BOARD OF MAYOR AND ALDERMEN

April 3, 2001 **7:30 PM**

Mayor Baines called the meeting to order.

The Clerk called the roll.

Present: Aldermen Wihby, Gatsas, Levasseur, Sysyn, Clancy, Pinard, O'Neil, Lopez, Shea, Vaillancourt, Cashin, Thibault (late), and Hirschmann

Absent: Alderman Pariseau

Awards presentation to four individuals who participated in the rescue of a small child from a chair lift at the McIntyre Ski area.

Mayor Baines invited Ron Ludwig of the Parks, Recreation & Cemetery Department to come forward and make a presentation.

Mr. Ludwig stated thank you Mayor and Aldermen. I would like to ask the following people to come up here if they are present: Adam Anderson, Shawn Paige, Andrew Emanuel, and Alex Marion.

Mayor Baines invited the two State Senators, Daniel O'Neil and Ted Gatsas, to join the group.

Mr. Ludwig stated on February 27 at McIntyre Ski Area, four ski area personnel participated in an extraordinary rescue effort. Actually, there were many more than four. There were other people at the ski area involved in this, but effectively these three and the gentleman who is not here tonight were present at the time it happened and I will continue. Tim Spurdling, age 5, was partially falling out of a chairlift at approximately the height of 20 to 25 feet. Emergency crews were dispatched to gather evacuation gear. In the meantime, four area employees – Adam Anderson, Shawn Paige, Alex Marion and Andrew Emanuel stood under the chairlift awaiting arrival of the equipment and encouraging Tim to remain calm. Tim's brother who was in the chair with him was attempting to keep him from falling. When it became apparent that Tim could no longer hold on, these four employees formed a human safety net. Tim did, in fact, let go falling into the arms of Adam Anderson and Shawn Paige. While everyone was visibly shaken,

no life threatening injuries were apparent. Both Tim and Adam were transported to the area's first aid room for observation and to the Elliot Hospital for treatment. Adam received stitches to his forehead as a result of being struck by the victim's feet while Tim was treated for a bruised cheek as a result of striking Shawn's portable radio. As a result of the quick thinking on the part of area personnel, a serious accident was avoided and Tim returned to ski at McIntyre the next day. What I want to say about this is that a lot of time and effort go into…these people put a lot of time and effort in training, which we hope never has to be used and when it is, it is really nice to see that people like this came forward and put out an extra effort. I would just like to wrap up by saying you go through a lot of training and the fact that these people were able to keep their cool heads and use their training is a real credit to all of the personnel at McIntyre Ski Area and I just want to personally thank them.

Mayor Baines stated before I ask the State Senators to say something, I want to say something on behalf of the Board and the citizens of Manchester and just repeat something that I say often. Mayors come and go and Aldermen come and go but it is the City workers everyday who do the good work on behalf of the City delivering City services and being there at a time like you were to make a significant difference in saving the life of a young person. It is also important to remember that our City workers who we depend upon to provide these services and the training that we provide to them is obviously money well spent and I congratulate you for what you have done. I am sure for you were just doing your job but by just doing your job you made a significant difference. On behalf to the citizens of Manchester and the Board of Mayor and Aldermen, I would like to present each one of you with a certificate of merit that reads "For performance above and beyond the call of duty, presented today by Mayor Robert A. Baines" and signed by myself and Ron Ludwig, your director. Again, congratulations to each one of you.

Senator Gatsas stated gentlemen, congratulations. I have to present to you a Resolution stating "Be it known that the New Hampshire State Senate hereby extends its congratulations to" Adam Anderson, Shawn Paige, Andrew Emanuel and Alex Marion "in recognition of heroic efforts in saving the life of a young skier at McIntyre Ski Area and be it further known that the New Hampshire Senate extends its best wishes for continued to success" and this Resolution is duly signed by the President of the Senate and duly attested to.

CONSENT AGENDA

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Approve Under Supervision of the Department of Highways

A. Verizon Conduit #225369 located on Elgin Street and Whitney and Lancelot Avenues.

Informational - to be Received and Filed

B. Minutes of MTA meeting held on February 27, 2001 and the Financial and Ridership Reports for the month of February, 2001.

C. Minutes of the Mayor's Utility Coordinating Committee meeting held on March 21, 2001.

Accept Funds and Remand for the Purpose Intended

D. Communication from the Deputy Finance Officer advising of the receipt of $1,000.00 from the Wal-Mart Foundation for the D.A.R.E. Program.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE
AND
COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

E. Appropriating Resolution:

> "Approving the Community Improvement Program for 2002, Raising and appropriating Monies Therefore and Authorizing Implementation of Said Program."

COMMITTEE ON FINANCE

G. Resolution:

> "Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Thousand Dollars ($100,000) for FY2001 CIP 511501 Maple Street Skateboard Park."

H. Resolution:

> "Continuation of the Central Business Service District"

REPORTS OF COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

I. Advising that it has approved ordinance amendment:
"Amending Chapter 111: Amusements of the Code of Ordinances of the City of Manchester by replacing Section 111.70 Curfew At Dances."
and recommends same be referred to the Committee on Bills on Second Reading for technical review.

COMMITTEE ON COMMUNITY IMPROVEMENT

J. Recommending that funds be transferred from various CDBG accounts to authorize appropriation and expenditure of funds in the amount of $100,000 to complete the Maple Street Skateboard Park; and for such purpose an amending resolution and a budget authorization have been submitted.

K. Recommends that a request from the Chief of Police for the replacement of a damaged cruiser with a new vehicle from Irwin Motors under the State bid for $23,270.00 utilizing up to $4,620.00 in MER funds and $18,650.00 from the City's self-insurance fund be granted and approved.

COMMITTEE ON HUMAN RESOURCES/INSURANCE

(Note: Ordinance referral to Committee on Bills on Second Reading)
L. Advising that it has reviewed Ordinance:
"Amending Sections 33.024, 33.026 (Equipment Mechanic I, Equipment Mechanic II) of the Code of Ordinances of the City of Manchester."
and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Note: Ordinance referral to Committee on Bills on Second Reading)
M. Advising that it has reviewed Ordinance:
"Amending Chapter 33, Section 33.046 (F) Starting Rate on Demotion of the Code of Ordinances of the City of Manchester."
and recommends same be referred to the Committee on Bills on Second Reading for technical review.

COMMITTEE ON JOINT SCHOOL BUILDINGS

O. Advising that it has awarded the Central High School Industrial Arts Building Roof Replacement Project to Hartford Roofing in the amount of $360,000.00.

P. Advising that it has awarded the Central High School Renovations Project to Brookstone Builders, Inc., in the amount of $1,379,936.00 pending FY2002 financing.

Q. Advising that it has awarded the McDonough School Roof Replacement Project to Melanson Roofing in the amount of $442,600.00.

R. Advising that it has awarded the Henry J. McLaughlin Middle School Addition Project to Ferd Construction, Inc., in the amount of $3,170,658.00.

S. Advising that it has accepted the enclosed project financial, architect's, engineer's and contractor's reports for the month of March 2001 relative to High School Stages, Henry J. McLaughlin Jr. Middle School, ADA Accessibility/School Elevators - Webster School Elevator/ADA Improvements, Parker-Varney Elevator/ADA Improvements, Central and West Heat & Ventilation Improvements Phase V, NORESCO Performance Contract, Roofing Projects - Weston & Manchester School of Technology, Asbestos Abatement - McDonough & Green Acres Schools, CHS/WHS Electrical Improvements, and McLaughlin Middle School Addition and is submitting same to the Board for informational purposes.

COMMITTEE ON LANDS AND BUILDINGS

T. Recommending that the City terminate the lease agreement with Grossman Companies, Inc. for the Elderly Services Department and not exercise the option of renewal prior to May 1, 2001. The Committee notes that such lease will expire on November 1, 2001.

U. Recommending that a request from PSNH seeking acquisition of two City easements in the vicinity of it's 780 North Commercial Street property be granted and approved. The Committee recommends that such easements be conveyed for the price of $4,250.00, considered to be fair compensation as determined by the Board of Assessors. The Committee further recommends that the Mayor be authorized to execute any and all related documents subject to the review and approval of the City Solicitor.

V. Recommending that the Board establish a special non-lapsing account with antenna lease fees received relating to the Hackett Hill property, which would be dedicated to help offset future expenses required as a result of the development of the proposed business park.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

W. Recommending that a request from Robin Bonneau of WGIR for the use of Arms Park and the Notre Dame Bridge on Sunday, May 27, 2001 with a rain date of Monday, May 28, 2001 for the 10th Annual Memorial Weekend fireworks display be granted and approved under the direct supervision of City Clerk, Fire, Highway, Police, Traffic and Risk.

X. Recommending that a request from Cindy Lafond of the Greater Manchester Family YMCA for closure of a portion of Granite Street between Commercial and Bedford Streets, as herein enclosed, on June 2, 2001 from 8:00 AM until 12:00 PM for the YMCA World's Largest Run be granted and approved under the direct supervision of City Clerk, Fire, Highway, Police, Traffic and Risk.

Y. Recommending that regulations governing standing, stopping, parking and operation of vehicles be adopted and put into effect when duly advertised and posted.

SPECIAL COMMITTEE ON THE CIVIC CENTER

Z. Advising that it has approved the following changes orders:
Change Order #22 for $2,799.00;
Change Order #23 for no cost;
Change Order #24 for no cost;
Change Order #25 for not cost; and
Change Order #26 for $174,401.00
which were filed with the Committee on March 14, 2001; and further that it has approved the set-up of an Owner's Reserve account $1 million to deal with change orders that come under the GMP (guaranteed maximum price).

HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN WIHBY, DULY SECONDED BY ALDERMAN LOPEZ, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.

