sure that the information that they provided to us is what we find including the vehicle they use and some online identifiers, cell phones, etcetera. If he finds a sex offender who is not in compliance, he investigates those cases and works with the U.S. Marshalls. If the offenders happen to move out of state and are wanted, we use the federal resources to find those people. Finally, my position is to oversee the administrative roles that come with the expansion of the unit and

manage the monthly meetings of the core partners. I also manage the semiannual agency head meetings. In addition to that, I manage the sex offender compliance checks. That is also what Officer Boisvert does. This grant allows us to do other sex offender compliance checks to bolster what Officer Boisvert does on a daily basis. I also will be in charge of our outreach. That is another prong of our program. The outreach is going to training and developing handouts and pamphlets for the community to use. Our focus is solely on aggressive action against those who are found not to be in compliance. We want to maintain a zero tolerance policy; we want to enhance our existing strategy with more time to investigate and random checks. We couldn't do that before this grant. I briefly mentioned that the second prong is to bolster what Officer Boisvert does. The Manchester Police Department and a probation officer from the Department of Corrections and the Marshall Service will go out and do more checks. We will coordinate if there is a strategy or an issue from the community that comes to our attention or if there is a particular offender we want to check on. We use all of our resources to make sure that that offender is compliant. That is above and beyond what Officer Boisvert does on a daily basis. Our last prong is the information sharing. The key to this grant is that all core agencies communicate and use the information that we obtain to work together to make sure that the sex offenders are compliant who live in our City. I'll turn it over to the Marshall.

Mr. Robinson stated just for a little background, I am a former Manchester police officer. I would like to say thank you for allowing us to show up at the Aldermanic meeting. I will speak briefly. After my stint at Manchester, I transferred over to the Marshall's Service and I have been there for 12 years. Back in 2009 we were approached by a government agency saying that they wanted to start issuing some grants. They went throughout the country and they were asking if we could nominate two departments throughout the State. My first choice was Manchester of course and being a police officer here I saw the need for sex offender control. When I worked here we had quite a lot on our plate in the agenda of the Police Department. When we put forth the nomination the first time, we didn't succeed. We came back and started to crunch the numbers and we were able to come up with figures to show that there was a need in Manchester, which has the highest population of sex offenders in the State. We worked closely with the Manchester Police Department, Chief Dave Mara, Sergeant Ron Mello and Captain Kinney in order to get this grant put through. Manchester was awarded the grant. When you look at all of the cities that were awarded these grants, Manchester is probably one of the smallest. Most of the cities that received this grant are 500,000 or above so I think Congress was able to take a look at it and see that there was a need in Manchester to monitor these people. A lot of this came about because of the Adam Walsh Grant which was passed in February 28, 2006. The significance of this act was that the government saw a need to start tracking the sex offenders because a lot of times they will leave the state and they

will have a reverse warrant. If they were outside of New England, we would say that we would only extradite if they were inside of New England so they would jump to New Jersey or New York. At the same time, people from the Tri-States were jumping up here and no one could extradite if they were up in New England. New England was getting the short end of the stick and Congress realized that. A lot of these guys would just take off and they weren't being tracked or followed so they would be in another part of the country and if you look at the statistics you'll see that there are quite a few sex offenders who came in to register, but we had no idea that they were here. When Congress saw this, they enacted the Adam Walsh Act and this allows us, as a federal agency, to actually go after these individuals. If you look at the FBI, TDA, or ATF, they all specify certain things that they are looking at, whether it is weapons, drugs or terrorist activity. The Marshall Service was given the benefit or the honor of going after sex offenders as well as fugitives. This allows us if someone leaves the State and goes into Massachusetts, to track them down, catch them and bring them back. This relieves the pressure from the city, town or state. I actually extradited an individual and it is going to go through the government. When these individuals are convicted, again, the second prong is that they are housed federally and not locally so it relieves the financial burden off of the town, city or state. The other good part about this act that was passed is that once these individuals are convicted federally, they go into the federal system so if they decide to leave Manchester they no longer have to cross the state line. If they go from Goffstown to Manchester to Hooksett or Nashua we can go after them federally and again, it is not going to cost the town, city or state anything. We prosecute them and they start building up criminal history points. If we are looking at misdemeanors for a couple months, we start looking at years. The government was able to see a need. When you start looking at the Marshall Service as a whole, we have 94 districts throughout the country. Pretty much every state has a district, plus some of the larger states have five or six districts inside of them. What that offers Manchester is 3,000 plus employees who work for us and that is not including the local and state individuals that we have on our task force. Anytime Manchester comes to us with a case, if we thought that the individual took off to Colorado or Georgia, wherever, we would work the case up here, find out where we thought he was and pass it off to our counterparts down there. It was almost like they were getting gold ribbon service. All they would have to do is knock on the door. Again, it relieves some of the burden from the police departments to use their man hours to try to track these individuals. We had people who all they did was look for sex offenders. This is another one of the benefits that we offer Manchester by working with them. One of the other things that we offer is a direct line to NCMEC. We have ten analysts who work full time for the Marshall Service down at NCMEC. It is the National Center for Missing and Exploited Children. One of the things that we offer Manchester is if they have a case or an individual who they are concerned about because they don't know where he is, they send it down to these analysts and they have approximately 25