F. Appropriating Resolutions:

"Appropriating to the Central Business Service District the sum of Two Hundred and Five Thousand Eight Hundred Thirty Two Dollars and Ninety Nine Cents ($205,832.99) from Central Business Service District Funds for Fiscal Year 2002."

"A Resolution Appropriating to the Manchester Aggregation Program the sum of $758,516 from Aggregation Fees for the Fiscal Year 2002."

"A Resolution appropriating to the Manchester Transit Authority the sum of $705,000 for the fiscal Year 2002."

"A Resolution appropriating the sum of $12,791,347 from Sewer User Rental Charges to the Environmental protection Division for Fiscal Year 2002."

"A Resolution appropriating to the Manchester Airport Authority the sum of $34,951,867 from Special Airport revenue Funds for the Fiscal Year 2002."

"A Resolution appropriating to the Manchester School District the sum of $114,844,857 for the Fiscal Year 2002."

"A Resolution appropriating the sum of $3,751,196 from Recreation User Charges to the Recreation Division for Fiscal Year 2002."

"Raising Monies and Making Appropriations for the Fiscal Year 2002."

"Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2001 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Financing Agreement."

Deputy Clerk Johnson stated we requested that this item be removed because there is a communication from the Mayor regarding some additional appropriations that are going to be required under the operating budget and we are suggesting that that get referred to Finance, along with the Resolutions.

On motion of Alderman Wihby, duly seconded by Alderman Clancy, it was voted to refer the Resolutions and the communication to the Committee on Finance.

Report of Committee on Human Resources

N. Recommending that a request of the Library Director to replace two Library Clerks in Technical Services and one Account Specialist II with three Office Assistants be granted and approved.

Alderman Vaillancourt stated I voted for this in the Human Resources Committee and will vote for it tonight, however, we are entering the budget season now and I want to use this as an opportunity to challenge all of the Aldermen here to pay greater attention when we look at budgets. This is a recommendation that the Library Director replace a couple of clerks and go to three other positions, just kind of transferring within the department but about six months ago I noticed something at the Library that I thought was inefficient use of public monies. I think especially as we enter the budget cycle it is important for all of us, if we have a particular expertise in one area whether it be police, fire, library, MCTV, whatever to make sure that the budget is being spent wisely and that monies are being used well. I did communicate to the Library Director, Mr. Brisbin, that I thought that thousands and thousands of dollars were being wasted by a policy that requires books be renewed every two weeks. I got a response that I considered unsatisfactory which was that is the way it is done in most libraries. I visited a friend of mine who was in the hospital and happened to give me a book from the Derry library that is out for four weeks. I did notice, after checking with library personnel, that approximately one full salary goes to having to renew these books. I did decide that I would vote for this, but only after being told that the Library Trustees are now looking into a new policy of going to a book term of four weeks, at least for books that aren't popular best sellers. I think we can all do better on how monies are spent and I hope that we use this as an example of that and I will move the question.

On motion of Alderman Vaillancourt, duly seconded by Alderman O'Neil, it was voted to accept, receive and adopt this report.

Mayor Baines stated what I would like to do is take up the report of the Committee on Lands and Buildings at this time while we are all fresh and ready to go.

Deputy Clerk Johnson stated there were three reports of the Committee on Lands and Buildings relating to the senior center. Alderman Gatsas is withdrawing his minority report so there are now two reports. I will read them into the record.

> A majority report of the Committee on Lands and Buildings was presented recommending that the Board of Mayor and Aldermen approve Singer Park as the site for a senior center.
>
> A minority report of the Committee on Lands and Buildings was presented recommending that the Board of Mayor and Aldermen approve the Teamster's Hall building located at 265 Maple Street as the site for a senior center such report signed by Alderman Cashin.

Alderman Cashin moved to accept, receive and adopt the minority report. Alderman Pinard duly seconded the motion.

Mayor Baines asked the Clerk to read the minority report again.

Deputy Clerk Johnson did so.

Alderman O'Neil asked we are talking about the site and not all of the additional costs that the architect suggested last night correct.

Alderman Cashin answered it is just the site we are talking about as far as I am concerned.

Alderman Hirschmann stated that particular site, under the first phase, will only give the public 23 parking spaces. I think you are doing a very big disservice by voting for this. Twenty-three parking spaces is not what the elderly need to go to a senior center.

Alderman Vaillancourt stated point of order. I understand that this Board does not operate by the normal rules of order, but under normal rules of order a majority report is disposed of before a minority report comes forward. I believe the proper motion would be to consider the majority report first.

Alderman Vaillancourt moved to table the minority report so the majority report can be considered first. Alderman Levasseur duly seconded the motion.

Alderman Cashin stated the reason I made a motion was because nobody stepped forward to make one.

Mayor Baines stated I have no problem taking the majority report first.

Alderman Cashin withdrew his motion to accept, receive and adopt the minority report.

Alderman Vaillancourt moved to accept, receive and adopt the majority report. Alderman Lopez duly seconded the motion.

Alderman O'Neil asked for clarification what happens to the lease at Hanover Street. Do they renew it until a further date until there is a determination made on the site? That needs to be part of any recommendation.

Alderman Lopez stated I don't believe it has to be part of anything. I think the most important thing that is being moved here is picking the site. Whether we close the senior center on Hanover Street is another issue entirely.

Alderman Shea stated I want to reaffirm that particular statement. It has no relevancy. We are talking about a site and that is a distinct matter, which we can discuss later on. We have discussed it at Human Resources already and there is a report that is in our agenda concerning that. I believe that we want to focus our attention on a site this evening. In other words, whether we want to have Singer Park as the site or not is the question. At this time, your Honor, I would like to have a roll call vote.

Mayor Baines replied well I just want to follow-up. There is going to be some more discussion. I just want to remind the Board about the lease. We would have to pursue being a tenant-at-will. If we are looking at the Singer site, recognize the fact that you need 10 votes to pass a bond and that there will be a period of time whether we are either a tenant-at-will or we do not have an alternate site for a senior center for a period of time which could be a number of years. I think that has to be in the back of your mind to look at some way to deal with both of those issues.

Alderman Gatsas stated I would do a minority report on the Sears building, not because I don't believe that is the best location but I think that the other two locations certainly have a detriment to the seniors. The parking issue and the location of the Maple Street project I don't believe is a viable one and I don't believe we should be making promises to seniors at Singer Park that we have selected a site and two years from now we say that that site is not available. I also believe that looking at the borings and looking at the findings that every Alderman here should understand that we should do some further studies there before we make promises and I think that there are situations there where we have a fixed number of $100,000 for additional pilings but they only went down 70 feet. They could go down another 70 feet and still not find any soil where they could put pilings. I think it is an injustice to seniors for people out there to believe that they are going to have a senior center when the ability to build it there may not be a reality. I

think it is unfair for us as a Board to send a message to anyone that that project can be done without us knowing that. At this time, I have withdrawn the minority report on the Sears building but I don't think those two sites are appropriate for seniors to get something started and started right away. I don't think this should be a waiting project. I don't think this should be something two years from now. The seniors don't have that opportunity and I think the taxpayers certainly should have the ability to make some sort of decisions on where it should go. Thank you.

Alderman Wihby stated I have a few questions. The Sears site, my understanding is that an appraisal was done and the appraisal was under the price that the owner was willing to sell it for so technically we can't support that at this point so we are down to two proposals – Maple Street or the Singer site. The Singer site, your Honor, the money to fix that up and do what we want to do there, is that included in your budget.

Mayor Baines replied last night what I explained to the Board was that when the Board embarked on this issue we had been given projections of our bonding limits of approximately $13 million a year over the next three years. Since then, as you know and people have listened, those limits have been constricted. In fact, when we started our budget process we were looking at possibly being constricted to $7 million. As you know, $3.1 million of that is already committed to the McLaughlin Middle School and there are a number of other projects to finish up existing projects and we also need to deal with the planning for the Granite Street Bridge, which is going to ultimately be a $15 million commitment of the City because the state highway is coming in with an exit ramp. This is reality. We can look at all kinds of different things but these are the financial things that are before us. We are also looking at tremendous demands in terms of our school facilities relating to overcrowding and really the unsuitability of classroom space in which we are going to have to devote a significant amount of money over the next several years to bring these facilities up to condition. The reality is as Alderman Gatsas says we do not have the money.

Alderman Gatsas responded I didn't say that. If we had a site that I believed that the seniors should go to…I have obviously relinquished my position on the Sears building and I would question some of my colleagues on this Board to relinquish positions on their positions because they may not be the best sites. I understand that some people have their heels dug in. If you want to talk about issues, I don't have a problem going there.

Alderman Wihby asked if we went to the Maple Street site, the lease that we have is up in November so we could move into that site…is it empty right now.

Mayor Baines answered it is not empty at this time.

Alderman Cashin stated it is not empty right now. I don't know the date that they are moving out. We could move the East Side Center as soon as that is vacated into the building with little or no renovation. That is my understanding.

Alderman Wihby asked and money is available to do that in this year's budget.

Mayor Baines answered the availability of money…as we know there might be other sources but the most likely place would be the $1.175 million that has been set aside in our bonding limits towards the senior center.

Alderman Wihby asked and that is enough to buy the property, fix it up and get it going as soon as the beginning of next year or the end of this year. Is that true?

Mayor Baines answered yes.

Alderman Levasseur stated first of all everybody said that we only had $7 million in CIP money and then voila it came to $11 million. We appropriated a certain amount of money for the Bond Building on Elm Street and we found that they were $150,000 short and voila here we go, we found $150,000. We set aside $1.2 million for the senior site. We all knew…we spent $40,000 on a study and it came down to two sites. The one site that Alderman Gatsas is speaking about can't be purchased. That is just the way it is. There are no ifs, ands or buts about it. That is not even an option anymore. Now we are sitting here and talking about finding another $1.6 million and now we want to go and spend money on a building over on Maple Street that abuts the Skateboard Park that is only 7,000 square feet and has only 23 parking spots and you want to stick the seniors in what I will say looks just like a bingo hall and that is not what this was all about in the first place. For the Mayor to stand there and say that we don't have the money, I just don't think that is true. I think it would take some work. It is just like last year. We didn't have money for certain projects and we just reappropriated. We all know there is $1.4 million sitting down in the Seal Tanning Lot that didn't get built so there is money there and there could be transfers from MDC funds from other properties that are owned, your Honor, just like we found that $150,000 in that other little pot of gold somewhere. It just seems like we have these little pots of gold and they are just playing games with them. Now we went from $7 million in CIP to $11 million in CIP and people say well there are certain Aldermen who are digging their heels in for this particular site. Well, there are other Aldermen who dug their heels in on that other site and now it just can't be purchased. If it could have been purchased for the price that we had, they would still have their heels dug in. Now it is time and you know I fought like crazy to get the Singer site but I also relinquished and came back down to the Lands and Buildings Committee

three times to make sure that we went through the process correctly, that each side had the opportunity to present their argument so that all facts could be given to both sides so we could make a good argument. To sit here and now start talking about putting a senior center on Maple Street…that is not the way that Manchester should be going. We should be going with first class buildings or not doing it at all. The Mayor said last night and we agree if we want to make the determination that we want to wait a year or two to get this done and keep putting money aside for the right site then we should do that. All of the Aldermen on the Lands and Buildings Committee who sat through this for a year now agreed with you, Mayor, that we would be willing to do that. To get the right building to do the right thing. You, yourself, your Honor said that was true and that we should go that way. I think before we started doing this I didn't have gray hair. Pretty soon I am going to start wondering if I have enough Social Security money to go to the senior center if we don't get this thing done. We have been doing this for a year and a half. Let's just move the question and see where we stand.

Mayor Baines replied I would like to have some more discussion. I would like to call on Mr. Clougherty to explain the situation with the bonding limits.

Mr. Clougherty stated last year as you know we made a recommendation to you on debt affordability of $20 million over two years or $40 million over three years. Of that $20 million, $13 million was appropriated. That left a balance of $7 million. If you were to take the $40 million and subtract the $13 million that was authorized, we still have $12 million that we have to do for the landfill which gets you back to $15 million which is $7 million for this year and $7 million for next year. In your budget you have decided that you would like to, instead of splitting it evenly, move some of that amount into this year so you get $11 million. You are doing that understanding that you may not have capacity going forward. You are hoping that you will have some capacity as a result of the revaluation and other things. The limits are based on the guidelines that the City has adopted over time and guidelines set by Wall Street.

Alderman Clancy stated my contention is everybody wants the best for the senior citizens. I do just like the rest of us. But, what can the City afford? What can the City afford? That is the question. Singer Park, I don't know how much money it is going to cost to do that building but if we want to buy the old Teamster's Hall building on Maple Street that doesn't sound too bad right now and somebody said 23 parking spaces. It may be 23, but walk 30' across the street and you have 400 – the whole coliseum. You just have to walk across the street and you have 400 parking spaces. As far as I am concerned, something is better than nothing. I vote for the center on Maple Street.

Alderman O'Neil stated I want to remind the Finance Officer that he owes that explanation to the CIP Committee next week on the change in the bonding capacity. I have certainly been a champion over the past few years of Riverfront development. My biggest concern is can that site be developed and I think we need more questions answered. I think we should commit the money to do those borings and find out if the site can, in fact, be developed. I have reservations about that. I don't believe we should continue the lease agreement on Hanover Street and I think no matter what other options are before us, building a new building we are several years down the road before that happens. I have toured the Teamster's Hall. The Teamsters have put a considerable amount of money into it and I think it is a fine place for the seniors in this City.

Alderman Pinard stated the whole thing is what can we afford. Now I don't know how many of you people are watching what is going on in the country with the stock market. It is very scary in the past three weeks. I am a senior just as much as the rest of the people here and I would like a place to go but what can we afford. Has there been any testing at Singer Park? There are rumors that the soil is contaminated. For the time being, let's go to the Teamster's Hall. We can always wait until the economy is back in place. We can always sell that property down the road. My question is what can we afford?

Alderman Hirschmann stated Mayor I don't want you to take exception to what I have to say because I am saying it from the heart. What the Mayor has told you is that a senior center is really not affordable at this time and what the truth is is that it is affordable it is just a matter of priorities. On the Mayor's priority list the seniors are very low on the Richter scale. A parking deck comes before you and other promises. The parking deck was financed last year and it is still not built. I say we can use that money, even though you call it economic development money, your Honor, it could be used for the seniors. It is just a matter of applying your priorities in a way to serve the community. At this time, this Board, when we got elected everybody on this Board promised the seniors that they would build a senior center and then came the arguments and then came the warnings of money and all of the problems. Well, we still haven't delivered. The money that wasn't spent on the parking deck is sitting in a bag in the back room just like Alderman Levasseur said. The money for the Riverwalk is sitting in another bag. That is another priority that seems to be above the seniors. If you take all of these priorities, and I don't mind schools, your Honor, I am with you on that one. Schools, seniors, I am right there but the Riverwalk, I say we use the riverfront money and apply it to the senior center. If that is going to be a battle then let's fight that one. The money for that parking deck that was begged for and you made us vote on it, I want that money back and let's use that for the seniors. Let's reapply the priorities. Tell the people out there the truth. If you start

singing a song enough times, you start liking the song. Tell the truth. It is just priorities. Are they your priority or not? It gets real.

Mayor Baines responded it takes 10 votes to build a senior center.

Alderman Thibault stated I would just like to know if Alderman Gatsas and what he brought up about some of these test borings in the Singer Park area if you have any scientific data to back that up as to exactly where we are at with that. Does anyone here, maybe Frank Thomas or somebody else…can anyone tell us where that is at? I wonder if Frank might be able to enlighten us a little bit on where we are at with that.

Mr. Thomas stated the borings that were conducted showed fine silt material and down on top of the groundwater there is a layer of something that smells and kind of looks like kerosene. We did contact the State Department of Environmental Services. They couldn't give us any direct answers on what type of remediation potentially would be required. However, they did suggest that additional environmental studies be done in order to define exactly what this material was the extent of it, etc. At that time or after this additional environmental study was conducted, then there would be a determination by the State as to what type of remedial action would be required as far as that material goes, which could be nothing more than groundwater monitoring through monitoring wells or there could be a potential of having to remove that material through either some type of pumping operation or through pumping in venting of that type of layer of kerosene type materials.

Alderman Thibault asked, Frank, in your opinion is this something that the City may not want to get into. Is it a major problem? Are we looking at millions of dollars or hundreds of thousands of dollars?

Mr. Thomas answered I think it is an area, as Alderman Gatsas mentioned, that needs further study. A study would have to be done on the proper depth of the pilings. There were discussions that the type of ash material could settle even though you have the structure on pilings, your services coming into the building…if the settlement around the building could be affected and again the question of what type of remedial action would be required on this layer of this kerosene type substance still has to be addressed. So, there are some unknowns. We have done studies, but those studies have not answered all of the questions.

Alderman Thibault asked, Frank, what are we looking at dollar wise if we, in fact, went in-depth and studied this project. What are we looking at? How much money are we looking at?

Mr. Thomas answered it is tough to say until you find out what the results of the study are. I think there have been some statements already that pilings would be required on the structure, depending again on the size, somewhere in the $100,000 range. Additional environmental studies would have to be done to satisfy or at least furnish information to the Department of Environmental Services. That has already been identified at about $20,000. Then depending on what type of remedial actions are required after that…you know it is difficult to say at this time.

Alderman Levasseur stated I would like to make a point of clarification. I agree with Mr. Thomas but the price of the money that you are talking about for the pilings is included in the Singer Park price right now at $2.8 million. Maple Street, your Honor…it is important for the people who are watching this to get more information than what we are giving them. The Maple Street site that we are looking at is a $2.8 million project if we do it all the way through. Let's not tell them that it is less than what it is. If we do it right and we go to the 15,000 square feet that we all agreed on is the minimum; it is a $2.8 million project.

Mayor Baines stated I still think there is some room for compromise if people want to zero in on it.