databases that they use that a lot of the locals don't have. They track these individuals and when they can't work them any further, they pass it off to someone else who has a couple other databases so it is quite extensive. When we get the package back it is usually pretty thick and we find the individual, male or female, who we are looking for. The final thing that I will talk about is our SOT. It is a Sex Offender Tracking program. Again, we are trying to build a national database so if these individuals are taking off and they leave Manchester or New Hampshire and go somewhere out west we are starting to track these individuals and tie it in. A lot of these individuals like to hide under the radar and the Marshall Service is working in conjunction with NCMEC to develop a database where if someone does leave New Hampshire or the City and say they are checking in in California, but if they are not checking in within a certain amount of time they send us a notice. Most recently, we just received one concerning an individual who moved to Manchester in the last couple of weeks and we are currently working on it.

Mr. Cargill stated as the U.S. Marshall, I'm totally endorsing this program, but from a different variety of avenues. I started my law enforcement career as a local police officer and then went on to the State Police where I spent 25 years. As a U.S. Marshall, I look at the national perspective of it all. More importantly, I look at it as a father to two children. These people that we are tracking and making sure that they are in compliance are predators. They are preying on the children and we don't really have the stamina to stand up against it. I look at it nationally and I look at what we have done here with this particular grant in Manchester, with probation, the State Police and the sex offender registry. It is teamwork and a proactive approach to a serious problem throughout the country. That is my take on it.

Mr. Robinson stated the last thing I would like to say is if you look at Manchester or New Hampshire as a whole and wonder why so much attention is being paid to the State, if you look across the board with the sex offender tracking team you'll notice that New Hampshire is unique in the aspect that the only other states that have as many sex offenders per capita are California, Oregon, Washington, Michigan, Wisconsin and South Dakota. We are ahead of Texas, Florida, New York, New Jersey, Pennsylvania and large states with large populations. We have more sex offenders per capita than all these other states so I think there is a need for the work that Sergeant Mello and the Police Department is doing here.

Chairman Roy stated thank you. I have one question for you. You had a program that I was impressed with in the last couple of years where you went and checked on people more often. This sounds like your program, but expanded. You have two other partners in this with you. That program, we were told, resulted in a

lower rate of recidivism. Is that going to be tracked through this program to ensure that we are having a positive effect on that rate of recidivism?

Mr. Mello replied that can be tracked. We will certainly look at the data from the last few years; that is our purpose. The program that we are talking about is that program enhanced. We now have a full time officer who does the sex offender checks every single day, where in the past, we usually did it out of the Juvenile Division that carried a case load and the amount of sex offenders that have to come in based on the quarterly registration of the semiannual report. One person can get very bogged down. This alleviates one person getting bogged down and allows us to get out there more often. We will look at the past and future and we are looking to make sure that the sex offenders we have are being compliant and we will look at the recidivism rate as we go along.

Alderman Shaw stated I was wondering how long the grant is for. Is it one year, two years, five years?

Mr. Mello replied it is a two year grant.

Alderman Shaw stated the information that you are gathering and the way that you are doing it, will that be able to continue after the grant or are you going to have extra funding? Can the grant be renewed? How does that go? This is a very good program so we have to start thinking about how to fund it.

Mr. Mello replied absolutely. We intend to continue to reapply. I worked with grants before in the Domestic Violence Unit and as you get close to the end you reapply and hopefully will be awarded the grant again, with the assistance of the Marshall. I can't speak for the Chief, but I'm sure that through attrition and whatnot we would try to keep this unit running. If something like that were to happen he would make those decisions.

Alderman Osborne stated you mentioned 4% before. Did you mention 4%?

Mr. Mello replied we have 412 registered sex offenders.

Alderman Osborne asked how did you arrive at that?

Mr. Mello replied that is the amount, for lack of a better term, that has carried over since I have taken over the unit in January. Those are the people who we know are registered. They are on the New Hampshire Sex Offender Registry. Those are people who if they are moving, they come into the station and register with us. Those are the people we know about. That is part of this grant to go out there. We do receive information sometimes that people are here who haven't registered

with us. To answer your question, that is from the sex offenders who are either being released from prison or moving into the City and coming in and registering with us.

Alderman Osborne asked so there could be a lot more?

Mr. Mello replied there could be more. I can tell you that since I took over the unit in January there have been two individuals, one from California and one from Massachusetts, who moved here and we didn't know about it. We learned based on California authorities letting us know they were here. There have been two so far who we know of we have been able to catch.

Alderman Osborne asked why do you feel that they chose New Hampshire or Manchester over other places larger than we are?

Mr. Mello replied I don't know exactly if they are choosing Manchester. We have a halfway house so when people get released from prison they do the rest of their time there. When they get out the services are here, transportation is here, and it is easy to get around. I don't think it is really a destination so to speak, but when you are placed here a lot of times they stay. The good news is that they are applying with us and registering.

Mr. Robinson stated one of the other things, Alderman, is that sex offenders do shop around. We have found through studies that they would look at different states and the guidelines for each state. For a long time, New Hampshire had a misdemeanor for failing to comply so that would entice sex offenders to go to a state where they would be looking at a lesser sentence than if they went to New York or Florida that are pretty stringent. They conduct compliance checks on a regular basis. Certain states aren't as rigorous as others. A lot of the sex offenders will go out and do their homework on the states.

Alderman Osborne asked what state do you feel is the lowest?

Mr. Robinson replied our sister state, Vermont, doesn't have the best of luck. I couldn't tell you exactly without looking at the numbers, but I know that in the past we have had quite a few offenders coming up here just because they knew that we had a misdemeanor charge instead of a felony. Again, it was a yearly registration instead of like Florida where it is quarterly or if you staying somewhere else for more than three or four days you had to register. All of the states are starting to come into compliance with the Adam Walsh Act. They are trying to get all states to comply with federal guidelines that were mandated to be in place last year and again this year they gave an extension so the absolute date is

coming up in a year where all states have to be in compliance. Right now they are trying to work out some of the bugs.

Alderman Osborne asked so you feel that we need more teeth in our laws?

Mr. Robinson replied I think New Hampshire is moving in the right direction. Now we do quarterly compliance checks. We are not allowed to go out and conduct compliance checks on our own because we would get bogged down. I think Congress wanted cities and towns to know who was in their backyard and what was going on in their backyard. Again, I think New Hampshire as a whole is starting to move in the right direction by getting more aggressive, stepping up compliance checks. We are starting to see the number, as far as sex offenders who are locked up and being charged going up. One of the statistics that I was looking at with Sergeant Mello is people who aren't actually on the radar are coming in to check in and say that they would like to register, even though we were not seeing them on paper.

Alderman Long stated you stated that the grant lasts for two years and started January of this year.

Mr. Mello stated we were awarded the grant in October of 2009. I guess technically that is when the clock starts ticking, but the money wasn't used until January. That is when the unit was in place and the money started being used.

Alderman Long asked so the end of the grant is October of 2011?

Mr. Mello replied yes, but usually we would apply before that. There is usually an announcement and then we make the application prior to that because we know it is ending. Hopefully there is no break in that grant.

Alderman Long asked is the interface with other communities in SOT, the Sex Offenders Tracking Program, a public data base?

Mr. Mello replied it is with NCMEC. We can pull it up and get numbers from them. It is in-house. It will show you the basic numbers if you go on the website. As far as some of the internal stuff goes, it is not open to the public.

Alderman Long stated let me, for clarity, if someone in Arkansas wants to move to Manchester, an Arkansas correctional facility knows that and they would contact us and tell us that they have someone who is looking to move to Manchester, New Hampshire. Is that how it works? You would have a person on your database and you would follow up to see whether they registered and moved to Manchester? Is that the way that works? Is the interface right now that large where country wide

we could see who is moving into Manchester? I know within our correctional facility we know through the halfway house or the corrections department whether they have moved into Manchester and we can follow them, but do we know sex offenders who are moving into Manchester from other states?

Mr. Mello replied unfortunately the interface that you are talking about is not up to that point yet. I am in the process of looking at certain companies who would interface with states that are on board so to speak. But if someone were to leave Arkansas, I don't get a phone call from Arkansas unless that police department wants to give us a call and let us know that this particular person is coming. They are required to register in Arkansas and usually the New Hampshire State Police would be notified and they would notify us that someone from Arkansas was coming.