Alderman Vaillancourt stated you probably note that I haven't been terribly vocal on this matter of a senior center. Because of all the people here I am not inclined to spend a lot of money on government services that I don't feel are essential services. I believe that government should be involved in things that are really necessary like police and fire and schools and garbage collection and plowing those roads when the snow falls. However, I think it is time for me to speak out in favor of a big spending project and the sky might not fall. It is absolutely inconceivable to say that we can't find the money. We are spending $150 million on a civic center and don't just say that it is $60 or $70 million because look at the data that was given to you last night. You bond this out over a 20 year period and you are talking about $16.7 million for the Maple Street site and $17.0 million for the Singer Park site or a difference over 20 years of $300,000, which is a mere pittance when you compare these two sites. Let's talk about the Sears site immediately because the newspaper led people to believe in the report today that the Sears site was the best for the City in terms of cost, but I think they did that without knowing what we learned in the back room last night when we had to go into non-public session and it has been revealed tonight by Alderman Wihby that we cannot even consider the Sears site because it is approximately $500,000 more that the owners are willing to consider selling it for than we are allowed to pay because of the appraisal so let's knock the Sears site out for that reason. Let's just consider the two sites that are before us – the Maple and the

Singer Park site. As I said, I am not a big fan of big spending but this City is spending $150 million for people that are basically in the middle age bracket. Those are the people who I would consider would be going to a hockey game or a concert. We are spending more money than we should be spending on a Skateboard Park and I am not against that for the young people of this City. I think it is only fair that we spend something on seniors and spend something of a considerable amount on seniors. A city the size of Nashua has a beautiful senior center. A town the size of Plymouth, which is approximately 5% the size of Manchester has a tremendous senior center where people in their fading years can go and get out and recreate and go and continue to live and be vibrant. For us to say that youth are more important or people who go to hockey games or concerts are more important is unconscionable. We deserve the best for these people and even though it is going to cost us a little bit more, it is the kind of sacrifice I am willing to make. To say that we can't come up with it is exactly what Alderman Hirschmann says, an abrogation of our responsibility to set priorities. It is time to set priorities and to make this a top priority. If we want to go to the Maple Street site I would say simply forget it, simply close down the other building and you are not losing anything because as we heard Lucille Stevens tell us earlier tonight, it is only visited by a few number of people. The City of Manchester can save $50,000 a year in rent. We can hire a taxi and take every senior who wants to go to that Hanover site over to the site on the West Side and still save thousands of dollars a year. Let's not even make that a consideration about not having that site for a year. We can do as Alderman Shea says. We can wait until we build up the kitty, but I would prefer to do as Alderman Gatsas suggests and do it this year. Then we come to the point of contamination. Well, I never claimed to be a scientist, but the best experts we have have told us that we can build on that site for $100,000. We are building a civic center on a contaminated site as Linda Garrish pointed out tonight and we have taken that out and put it in the cemetery. We can do this. All it takes is the political will and the desire to do what is right for a group of people who really deserve nothing less. If we do this, I will volunteer my services to come down one day a week to the new senior center and deal blackjack for the senior citizens. Not for money, of course, that would be gambling.

Alderman Shea asked, Frank, if there is a problem at Singer Park, do they have the same problem with the park concerning contaminated soil. They have a soccer field there. Do they have a problem with contaminated soil?

Mr. Thomas answered the contaminated soil or the layer of kerosene type material is floating on top of the groundwater down there and they may have the same type of problem. I don't know. Again, I think Alderman Vaillancourt is correct. You can most likely build a facility there. It would potentially just cost more.

Alderman Shea asked if Singer Park isn't suitable for seniors, would it be suitable for industrial or commercial enterprise there or for a baseball field or any other type of activity.

Mr. Thomas answered yes. I am not saying that it is not suitable for a senior center. All I am saying is that the site does have some unique engineering issues that have to be overcome, such as pilings. We need to know how far that bedrock is down. The estimate is it is down somewhere between 50' and 70'. It is not going to be a tremendous cost to do additional borings, but the question is not answered now. The question is not answered as far as the extent of the remedial work that has to be done. That doesn't mean that you can't build a structure there.

Alderman Shea stated what I was going to say and I think Alderman Vaillancourt alluded to, I am going to tell the audience that if we buy the Teamster's Hall, that will not be an appropriate place for seniors. They won't go. They told you they won't go. You are defeating your whole purpose in trying to help the seniors.

Alderman Lopez stated I asked Mr. MacKenzie last night basically the same question and his answer was yes it could be built there. You as a professional, I believe I am hearing you say that it can be built there.

Mr. Thomas replied yes.

Alderman Lopez asked this is not out of the norm when you find things like this like at Rubenstein park. We have had some discussions…you have had some contamination there that you had to remove also. Is that correct?

Mr. Thomas answered yes, that is correct. Again, the point that I think we are trying to raise, City staff is trying to raise with the Singer site is that there are some unknowns that may have some costs connected to it that need to be overcome or at least funded in the construction. Again, I am not sure if this layer of kerosene is venting up through the ground surface. If you put a building on top of that, there may be a need to vent the ground around that facility. A structure can be built and it can be utilized, but there may be some additional costs in connection with construction on that site compared to another site.

Alderman Lopez replied I think every Alderman here understands that and I think that Alderman Gatsas is absolutely right. We have read the report. It is in the report. You have to do two more testings and then there is $20,000 that is needed to get a final analysis. I think what is happening here is that the City staff doesn't know which

direction to take unless we make a decision and that is what we have to do. Let's make a decision up or down on Singer Park and then we can go from there.

Mr. Thomas responded I think what the City staff is trying to do is point out all of the issues so that at least when you make your decision you are going into it with your eyes completely open so that there are no surprises.

Alderman Gatsas asked, Frank, in your professional opinion what kind of time frame are you looking for to get the approvals from the state.

Mr. Thomas answered I think we can probably have the additional borings and the soil people's report within a month's time. I would like to think that we could get some type of facilitated response back from the state within a month or two after that. I don't see it being a long period of time, but again I can't control the movement at the state level.

Alderman Gatsas asked if the tests that come back come back in a more negative fashion than what you have seen because we don't know what is under there, what are some of the risks to the City.

Mr. Thomas answered there may be additional costs in having to remove this material that is floating on top of the ground water. Additional borings in that area quite possibly could uncover some buried tanks or barrels. You can never tell what you could run into in an old fill area like that. Again, if we determine that some of these vapors are seeping up through the surface of the ground, there may be a need to provide additional venting under a building and around the building. Let's face it with the technology that is out there you can build on top of a landfill. You can put pilings down and you can vent the area and you can put floating this and that on, but there is a cost connected to it.

Alderman Gatsas stated another point is the proximity to the river. Are there some problems with that?

Mr. Thomas replied not that I am aware of. There is that drainage gully behind where the building is going and it is going to have to have some permitting.

Alderman Gatsas asked what is the timeframe for that.

Mr. Thomas answered a normal permitting process for something like that could take three or four months. I don't think that there is anything totally unusual with that type of submitting. It is just routine filling of potentially wetlands, etc.

Alderman Wihby asked size wise is the Maple Street property bigger than the East Side Senior Center now and the condition that it is in.

Mr. MacKenzie answered yes it is.

Alderman Wihby asked how about the condition. Can it be moved into now?

Mr. MacKenzie answered I haven't been in the building recently. I was there quite a while a go. It is my understanding that for a temporary stay of a couple of years it would be in a move in condition.

Alderman Wihby asked has Barbara Vigneault seen it.

Mayor Baines answered yes.

Alderman Wihby asked can I speak to her please. Barbara, is that a compromise to move you out of Hanover Street and put you there temporarily for the next couple of years if we know that we can't build something for a couple of years anyway? You can use the facility the way it is now until we have all of this other stuff done and come up with the bonding that is going to be needed if we were to move into Singer Park.

Ms. Vigneault answered it is big enough for the East Side. The East Side currently has 5,145 square feet and I believe the Maple Street has 7,200 square feet. We currently have no parking at the East Side and I guess there are 23 parking spaces at the Maple Street site.

Alderman Wihby asked so if we kept the West Side Center and moved the East Side Center because we have to get out anyway for the rent which is $50,000 a year and bought this property within that timeframe and looked at seeing what is going to happen at Singer Park because we know that we are not going to move there for two or three years anyway, is that a feasible compromise. I know that I heard it on this side and I know that the Mayor alluded to some sort of a compromise that we are looking at. Does that work?

Ms. Vigneault answered space wise it does as long as we have the West Side. If you only had one and it was on Maple Street that wouldn't be big enough.

Alderman Wihby asked is that going to increase the budget a lot if we did that or would it be the same as it is now.

Ms. Vigneault answered it would depend on how the payment would work out if the City bought the Maple Street site.

Alderman Wihby stated I would imagine that the $50,000 a year in rent you were paying would cover the bond payment.

Mr. Clougherty replied it would be pretty close Alderman. It is pretty much a wash.

Alderman Wihby asked does that make any sense, your Honor, since we know that if we go to Singer we are not going to move there for two years anyway. Is that true? Is it two years that we are talking about?

Mayor Baines answered yes. From what we talked about today it would be about two years before a facility were actually up and running.

Mr. MacKenzie stated if you look at the need to fund a $3.2 million project at Singer and if you look at the current CIP, which is very limited, just for the fact of funding it over a couple of years it would probably take a couple of years to get to $3.2 million. We have $1.2 million now and we need $2 million more. There are some ways to approach that, but with the permitting you could not start construction anyway until roughly a year from now. Actual construction could be a little quicker than two years, but if you are looking at the practicality of the funding, it might be two years.

Alderman Wihby asked would you entertain an amendment that does that.

Mayor Baines answered yes.

Alderman Wihby asked can Deputy Clerk Johnson word it.

Alderman Levasseur stated we have a motion on the floor. Can't we vote for that one?

Mayor Baines replied I don't want to argue with you about this so I am going to ask Mr. Clark to explain the process of amending motions under the rules of the Board.

Solicitor Clark stated under the rules the Mayor is the Chair and he makes the parliamentary rulings. If he wishes to accept a motion to amend a motion that is pending before the Board, he may do so.

Alderman Hirschmann stated point of order. Don't you vote on the amendment first?

Mayor Baines replied yes. There will be an amendment and we will vote on the amendment and then we will move forward. We are going to stay with Alderman Wihby on the amendment.

Deputy Clerk Johnson stated if I understand correctly, the current motion on the floor is to accept the majority report, which is to select the senior center site as being the Singer Park site. Alderman Wihby is looking to amend that motion by amending the report to include selection of the Maple Street site as a temporary site.

Alderman Wihby moved to amend the report to include selection of the Maple Street site as a temporary site for the East Side Senior Center. Alderman Clancy duly seconded the motion.

Alderman Levasseur stated regarding the amendment, I want you all to think about this clearly now. You are willing to go out and spend $500,000 or thereabouts on the Maple Street site, plus the cost to renovate for two years so that we can wait for two years to go to Singer Park. Wouldn't it make sense to just lease the place that we have right now for $100,000 and not spend $500,000 in this really tight budgetary market that we are in, Mayor? Think about what you are doing. You are going to go and buy a building over on Maple Street for $500,000 and fix it up for 23 spots or you could just keep the lease that we have in place right now for two years and spend $100,000. If we are going to wait two years, we might as well just stay where we are right now and not waste taxpayer money on a place that I don't think we really want if you take a good look at it. That is my argument about going against the amendment.