Mr. Cargill stated your scenario involves probation and parole, which are part of the team. If someone was coming out of a prison in Arkansas, they would be coming out on probation or parole and if he gets permission to come to New Hampshire then his probation and parole will be transferred to New Hampshire. In that scenario we would probably get a heads up that this person is coming, but if the person was living in Arkansas who is not on probation or parole, but is required to be registered as a sex offender in Arkansas and he decides he wants to go to New Hampshire and just leaves Arkansas, we may not find out for months or for a year. That is the dangerous part.

Alderman Long asked the hopes if this SOT Program is to eventually be able to do that?

Mr. Mello replied yes. We are tracking, as the Marshall said, if it is a federal prison that the individual is being released into the community from, we track them. I just received one on a gentleman, Isaac Lindsay, who just moved into New Hampshire. He went through the SOT system and one of our inspectors down there, Senior Inspector Kelley, sent me an email saying that Isaac was coming back to New Hampshire and will be there on such and such a date. Sure enough, he was here and in violation because two days later he was using cocaine. In the federal system we have things that are in place, but again, like the Marshall said, it is parole or probationers that we deal with. Eventually they are trying to get the SOT system up so if people are moving or they are tracking people and someone falls off the radar they start running through the database and we can put in a batch of names. If John Smith is suppose to be registered in Manchester and we put his name in saying he is no longer here and we're not sure where he is, they will run down his information and if they get a hit somewhere in Washington they will send a message to Washington letting them know that John Smith might

be here after running him through the databases. At that point we will check with Washington to see if he has registered. If not, we will start looking at him.

Alderman O'Neil stated I want to thank the U.S. Marshall and Deputy Robinson for their commitment to the City of Manchester. I especially want to thank Sergeant Mello. Ron, I don't know. We are pretty lucky. Usually guys go from a tough assignment to an easy assignment, but you have gone from domestic violence to sexual offenders so thank you for that. I just want to follow up. You mentioned earlier, Sergeant, that in the past we had detective in juvenile who had done compliance checks when they could. That will no longer exist? It will fall solely on and be the unit's responsibility to do compliance checks?

Mr. Mello replied it does. We have been working with the chase unit in the Juvenile Division and also our Internet Crimes Investigator, but, yes, that falls solely on our unit to do the sex offender compliance checks.

Alderman O'Neil stated I was looking in the report, but it only tracks going forward from January. If you had to guess a percentage of compliance last year or the year before what would it be? It was high. Correct?

Mr. Mello replied it is very high. I believe it was close to 90%. Since January it has risen to the upper 90s. The registered sex offenders that we do have are very compliant. Like I said, our compliance rate is in the high 90s and we are trying to continue that to make sure that they are continuing to be compliant and to investigate if we have any reports or information that someone is here who hasn't registered with us.

Alderman O'Neil asked so we are in some ways fortunate, even though we have a high number that this program is going to take compliance to an even higher level. I think Deputy Robinson mentioned that the failure for them to register or comply with the registration is so high now that that leads to the high compliance rate. I want to thank all three of you for your commitment to this effort in the City.

Alderman Lopez stated maybe you can help me out. I get a lot of these questions. There is a website that the public can go to. Is that correct?

Mr. Mello replied yes. New Hampshire's State Police Sex Offender Registry has a link on the Manchester Police Department website.

Alderman Lopez asked do you want to give that website for the Manchester, New Hampshire, Police Department?

Mr. Mello replied yes. It is [Manchesternh.gov](http://Manchesternh.gov).

Alderman Lopez asked do either of you gentlemen know if it is legal, if someone knows a sex offender is listed, to tell someone else? I'll give you an example. If I know John Doe is a sex offender and it is listed on the website and someone asks me, am I allowed to divulge his name? He is listed.

Mr. Mello replied I think that if you know that there is a sex offender living in your neighborhood and he is on the public site I don't think there is anything wrong with letting a person know that that person is on the public site. We are trying to not necessarily start hysteria, but on the other hand we want everyone to be informed and we want our offenders to be compliant.

Alderman Lopez stated that doesn't necessarily mean that the person who is registered...does the website have where the sex offenders are in each community and each ward?

Mr. Mello replied yes, sir.

Alderman Lopez asked that is listed on the website, right?

Mr. Mello replied yes.

Alderman Lopez stated maybe you could find out for me because no one has been able to tell me yet. If I know someone is a sex offender and someone asks me am I allowed to divulge his name if he is listed?

Mr. Mello replied if they are on the public website you are divulging their name. You are not actually putting anything out there that isn't already known or could be accessed by the public.

Alderman Lopez asked what is the penalty? What were some of the penalties for these individuals who don't register?

Mr. Mello replied it is a felony if they don't register with us or if they change information and they fail to notify us.

Alderman Lopez stated I think you said it is 90% of people who do register in the City of Manchester.

Mr. Mello stated it was between 95% to 97% the last time I checked.

Alderman Lopez stated out of the 412 it could be higher. One of the Aldermen mentioned that. It could be higher.

Mr. Mello stated it could be higher.

Chairman Roy addressed item 5 of the agenda:

5. Communication from Sara Anderson, Sales Manager for Clear Channel Manchester, Rock 101 and WGIR AM 610, regarding clean up after the Memorial Day fireworks at Arms Park.

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

Alderman Ouellette stated I don't see anyone here from the Highway Department, but I read the letter and I'm a little confused. Who actually does the cleanup? Does the Highway Department do the cleanup?

Chairman Roy replied the way I read the letter the Highway Department does the cleanup.

Alderman Ouellette asked is there a fee associated with that?

Chairman Roy replied I don't know if there is a fee associated with it. The way I read the letter is that that is what has happened in the past and they just wanted to make sure that they understood that this was going to continue to happen. They have areas that they clean up as well, but this was defining what the Highway Department would do.

Alderman Ouellette stated I'll clarify my question.

Alderman Osborne stated maybe Chuck can answer it.

Alderman Ouellette stated I'm sure that there is a fee for the use of the park for this event. Is that correct?

Mr. Chuck DePrima, Acting Director of Parks, Recreation and Cemetery Department, asked Arms Park?

Chairman Roy stated there is no fee.

Alderman Ouellette stated so there is no fee. Who foots the bill for the cleanup? The taxpayers or Clear Channel?

Chairman Roy replied I believe it is the taxpayers. Do you know differently, Chuck?

Mr. DePrima asked is this for Arms Park that we are talking about?

Chairman Roy replied yes.

Mr. DePrima stated we don't permit that area. That is permitted by the Parking Division. I'm not aware of any fee that is charged.

Chairman Roy stated I know that in the past Parks has run some functions at Arms Park and I thought you would maybe know about the fee structure, but that's okay. Brandy, would you have any input into that? I know we don't charge a fee.

Alderman Ouellette stated I just got the answer. They bill the cost to Clean Channel for the cleanup. There is a bill. Thank you, Kevin Sheppard.

Alderman Long stated I know in my last term there were some expanded areas that needed clean up so they clarified and put on those expanded areas in the letter. I know that they got billed for the City cleaning up all of the areas, not just the park.

Chairman Roy called for a vote on the motion to receive and file. The motion passed with none voting in opposition.

Chairman Roy addressed item 6 of the agenda:

6. Communication from Jack Burke and Bruce Willey of the Kiwanis Club of Manchester requesting approval to repair, replace and add road signs.

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

Alderman Long stated they have a list of signs currently in place and needing replacement. I spoke with Mr. Hoben and those four have already been approved. The added locations...it was recommended that we go to the Planning Department. For some reason, there may be a moratorium on signs.

Alderman O'Neil stated we passed it.

Alderman Long moved to approve sections A and B, and send section C, which is the added locations, to the Planning Department with the Kiwanis. The motion was duly seconded by Alderman Osborne.

Alderman O'Neil stated I agree with what Alderman Long said. I don't know that it needs to go to the Planning Department now because I think there was an action of this Board that said there will be no additional signs of any...I don't recall exactly when that happened, but it did happen here on a vote at one point a few years ago.

Alderman Roy stated that was my understanding as well, but we thought that we could have them go to the Planning Department, if that's been in place for...I don't know how many years; it was before I got on the Board...maybe it needs to be looked at again.

Alderman O'Neil stated it came to us at the recommendation of the Planning Board, I think. That's why we implemented it.

Alderman Roy stated I know on the Planning Board we have told people no for signs for direction and all that kind of stuff, and the moratorium was mentioned.

Alderman Ouellette stated I guess not having been on the Board for those discussions and not understanding what the objection is to having these signs throughout the City...if anyone here can help me on that for a little bit more clarification...

Alderman O'Neil stated if I recall, at the time there was a feeling by the elected officials that we were becoming a city of signs. They were all over the place and they were becoming a burden on the City to maintain. At that point we said we would leave everything that was in place alone, but no new signs were supposed to go up in the City, that I recall. That is the easiest way to summarize it: We were becoming a city of signs.