Mayor Baines stated I have a couple of points of clarification. I understand that the rent we would have to renegotiate. It was a rent that was reduced from what it was originally because of the previous revaluation. It is anticipated that it will go up. From what Barbara explained to me, there are usually five-year rentals in that building.

Alderman Levasseur replied there are four empty locations in that block already. There are four empty storefronts there, your Honor. The other thing is I really doubt very much that they are going to give up a $50,000 lease for two years. If they can get another $100,000 out of that location right now, I think they will be really happy to sign on for another two years. I already see that in the amendment there is a willingness to go and negotiate month-by-month or a tenant-at-will. We are not going to have to resign it for five years.

Mayor Baines responded well I am not sure of that but I just wanted to put the facts on the table.

Alderman Lopez stated in reference to the amendment, just to take the Teamsters Hall and add to it I think is unjust. I think what we are saying is that we had the $1.175 million for Singer Park right now and the selection of Singer Park should move forward. I would like to ask for a friendly amendment to your amendment, Alderman Wihby. I have it in writing and I would like to distribute it if you would like to read it and look at it. Could I do that? Could I offer it to you?

Alderman Wihby stated didn't I read something that said it had to be a five year lease.

Mayor Baines asked Barbara Vigneault to come up and clarify the lease situation for the Board.

Ms. Vigneault answered the lease is a 20 year lease and this is the last five year option that needs to be renewed or not for the last five years of the lease. You have the option to authorize negotiations and I had submitted a letter to you today that you have the option to try to negotiate with the landlord to have a tenant-at-will situation and if the landlord agrees to that then you can be a tenant at will. You could extend the lease without going into a five-year period if the landlord agrees.

Alderman Lopez stated I offer this to Alderman Wihby if he would accept it after he reads it as part of the amendment. I would not vote just on the amendment of taking the Teamster's Hall without the specifications that the Aldermen are reading right now. I think it is very important that the goal of building a senior center down at Singer Park is maintained. I believe that the money at $1.175 million should be maintained to go forward with the borings or whatever has to be done with the goal of building that senior center. The lease on Hanover Street under item C should be eliminated immediately and we should direct the City staff to proceed to buy the Teamster's Hall to be used by the seniors on the East Side while the Singer Park senior center is in the process of being built. The Teamster's Hall should have no major repairs. $500,000 should be taken from the Seal Tanning Parking account to buy the Teamster's hall. $500,000 should be taken from the MHRA economic development account and be placed in the Seal Tanning Parking account. That will leave the $1.4 million in there for parking for downtown. Once the senior center is built at Singer Park, the Teamster's Hall will be given to a department in the City. It could be the Planning Department, the Health Department, whatever. That would be determined down the road or it could be made into a teen center. We could even sell it. In the meantime, we authorize Friends of the Community Center Committee to establish a 5013(C) to raise funds for whatever purpose the community center at Singer Park would need. Final construction would not begin until all money is in place. I ask this Board for approval and I ask for a friendly amendment

with Alderman Wihby of Items A through J because I think it is long enough that we have played with this. This is very serious. Everybody is compassionate about it and it is the idea that we are going to end up in the same situation that we did two and a half months ago. I ask Alderman Wihby if he will accept my friendly amendment.

Alderman Shea asked, Barbara, how long have you been on Hanover Street.

Ms. Vigneault answered since 1986.

Alderman Shea asked was it a temporary kind of situation at the time.

Ms. Vigneault answered no. It was a 20-year lease with five-year options.

Alderman Shea asked does it make sense to you to move from Hanover Street to the Teamster's Hall. In other words do you feel that your operation can operate better at Teamster's Hall on Maple Street than it can on Hanover Street? That is a fair question. I would like a fair answer.

Ms. Vigneault replied I believe that if I had the answer to all of this we wouldn't be in this situation and I am glad that I am not an Alderman.

Alderman Shea asked do you think that it is worth the money…the one who makes sense to me is Alderman Levasseur. Why are we purchasing a building for $500,000 when we can continue to rent a building for $47,000 a year and you can negotiate that down if you have to? It doesn't make any sense? Does it make any sense to you to spend that money?

Ms. Vigneault answered the only thing I know is that the people who come to use the East Side and yes, we do have people who come to the East, can't fit in the West Side Center if we tried to consolidate into the West Side Center and end the lease and not provide a space somewhere. That would be impossible. We need to take care of those people somewhere? The West Side Center is at max. If we ended the lease on Hanover Street, we do have to take care of the people on the East some how.

Alderman Shea asked where does your clientele come from on the East. Are they walkers?

Ms. Vigneault answered we have walkers and bussers because we don't have any parking.

Alderman O'Neil stated I want to commend Alderman Lopez. I think this is a pretty good plan. The question I have is one of the things missing is we need to do that further study with the borings. Where would that money come from?

Alderman Lopez replied that money would come out of the $1.175 million that is already allocated.

Alderman Vaillancourt asked Barbara let's just explore the number of people who come to this site on the East Side. We have been told it is about 10 or 15 people. Is it the case in all honesty now?

Ms. Vigneault answered no. I submit the figures to the Aldermen every year about usage.

Alderman Vaillancourt asked how many are there on a daily basis to recreate. Not to get tickets to go to Foxwoods because they can pick them up here at City Hall if we need that. We could open the information center downstairs. How many people on a daily basis come to use it as a recreational facility?

Ms. Vigneault answered we have about 35 a day.

Alderman Vaillancourt asked every day you have 35 people there using it.

Ms. Vigneault answered we have programs that we offer in the center because our administrative offices with programs that serve people are in the senior center. Our administrative offices are on the East Side.

Alderman Vaillancourt asked so if I were to go there tomorrow, I can expect to see 35 people there and the next day 35 people there.

Ms. Vigneault answered if you are averaging a daily usage, you may come to the senior center and there will be only 10 or 15 at that particular time, but in the afternoon some more show up and then you have…so it depends on if you are taking a whole day we are open 8 AM until 4 PM so you may seen 10 at a time or you may see 6 at a time for a craft or that type of thing so you are not seeing a big crowd 8 AM until 4 PM.

Alderman Vaillancourt asked so about 10 people at a time average. 20 people one time and 0 the next would be an average of 20. 30 one time and 5 the next would be an average of 17.5.

Alderman Pinard asked how many people go to the West Side Center in comparison to the East Side.

Ms. Vigneault answered sometimes you have 75 to 80 people a day at the West Side Center.

Alderman Pinard replied if you have 75 on the West Side and only 15 on the East Side, something is wrong. It doesn't jive.

Ms. Vigneault responded it does jive because of the parking. When we started this I had said how important parking is.

Alderman Pinard stated then you go to Maple Street and you have the parking of 22 spaces or whatever and across the street you have parking spaces available at JFK. I don't think there is a shortage of parking at the Teamster's Hall.

Alderman Hirschmann stated I honestly believe that the tenant at will status should be negotiated. We all voted tonight in the consent agenda to cancel the next five year lease so I think we should negotiate tenant at will status for however long it takes. If it takes six months, eighteen months or twenty-four months. It is a lot cheaper than $500,000 for a building that we really don't want. It is like wanting a Lexus and bringing home a Pinto. It is awful. This proposal, the Alderman At-Large found $500,000 at the snap of a finger at a time when there is no money lying around. Manchester Housing and Redevelopment Authority can come up with $500,000 to help us? I say we renegotiate tenant at will status, we save the $1.175 million for Singer Park, we earmark everything for Singer Park and we also go along and get that $500,000 that he is asking for and put that in there too and we are well on our way to Singer Park.

Alderman Wihby asked how long have we been talking about this, your Honor. It doesn't seem like it gets any easier and it doesn't seem like we have more information. We just heard that there are 20 to 30 people there a day. We just heard that we want to spend $6 million or $8 million or whatever. This thing just doesn't make sense anymore. It seems like we are trying to pick something just because we want to pick something because we are getting pressure on both ends on picking a place and the seniors are in an uproar to pick something. I guess I came prepared to vote for the Maple Street site, your Honor, because it was the cheaper site and it was a site that could be worked. We went to Singer Park with this idea and I don't know anymore, your Honor. I just don't know where to go. It seems like the whole thing is getting expensive. It seems like we are only picking a plan just to pick a plan and it is not the right plan. I don't know. It has never been like this before.

Alderman Wihby withdrew his amendment.