Alderman Lopez stated first of all, I agree with Alderman O'Neil. I think if the Committee would ask the City Clerk to review back in the minutes, they will see a complete sign structure that the Planning Board worked on for ten or twelve years. We have a pilot program out there. It's still out there for the simple reason that in last year's budget the Planning Department gave us about \$100,000 of that sign money for the budget. But there is a whole program that does exist, and it might be good if the City Clerk would get the information for the Committee to look at. That's the reason the moratorium was put on, a couple of years ago, I think. It might behoove you to take a good look at that because they have a very good structure of signs throughout the City, but we never implemented the whole program.

Alderman Long stated if my memory serves me correctly, there was a Wayfinding sign program with which the Planning Department came up with these larger signs that would encompass all of these five or six smaller signs. And that program went by the wayside. I drove around to these added locations and there were Rotary and Lions Club signs at every location. Actually some of the Lions signs or Rotary signs...one of them was for Bedford. Two of them were for Bedford Rotary. They are all good organizations, no doubt about it. They all help the community. They are all non-profit. The Kiwanis Club donated the bus, \$100,000 for the dental program within Manchester, and they raise \$50,000 a year for kids, so as far as the moratorium, I can check with the Planning Department and maybe...I mean, I took some pictures of some of the signs. You could probably get another sign underneath some of them. Some have their own stand-alone sign and some are under No Parking signs or stuff like that. I'm asking that section C go to the Planning Department and we can probably come up with something where we can get these signs up. So I would ask that sections A and B be approved, and for section C, we'll be back after the Planning Department.

Alderman Ouellette asked is the Alderman asking to table section C?

Chairman Roy responded yes.

Alderman Ouellette stated I would suggest we separate the motion out, to approve A and B, and then another motion to table C.

Alderman Long revised his motion to approve A and B. Alderman Osborne duly seconded the revised motion. Chairman Roy called for a vote on the motion. There being none opposed, the motion carried.

Alderman Long moved that section C be tabled. Alderman Osborne duly seconded the motion. Chairman Roy called for a vote on the motion. There being none opposed, the motion carried.

Chairman Roy addressed item 7 of the agenda:

7. Communication from Brandy Stanley, Parking Manager, submitting a proposed Ordinance amendment to Section 70.54 of the Code of Ordinances establishing the Transit Station parking lot on the corner of Granite and Canal Streets.

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

Chairman Roy asked Brandy, this is the little parking lot that is adjacent to the bus station?

Ms. Brandy Stanley, Parking Manager, replied correct.

Chairman Roy asked we need this Ordinance so we can tell people that they can't park there all day?

Ms. Stanley replied that's correct. We started getting phone calls from the station asking for enforcement of the 30 minute parking that is attached to the station. We ended up giving a ticket to an employee and at that point, we discovered that the lot had not been ordinances so we cannot effectively enforce it. Boston Express has been parking two employees there and requested that we give two spaces to employees.

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

Chairman Roy addressed item 8 of the agenda:

8. Communication from Brandy Stanley, Parking Manager, providing a report of the effect of changes in the city's late fee structure.

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

Chairman Roy asked Brandy, can you explain this to us about the late fees? I see the analysis there and whatnot.

Ms. Stanley replied sure. In May of 2009, this Board changed the late fee structure. Previously, parking tickets that were issued had a late fee added on after seven calendar days. In most cases, the parking citation doubled. After the citation doubled and the first late fee went on there was no further action on the ticket. We requested to extend the time period from the date of issue to 30 days before the late fee went on because seven days was a rather difficult time to pay a ticket within. We extended it to 30 days and then proposed adding a second late fee on after 60 days and then sending it to our collection agency after 90 days. One of the members of the Committee at that time, Alderman DeVries, was concerned that our revenues might drop as a result of this change. She asked that after the program was given a chance to perform we do an analysis and come back. I did an analysis for nine months and it shows that our payment rate increased by a little over 2% under the new program as opposed to the last. It

looks like the program is marginally successful. We'll take any percentage points that we can take at this point.

Chairman Roy stated so it is working. That's good. So this is just a communication and we don't have to take any action on this tonight. We can just receive and file.

Ms. Stanley stated correct.

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

Chairman Roy addressed item 9 of the agenda:

9. Communication from Brandy Stanley, Parking Manager, requesting that public parking be allowed at the Canal Street parking lot since it is not being utilized for commuter parking to the extent anticipated.