Mayor Baines stated I just want to make a couple of statements without speaking for or against the motion. We have spent a lot of time over the past couple of days trying to look at the various angles if you will that could get the support of the Board to move this project forward. I have talked to a number of Aldermen and spent quite a bit of time with Alderman Lopez today and I have been talking to other Aldermen to try and figure out a way to get this issue moved off the dime. I see the same thing happening again because of this issue. I was willing to look at this proposal. I said to Alderman Lopez I believe we should continue to look at the Singer site. As I said last night, I think if the Sears site were still on as a possibility I think financially with the information that was presented to us it looked the best over a long period of time. It is no longer there. The Singer site has its issues, which we can all acknowledge. I was willing to accept a compromise because my concern is I am not sure we are going to be…maybe we will negotiate the lease I am not sure but that lease gives our senior citizens over the next two years an inability to access a senior center. I agree with a lot of what Alderman Vaillancourt said. Very few people, if you look at the number of seniors that we are dealing with utilize that center. You have an issue like Prime Time and I have spent time over there and we have talked about the number of people who access Prime Time. Guess what? The numbers are very, very significant. Guess what? There is parking. It is as simple as that. The issue of the Teamster Hall troubles me because obviously I have stayed in the background as much as I could on this issue because obviously I was concerned. It was a union that I was a member of. I am no longer a member of it. They were supporters to my campaign. I have looked at this issue and said how can I approach this with what is in the best interest of the City. The Teamsters have nothing to gain by selling this property to the City. I want to emphasize that. They have nothing to gain by offering this to the City. They approached Alderman Cashin and myself to look at it because they knew we were in a dilemma. They hadn't put it on the market yet and they are not putting it on the market to at least say are you interested in sitting down and negotiating a price with us. So, the Teamsters have nothing to gain. My feeling is that they have put it on the market. The way the market is right now and the way properties are selling according to the Assessors they will probably get above market value for it because that is just the way the market is right now. So, the Teamsters have absolutely nothing to gain. What our seniors have to gain in the short term is a facility that they can get to. If it is a temporary solution…I am willing to continue to look at the Singer site. I don't think it is the right place for the seniors. I really don't. I have thought a lot about it and I just don't believe it is the right place. I have talked to Barbara about and a number of other people about the fact that the way that area of the City looks right now it looks like a great place for a senior center but as I look at what is going to happen and maybe I am wrong in looking at

the development of the City, that is the area where there is going to be significant development in the City. We are going to build a 600-space park and ride garage there…

Alderman Levasseur interjected your Honor you said you weren't going to speak to the issue and tell us what side of the fence you are on. You just told us you don't want Singer Park. You just said it. I have been waiting a year for somebody to say that we are going to use that for future development.

Mayor Baines replied you are out of order. Stop right now or you are going to have to leave the Chamber.

Alderman Levasseur responded but you said you weren't going to speak in favor of Maple Street. You are debating the issue.

Alderman Vaillancourt asked could you just leave the Chair, your Honor.

Mayor Baines answered I am going to finish my statement. My point is that I am willing to leave the Singer Park site on the table and look at an opportunity to provide access for seniors through the purchase of the Maple Street facility and I think if we can come up with wording that accomplishes both, move forward with it, look at putting the funding together, and look at the 5083(C) I think we can get this off the dime and get this solved this evening. That is what I believe.

Alderman Shea asked are you trying to help the taxpayers in your budget. Yes or no?

Mayor Baines answered of course.

Alderman Shea asked then how can you justify paying $500,000 for a facility that we can rent downtown for $100,000 for two years. It doesn't make sense to me. Can you explain it?

Mayor Baines answered the issue from my perspective on that is as I said last night you can either…we have tremendous needs for departments in the City. It is a property that is adjacent to a lot of property that we already own so it has a lot of potential to house various departments of the City. At the end of two years, if we do something with the Singer site or another site, we can sell it. To me, it is a short-term benefit. We will provide services for our seniors, which they are not getting now because they cannot access the Hanover Street facility. That is my response to that.

Alderman Vaillancourt stated quite clearly you are out of order. It pains me to say it. You can express your opinion on this topic. All you have to do is leave the chair and do that. I wish you would honor the rules of the Board because it is just not fair and it sets a tone that is not right. I think the problem on this senior center and the dilemma that Alderman Wihby refers to is that we keep getting sidetracked. We got sidetracked into the consolidation issue with the Sears building and Alderman Gatsas and I think that is a really good idea. Consolidation is a good idea. The numbers we were shown last night prove that consolidation is better for the City. Now somehow we are sidetracked again. We are away from Sears but we are going to the Teamster's Hall. We are sidetracked again not to doing something for the seniors. If we put them there, we know they are going to be there forever. It is never going to end. So we are sidetracked from our goal again. I have nothing against buying Sears if we can do it and consolidated City departments. I have nothing against buying the Teamster's Hall. You could put MCTV there tomorrow probably but don't confuse it with the senior center. That is what we are doing. If we want to do the senior center right, we can do it by closing down the East Side, saving a couple of hundred thousand dollars, getting the money that Alderman Lopez is talking about and doing it down at Singer Park. That is an ideal location for this. You have the stadium right next to it. You have the Riverwalk, which I oppose, going by it. I mean what kind of development is going to destroy that for seniors? It is perfect. If we concentrate on what we are trying to do for seniors and stop talking about consolidation, although it is a good issue, then we could probably get this accomplished.

Alderman Hirschmann stated the motion that is on the floor is still for Singer Park. Alderman Wihby withdrew his amendment and I would like to move to renegotiate on a tenant at will on a month to month basis so that Ms. Vigneault can have her senior center where it is now until this is built. Let's bank the money and do it right and not shortchange the people. You sold me on this idea because you stood there two seconds ago and you said the reason that Prime Time is successful is because of the parking. Maple Street has 23 spaces. We don't want to go to Maple Street. I am asking you to support this amendment for a tenant at will status on a month-to-month basis. Let's renegotiate that lease and let's build Singer Park when we can.

Alderman Shea duly seconded the motion.

Alderman Levasseur stated I agree with the amendment. I also want to say that you throw that gavel around and you ask us to follow the rules. Now I would love to debate you any time you want but all I am saying is this. All I am asking you, Mayor, and I have asked everybody in City Hall. I have asked you all what is the real reason why there are roadblocks being put up at Singer Park. I have asked and I have asked and I have asked that question 100 times and the seniors have called and asked me that question. Why is

it…won't somebody just tell us why you don't want it at Singer Park and now, lo and behold, finally after a year and a half the Mayor has finally stated it. He believes that it would be better for development down the road. Now you know something? That is something I could agree with. I asked the Planning Director, the Planning Director who is to plan for the City and its future, do you have a plan for Singer Park. Is there a hotel coming? Do you want to put condominiums down there? Is there going to be a nice development down there? I have asked that question 50 times. No, the Aldermen have the decision, they are the ones who make the decision on where these things are going to go because I would say no seniors I apologize I don't want to put you there because maybe that development could be used for something that would bring more money into the City and be a nice place for the river. That is why I am upset about this. Whether you agree with it or not, your Honor, that is your slant. That is not a bad slant. I am not saying that is a bad thing, but when you are sitting here and you are debating this issue and you are trying to shove us over to this Maple Street lot your Honor because you think that it should be over there because you want to use Singer Park for a different thing and that is fine. I don't have a problem with that. I would agree with that also, but we have been doing this for a year and a half and we have been sold on the Singer Park site. We spent $40,000 on this stinking study. If we are not going to go there and you have a plan and you are going to tell us that there is going to be a 6,000 seat baseball stadium, let's stop wasting the time of our poor senior citizens and this poor Board. I mean how many times do we have to go through this.

Alderman Lopez asked is the amendment that we go tenant at will on Hanover Street.

Deputy Clerk answered the amendment is to renegotiate for a tenant at will status.

Alderman Lopez replied I am going to vote against this for the simple reason that this is going to be a long process of negotiating. Come April 1, the director, correct me if I am wrong but you have to notify the landlord and things are going to go back and forth and it could be two or three months and we will be in the same situation that we were in two and a half months ago trying to make a decision here. I offered a friendly amendment to Alderman Wihby. He withdrew his amendment. I hope that this motion fails because I am going to offer my solution as an amendment to Singer Park.

Alderman Cashin stated we have sat here now for almost two hours and I have heard the same debate that I have heard through four or five different Lands and Buildings Committee meetings and we are getting nowhere. Just let me tell you where I am coming from and you can vote it up, vote it down or do whatever you want at this point in time. First, I was on the original Board that hired Barbara Sullivan at the time so I go back a few years with the elderly. I was instrumental in opening up the West Side Elderly

Center. I supported the East Side Center. No one has more of a record in the City of Manchester for the elderly than I do and I am proud of it, but there comes times when you have to make difficult decisions and this is one of those times. I suggested the Teamster's Hall because 1) it was within our ability to purchase and 2) I looked at the numbers at the West Side Center and I looked at between 30 and 45 people and I said if we go ahead and we purchase the Teamster's building than we can move these 45 people from the East Side Center and let's see if it can progress and let's see if it can build upon itself because all I have heard is there is no parking. I am assuming that that is probably the reason so let's give them some parking. Is it going to be the ultimate? No, it isn't but I never promised you the ultimate. I am committed to giving the elderly what we can afford and that is what I believe we are doing here this evening by offering to purchase the Teamster's hall for them. Now you may think that his not what you want and that may well be but these are the decisions that we have to make. Now if down the line it does work out and people start coming and it becomes very active then I would be the first guy to come back and say okay fine we have proven that there is a need. It hasn't been proven that there is a need yet. What I am trying to do is give the elderly a place to get together so that they can communicate with each other just like they do on the West Side. It works on the West Side and they don't have a lot of parking. Ask Claire? One of the biggest arguments over there is parking but still she can fill the place. I am only trying to give the East Side the same opportunity as the West Side has had and once we find that it works then fine. I will be the biggest defender. I will fight harder than anybody to find a place but right now we can't do that and it isn't because we are not trying to help the elderly or anything else. There isn't a person on this Board who doesn't have compassion for the elderly. We know what you people have gone through. If it wasn't for you people none of us would be here. We know that. We owe you and we are trying to do the best we can for you, but you people have to help us too. It is a two way street. All we are asking is that you people give us the same consideration that we are trying to give you. Now we can talk the rest of the night about this if you want to and nothing is going to be solved. I would bet that whatever the vote is going to be it is going to happen. You can add all of the amendments or take off the amendments or do whatever you want. I honestly believe that it is in the best interest of the City of Manchester and the elderly population in this City that we purchase the Teamster's hall and allow the East Side Center to move and to grow. That is my honest opinion and that is the way I will vote this evening.

Alderman Shea stated the least significant part of any activity is parking. That is totally irrelevant. The basis for any activity is the agents and the people who run the facility. You can go to any facility and if it is not run properly you can have all of the parking in the world and it is not going to make any difference. If you have an active person who runs a good situation and we see it in sports, we see it in the professional life, we see it in

the banking industry and we see it everywhere else. You have to have the people on board who are going to run the facility in an orderly and organized manner and with no type of any kind of disparity. Claire runs a facility over on the West Side because she is organized and the people are there and they go to that facility. That is why it is very well attended. With all due respect to Alderman Cashin who has helped the elderly and who has contributed wonderfully to the community, parking out of a 1-10 is an 11. It is not important. I don't care what anyone says about parking and so forth. It is the people who run the organization that make the difference in school work and in professional life and with all due respect it to me, and I hate to use this term, but to me to buy the Teamster's hall in order to build up the East Side is a no brainer. It doesn't make any sense to me at all.

Alderman Cashin replied I did not bring up the parking problem on the East Side. It was brought up by Barbara Vigneault and the people who work there. They say that the reason they are not doing what they should be doing is because they don't have adequate parking. That is the only reason I brought it up. It is not my thought. I came from them, not me.

Mayor Baines stated we have an amendment on the floor to enter into negotiations to extend the lease on Hanover Street on a tenant at will basis. I would like to call for a vote on the amendment. Alderman Vaillancourt requested a roll call. Aldermen Vaillancourt, Thibault, Hirschmann, Levasseur, and Shea voted yea. Aldermen Cashin, Wihby, Gatsas, Sysyn, Clancy, Pinard, O'Neil, and Lopez voted nay. The motion failed.

Alderman Levasseur stated I am a little confused about Alderman Lopez. He brought in the amendment to go with Singer Park but you say you will only go with Singer Park if we purchase Maple Street? I am wondering where this is going.

Alderman Lopez stated I offered the stipulations in reference to having the goal of Singer Park. That is A in the document I gave you. I would offer this amendment A-J. Everything I have here is what I am offering with the end result being a 15,000 square foot senior center at Singer Park and directing Mr. MacKenzie to continue with that. We have debated and debated. There is no direction for the Planning Director to go and do anything. We will continue that process and that is the first part of the paragraph here. The other stipulations A-J are really pretty simple. I would not…that is why I offered Alderman Wihby my friendly amendment. I am offering this. That is all I am doing. I spent a lot of time and effort on it. I don't expect you to approve it if you don't want to. We can vote just like we did. Whatever the outcome is, we have to put this thing to bed one way or the other. If you vote it down, so be it. That is the democratic process. I am offering it A-J as my amendment.

Alderman Lopez moved to amend the report to include items A-J of his memo. Alderman O'Neil duly seconded the motion.

Alderman Levasseur stated in your memo under Item H it states that the Teamster's hall will be turned into a youth center.

Alderman Lopez replied that is not what I am saying. In the end once the senior center is built at Singer Park…

Alderman Levasseur interjected could you just read Item H.

Alderman Lopez replied can I explain it. You can have it turned over to a City department or you could put the Planning Department in there or you could make it a teen center or you could sell it – whatever you want to do. I am not saying make it a teen center. If you want to add or scratch in another word to satisfy yourself then be my guest.

Mayor Baines asked would you agree to put sell it in there.

Alderman Lopez moved to amend the amendment by adding the phrase "or sell it" to Item H. Alderman O'Neil duly seconded the motion.

Alderman Clancy stated I am going to play devil's advocate. What if this land down at Singer Park is contaminated and the price goes up to $2 million just to clean it up. What will we do then?

Mayor Baines replied then it would come back to the Board and the Board would make a decision on how it wanted to proceed.

Alderman Clancy stated but we don't know that yet, your Honor.

Mayor Baines replied that is correct. That is why we need to continue to study it no matter what happens.

Alderman Hirschmann stated I didn't bring my poker chips with me but would the Teamsters consider renting their facility for $47,000 a year so we don't have to buy it.

Mayor Baines responded I have not had any discussions with them.

Alderman Hirschmann stated but that is another avenue. Like Alderman Gatsas is always saying, there are 10 ways to skin a cat and we are all businessmen. Rather than spending $500,000 of the taxpayers money on a building that we don't really want, why don't we ask them to rent it to us if you are just going to displace these people to a place they really don't want to go but they don't really want to be where they are now. Why don't we rent another place? We have to put our thinking caps on. We shouldn't be spending $500,000. We have already spent $1.8 million on French Hall and we don't have a clue what we are going to do with that. We are getting good at buying buildings that we don't know what to do with.

Mayor Baines stated Alderman Cashin and I have gone out and toured a number of different buildings in the City. I have also had Bill Jabjiniak look at different properties and talk to different realtors to see if there were other options for us that had the space. We have done all of that. I even approached a major company in Manchester on a parcel of land that had some capabilities. I met with the CEO of the company for other reasons and brought up the subject and they weren't interested in selling. We did go through a process of trying to identify other properties within the City that made some sense and that had the space we needed.

Alderman Hirschmann replied the point I am making though is we have decided on a site of Singer Park tonight and we could lease another site in the City. We haven't gone down that avenue yet.

Alderman Vaillancourt stated Alderman Hirschmann earlier referred to the choice of buying a Lexus versus a Pinto and I earlier referred to the fact that I was willing to be a big spender, but this is the biggest spending proposal of all and I am not willing to go this far. This is buying the Lexus and the Pinto.

Alderman Lopez stated I don't have any problem, Alderman Hirschmann, with your suggestion of leasing the Teamster's hall if that is what the Teamsters want to do to help the City out. I think this gets the…

Alderman Hirschmann asked will you amend your motion.

Alderman Lopez answered if the Teamsters are willing to lease it to us, I don't have any problem with that but I think we have to give the negotiators an opportunity to go there and negotiate something. Now whatever their problem is as to whether they are building another building and a timeframe, etc. This all has to be worked out. We need to give direction and if you want to put that in there, I will be more than happy to put it in there to please you. I am saying buy or lease.

Alderman Cashin stated my understanding is and I can't speak for them, but I was not led to believe that they are interested in any lease arrangement.

Mayor Baines stated my understanding based upon the conversations that we have had with them is that they are going to put the building on the market for sale if we don't buy it.

Alderman Hirschmann replied then we may have to rule out that site like we did the Sears site.

Alderman Wihby stated here we go again. We are voting on something that we are not sure of. We are not sure whether or not they will lease or sell. We are not sure whether or not they will extend the contract at Hanover Street for more or less than $50,000 a year or if it is going to be for five years. We are in it again. We don't have all the facts but we are expected to make an answer again tonight.

Alderman Gatsas asked did I understand my colleague from Ward 12 and my colleague from Ward 8 that if the Sears building had the possibility of being bought at the price that it was appraised for that they would go along with that project.

Alderman Vaillancourt answered my comment was yes for the consolidation purposes and do Singer Park for the senior center. There is no reason you have to build the senior center at the Sears site. You can do your consolidation of departments there and separate the two projects. Absolutely.

Alderman Gatsas stated obviously the discussion that we have had here…I don't believe that the Maple Street sight is a location where we should put seniors. I believe again that the Singer Park facility is a promise that we are giving them that I don't believe that we should be going with. I believe that Alderman Clancy tapped very gently on the surface of if there is a problem and I don't know if there is and Alderman Shea I know what you are going to say. We did the civic center and we can do it there. My problem is if the state says you can't do it there and the contamination problem is a $5 million problem that we must clean up now what do we do?

Alderman Shea replied then we don't build it there.

Alderman Gatsas asked what do we do with the $5 million clean up.

Alderman Shea answered we don't do the $5 million clean up.

Mayor Baines stated that is not his issue. We may be required to do the clean up.

Alderman Gatsas stated we may be required by the state to do the clean up.

Alderman Shea asked if we were required by the state to do the clean up it wouldn't be a proper site. Common sense would tell you that.

Alderman Gatsas stated you are not getting it. Let me try again. I understand that it would not be a proper site to a build a senior center on, however, the State Department of Environmental Services is going to come in and say you must clean that site up whether you want to build on it and you understand that you are not going to put a senior center there, you must clean the site and if that is a $5 million bill what do we do?

Alderman Shea responded we clean it up because if it is a contaminated source we have to clean it up. It makes sense. The state is telling you to do that. What are you trying to do say that because we have contaminated soil we shouldn't clean it up?

Alderman Gatsas replied all I am saying to you is that maybe we shouldn't go there because some of the borings said there was a possibility that it could be there.

Alderman Shea stated the point is that Alderman Gatsas is a businessman and he looks at all of the different parameters of business and he cross-examined all of the department heads when they came in for their budgets. Now, as a businessman, Alderman Gatsas, does it make sense to you to buy a building for $500,000 to put seniors in when you can rent a building for $100,000. You don't have to answer that if you don't want to.

Alderman Gatsas replied my answer to you is no it doesn't make sense to put a senior center there because I think the location is bad. Let's address the problem. Are you asking me from a business sense if that building is worth the City buying? If we can move a department in there that will utilize the space with 23 parking spaces in a location that is surrounded by two baseball fields, a swimming pool and a Skateboard park, I would say to you that is not a problem. Should we put seniors there? Absolutely not.

Mayor Baines called for a vote on the amendment.

Deputy Clerk Johnson stated there were two changes proposed. One was on Item H that they were perhaps changing that to sell or the possibility of selling so I wanted to clarify that.

Mayor Baines replied we are adding "or sell." Mayor Baines requested a roll call vote.

Alderman Gatsas stated point of order. Do we have the ability to bind another Board?

Mayor Baines replied no and that would be on anything.

Alderman Gatsas asked do we have the ability…I think there are some things in here that bind another Board.

Mayor Baines answered even if this Board established Singer Park as the site the next Board could change that direction. So no matter what you decide, the next Board could change that. It could even be stopped.