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

Alderman O'Neil stated I'm somewhat concerned and that is why I am here tonight on this issue. As one who was involved in numerous meetings and calls regarding this whole Boston Express thing, they still haven't lived up to their full commitment at this point. I would not want to see us do something that gives them more reason to say that they are pulling out. My understanding is that there is a meeting next week. My suggestion to the Committee would be to either table it or if you do pass it, refer it to the full Board, but not tomorrow night because those of us who were on the Board in recent past know that this was a major issue when Boston Express pulled buses out of Manchester. They blamed parking as one of the primary reasons. We invested and did the improvements to the parking lot and it appears to be limited use based on the numbers now, but until the full discussions have happened with Boston Express we could play right into them using another reason why they don't want to continue bus service in downtown Manchester. If you recall, they were literally forced by New Hampshire DOT to do it. My suggestion is to table this for a month or if you do pass it, refer it to the full Board, not for tomorrow night, but for the next scheduled meeting to allow that meeting to happen. I have no details on the meeting other than informally running into the Mayor and he mentioned that there was a meeting next week with Boston Express.

Chairman Roy stated just to somewhat alleviate your fears, the last paragraph does say that they are going to review the occupancy levels daily and they will reinstate the restriction immediately should the parking lot fill up with parkers not related to the transit center.

Alderman O'Neil stated I understand, but I think it is still a hot issue right now and I think waiting a couple weeks or a month would be wise. I just know what the City had to do to try to get them to bring bus service back down. We don't need to jeopardize that again until this is all figured out. That's just my comment. It is more involved than this parking lot is my point. It is about everything going on regarding the transportation center.

Alderman Lopez stated although I agree with Alderman O'Neil, I think the last paragraph sums it up. I don't know what meeting is taking place, but I have been observing it quite often. As a matter of fact, this weekend I took my granddaughter and took her back. Four people got off the bus and there was one car in the parking lot. When I took her back Saturday, nine people got off the bus and there was still one car in the parking lot. We are losing revenue. I think we can always, as indicated, if the bus company...I talked to the individuals down there and people just drive to Londonderry and park their car for free. Why should they pay \$50 per month to park their car there? We are losing revenue and we need it.

Alderman Osborne asked how is the parking lot divided or is it at all? Public parking, whatever...

Ms. Stanley replied there is a parking meter in there that is operational. However, the signage at the entrance of the lot clearly states that the parking lot is for use only by people using the transit station. As you can see from the numbers, we sold two permits in the last month and then you can see the transient revenue, which are the monthly totals for how much the meter gets used, not related to events.

Alderman Osborne asked how many spaces are there in there?

Ms. Stanley replied there are 23 parking spaces.

Alderman Osborne asked could we take a percentage, Alderman O'Neil, leave it that way and take the other percentage and make some money on it?

Alderman O'Neil stated Mr. Chairman, if I may, all I'm saying is that your meeting next month or after this meeting this week, you are going to know what the direction of the transit center is. Again, as one who spent a lot of time with a lot of phone calls and meetings on returning bus service to downtown Manchester,

you can't play into Boston Express and give them another excuse to say that the City is not providing the parking for us and they will not be committed to it. Due respect to Alderman Lopez, but I know I took a lot of calls and emails from people living downtown who didn't own cars who worked in Boston. They can't get to Londonderry to pick up the bus. I just think that for the amount of money that is involved here we should wait a month for the meeting to happen.

Alderman Lopez stated may I offer the compromise, as Alderman O'Neil said, that if we approve this, make it effective next month and that way the meeting will be all over with and we can always withdraw it from the full Board.

Alderman Long stated I have to agree with Alderman O'Neil. I don't believe that Boston Transit wants to be in Manchester now that they have their park and ride spots in Londonderry. I'm appalled by that, with Manchester being the largest city. I have gotten plenty of calls also with respect to people who have never had a car who live on Wall Street or Manchester Place and moved there to walk to the bus station to go to work. It was very convenient and I can't be sure of this, but my perception is that if Boston Transit had the opportunity, they would operate out of Londonderry. I think that we need to eventually bring them back here. How we do that, whether there is a garage built privately or what have you, but I think we need to go back to the original amount of trips that were there, the 12 trips, back and forth, early morning to late evening. I would suspect that the meeting is probably leaning towards doing some of that, bringing them back here because the State bought Boston Transit buses, built them the park and ride spots and they are soon to go on their own, off of the public money, but I'm not going to be satisfied until it is brought back to full implementation in Manchester. I would agree with Alderman O'Neil in tabling this for a month.

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

Chairman Roy addressed item 10 of the agenda:

10. Communication from Brandy Stanley, Parking Manager, regarding requests for the use of Arms Park, Pearl Lot, and Merrimack Street by Child Health Services – Annual Bike Clinic; Easter Seals - Annual Walk for Easter Seals; UNH Manchester - Senior Citizen Activity Day; American Cancer Society - Annual Making Strides Against Breast Cancer Walk; and the March of Dimes - Annual Bikers for Babies Ride.

Alderman Ouellette moved to approve this item. The motion was duly seconded by Alderman Long.

Chairman Roy stated Brandy, I believe that one of these has been withdrawn, which is the Annual Bikers for Babies.

Ms. Stanley stated that's correct.

Chairman Roy stated that is no longer happening there. The restaurant and the school are okay with the others?

Ms. Stanley replied yes.

Alderman Long stated just for clarification, if they are affecting any business or blocking off Elm Street or any business road, are you aware that they are doing that or do you ask for approval do that? Do you just run it through your Parking Division?

Ms. Stanley replied this process touches a lot of departments. In the case where streets are being blocked off, that is done by the Manchester Police Department and that also involves additional permitting. That is handled through the City Clerk's office that has a signoff sheet that is signed off on by all the departments. When it comes to the Arms Park and specific events, I always try to make sure to personally reach out to both Cotton and the University of New Hampshire because those are the two businesses that are mostly affected. They have had a lot of issues in the past. If there are road closures and they interfere with business at Cotton or the library hours at UNH, I feel that they need to know and be able to weigh in, but I don't believe that there are going to be any issues with any of these events.

Alderman Long stated I know, Mr. Chairman, that on tomorrow's packet we have a proposed procedure for street closures for entertainment purposes. Is this still proposed or are these the procedures that we currently go through?

City Clerk Matt Normand replied I think that was received and filed by the Committee on Administration last week. As I stated in that meeting, the policy of getting signoffs from the departments related to these events is in place. It is what we have been doing for many years and what we continue to do.

Alderman O'Neil stated I think we added the Parking Division to that signoff. I think that was one of the changes because this all came out of an issue or maybe non-issue on Hanover Street. I think Parking was added and that could happen with a simple policy change.

Chairman Roy stated if they need a parade permit they have to go to the Police.

Alderman O'Neil stated they still have to follow all the same procedures and have Highway and Fire signoff.

Alderman Long asked is there a loop where businesses can weigh in? I know I get calls when Elm Street is shut off and I spoke with Captain Hopkins when he was in charge on this and he said he would accommodate Elm Street and either do one side for them to walk or what have you because there are some businesses that rely on Saturday business and if there is a Saturday event and they close the street, that business would be out of business.

Chairman Roy stated I believe the contact person up there now would be Lieutenant Tessier.

Alderman O'Neil stated I think the business organizations in town, Intown and the Chamber, have an obligation to notify their members when events are going on. Most of the businesses are generally supportive of parades and the car show in June that brings in 2,000 people who normally wouldn't come downtown. There are a few that are unfortunately inconvenienced by it, but I think we strive to get people downtown to spend money.

Chairman Roy called for a vote on the motion to approve this item. There being none opposed, the motion carried.

## **TABLED ITEMS**

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

This item remained on the table.

12. 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.)*

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

Chairman Roy stated this is the four way stop sign.

Alderman Ouellette stated yes, on Montgomery and Dexter Streets.

Chairman Roy stated I just drove by there today and the shrubs that were in question over there got cut back. The view has improved.

Alderman Ouellette moved to approve this item. The motion was duly seconded by Alderman Long.

Alderman Shaw asked is that No Truck Route still part of this?

Alderman Ouellette replied no, I don't believe so.

Chairman Roy stated I must have missed that. No Truck Route? I just saw the four way stop.

Alderman Ouellette revised his motion so it would not include the No Truck Route. Alderman Long duly seconded the revised motion.

Chairman Roy asked does that take care of your question, Alderman Shaw?

Alderman Shaw replied thank you.

Alderman Osborne asked can I address Alderman 12? What is your response to this? Is this the four way going up on Montgomery?

Alderman Arnold replied it is, Alderman. I believe that I have been on record in support of this. I have received a number of calls from area residents in support of it. I certainly appreciate the work that City staff has put in on investigating the feasibility of it, and given the sentiments of the individuals who have contacted me, I'm in favor of it. I would appreciate the Committee's consideration and a yeas vote.

Alderman Osborne asked so this is only about two blocks from the school?

Alderman Arnold replied correct.

Chairman Roy called for a vote on the motion. The motion passed with Chairman Roy voting in opposition.

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

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

On motion of Alderman Ouellette, duly seconded by Alderman Osborne, 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.

### **NEW BUSINESS**

Ms. Stanley stated I didn't think that anything written was necessary. Maybe it was. I talked to Alderman Long about receiving permission to stripe the south side of Harrison Street.

Chairman Roy stated Brandy, I'll ask you to bring something forward that is written next time. I would much rather have that.

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

A True Record. Attest.

Clerk of Committee