Alderman Thibault asked for clarification on the motion.

Alderman Gatsas stated the friendly amendment that Alderman Lopez put forward, if you read Item B it says that the $1.175 million would stay in an account to be used for Singer Park only. I don't think you can bind another Board.

Alderman Lopez replied we are binding this Board.

Solicitor Clark stated you can bind yourselves with that statement. You can also change your minds later on down the road.

Mayor Baines requested a roll call vote. Aldermen O'Neil, Lopez, and Thibault voted yea. Aldermen Wihby, Gatsas, Levasseur, Sysyn, Pinard, Clancy, Shea, Vaillancourt, Cashin and Hirschmann voted nay. The motion failed.

Mayor Baines called for a recess.

Mayor Baines called the meeting back to order.

Mayor Baines reminded everyone that the motion on the floor is to accept the Singer Park site as the site for the senior center. I just want to remind everyone that you need 10 votes eventually to pass the bond.

Alderman Shea asked if we pick a site do we necessarily have to have a bond with it.

Mayor Baines answered my point is that if you pick a site you are moving forward with a project and that is my own opinion on that.

Alderman Vaillancourt asked but you don't need 10 votes.

Mayor Baines answered you don't need 10 votes to pick a site.

Alderman Hirschmann stated in last year's budget we put aside money that was bondable money.

Mayor Baines replied right to move forward.

Alderman Hirschmann responded it has already moved forward, your Honor.

Mayor Baines stated I understand but for the rest of it you need the 2/3 vote. That is the reality.

Deputy Clerk Johnson stated the motion on the floor is to accept the majority report, which would be to select the Singer Park site as the site for the senior center.

Alderman Shea requested a roll call vote. Aldermen Shea, Vaillancourt, Thibault, Hirschmann, Levasseur, and Lopez voted yea. Aldermen Cashin, Wihby, Gatsas, Sysyn, Clancy, Pinard and O'Neil voted nay. The motion failed.

Alderman Cashin moved to accept the minority report, which would be to select the Teamster's Hall as the site for the senior center. Alderman Clancy duly seconded the motion.

Mayor Baines requested a roll call vote. Aldermen Sysyn, Clancy, Pinard, O'Neil, and Cashin voted yea. Aldermen Wihby, Gatsas, Levasseur, Lopez, Shea, Vaillancourt, Thibault and Hirschmann voted nay. The motion failed.

Alderman Levasseur asked your Honor would you like us to bring in a motion that we start to look for another site.

Mayor Baines answered you know what I think we need to do. Could we take a deep breath and perhaps decide how we want to proceed with this and bring it to the next meeting. How to proceed now is a critical matter. I think we all need to talk about this, people on both sides, and decide what is the next step. I would ask us to step away from it for awhile.

Alderman Cashin stated why don't we just cool it for awhile and then proceed after that.

Alderman Levasseur asked but don't we have the budget coming.

Mayor Baines answered there will be some discussions during that time.

Alderman Wihby asked when does the CIP budget have to be approved.

Mayor Baines answered we do have some expedited projects that we need to move forward. They all don't need to move forward at the same time, but there are some critical projects.

Mr. MacKenzie stated the latest date would be in conjunction with the budget but if you do want projects to move ahead this summer probably the end of April would be the absolute latest to allow those projects to proceed.

Alderman Wihby asked otherwise we have until June 14.

Mr. MacKenzie answered yes.

Alderman Vaillancourt moved to spend the $20,000 for the testing at Singer Park. Alderman Shea duly seconded the motion.

Alderman Wihby stated didn't we just hear that once we start playing around with that dirt if there is a $500,000 problem or whatever we are going to have to fix it up whereas if we didn't play with it we wouldn't have to fix it up.

Alderman Lopez stated it is $20,000 but there is an additional $2,600 for the boring. I don't think $20,000 is enough. Is that right, Frank?

Alderman Levasseur asked even if we decided to go forward with the $20,000 spending, would there be a will on the Board to then…all I am saying is are we going to be wasting $20,000 and then come to a vote and still not get to that location. I wonder if we should think about that now. I don't know if we are going to change a couple of people's minds and I don't know if you would veto that. Would you veto that, your Honor?

Mayor Baines answered I think it is going to be difficult from what I just heard tonight.

Mr. Thomas stated there is some additional money needed. The $20,000 for the environmental assessment you are right, there is approximately another $2,500 for

borings and another $2,500 for the soils engineer to make a determination on the pilings. You are looking at $26,000 to be on the safe side.

Mayor Baines stated I think we need to take a little breather and decide how we want to proceed before we go forward. Is that okay, Alderman Vaillancourt?

Alderman Vaillancourt replied I appreciate your opinion but I will just say this. If that site comes back without the problems, I think we will change the four minds and we will get the 10 votes. I have confidence.

Alderman Shea asked, Frank, in your judgment do you think it is worthwhile for the City to explore the area there in order to do whatever will eventually be done there whether it be a casino like my friend on my right would like it to be or commercial development or industrial development, a ballpark, a senior center or whatever. Do you think it is worthwhile? In other words, should the City be wary of what the contents of different areas of the City are where we have a Riverwalk and a Singer Park and the bridge across the Merrimack, etc.? Do you think it is worth spending that money?

Mr. Thomas answered somewhere along the line the City is going to have to make a determination on how to develop that site if you are planning on doing it. What Alderman Gatsas has raised is when you are in an area that has been filled you don't know what is there. If you uncover something or you bring something to somebody's attention then you may have to address the issue. To answer your question in a nutshell, yes in order to move forward you have to answer some of these questions.

Mr. Taylor stated let's back up a little bit. In a typical scenario where the buyer is negotiating to buy a piece of property the normal way the process would proceed in terms of due diligence is that the buyer would conduct some surveys to find out if there are issues. Number one would be a title search, boundary survey and secondly would be environmental issues. In the event that the City were trying to buy a privately owned property, the City would go ahead and do some environmental exploration to find out if there were any issues. If issues arose that the City was uncomfortable with, the City would simply back away and not buy the property. The difference between that scenario and what we are talking about here tonight is the fact that we own the property so once we uncover a problem if there is one, we own it and we have to take care of it. So, there is some inherent risk in going forward and doing these kinds of things. Now if you are asking is there any way to find out about this without doing the testing, in my opinion no but in order to lay all of the cards on the table, you have to understand that when you are taking a position here you are taking a calculated risk because there could be a problem

and if there is a problem the problem is outside of the City's control. It will be the Department of Environmental Services who will tell you what you have to do.

Mr. Thomas stated I have to agree with that.

Alderman Shea asked are there any federal funds…Bob Smith is our Senator now and he is an environmentalist galore so are there federal funds if, in fact, there are certain problems relating to the environment.

Mr. Taylor answered there are Brown Fields monies available through the federal government. It is a competitive process. You have to apply for this. It could be a relatively lengthy process. I don't know how long it takes. The caveat to that is in my recollection the money that is available for that is only for testing and not for clean up.

Alderman Vaillancourt stated there are state funds though.

Mr. Taylor answered if it is petroleum based.

Alderman Lopez asked could we amend the motion to make it $26,000.

Alderman Vaillancourt answered yes we can amend the motion to $26,000.

Alderman Wihby stated it doesn't make any sense to vote this money in if we know that we are going to probably run into a problem later. We should decide if that is the site and if it is the site then go ahead and proceed but until we have decided on the site, we shouldn't be digging up the dirt and costing hundreds of thousands of dollars.

Alderman Levasseur stated I worked very hard to get the senior center on that Singer Park site but I have to agree with Alderman Gatsas. There is a chance that we could end up spending a lot of money on this. I am willing to gamble in Vegas but I don't want to gamble with the taxpayer's money on this. Unless we were going to go there and I knew that the votes were there for Singer Park, then I don't think we should go and start digging around in there.

Alderman Hirschmann stated the reason I think we should do these additional borings is we have already opened up the area. We have already caused borings and whatever damage is going to be done. We have already done borings. We are going to do two more borings, that is what the report said but the important thing is you have money earmarked for the Riverwalk. You have money earmarked for a bridge down there. You want people to go down and use that land anyway. You have to make sure it is safe for

the public to go there and do these tests. You can't be going down there and building paths and riverwalks and bridges. What are you doing here?

Mayor Baines stated I would like to clarify something. We are not talking about the surface. We are talking way down.

Alderman Hirschmann replied he talked about surface kerosene floating around in the water in the whole area.

Mr. Taylor responded we are talking about groundwater contamination here, which is a serious problem and the groundwater in that area I believe from the borings we had is in the 20-foot range below the surface. If it was simply soil contamination the issue is you can remove that and dispose of it and replace it with additional fill. If it is groundwater it is a longer-term problem and it is a more difficult problem to treat. At the very least, you are stuck with monitoring for an indeterminate period of time until the problem either clears up or you clean it up. That, as I pointed out, is outside of the City's control. Once it has surfaced, we have no control over what happens to it.

Alderman Thibault stated maybe I misunderstood what you said prior to this but I heard you say that even if there was contaminated soil that we can build on it provided it is vented.

Mr. Thomas replied again it depends on what you are proposing to do. If you are just proposing to walk on it and there are vapors coming up then there is not a problem. If you are looking at putting a building on there, we have already identified the need to put pilings down and support the building because of the type of compressible materials that are there. Also, there is this scum layer that is floating on the groundwater that is 20 feet down that may have to be addressed somehow. There may be some vapors coming up. If you seal the ground surface with a building slab, there may be a need to vent it so it depends on what you are doing and there are engineering solutions to it.

Mayor Baines called for a vote on the motion. He also requested a roll call vote. Aldermen Shea, Vaillancourt, Thibault and Hirschmann voted yea. Aldermen Wihby, Gatsas, Levasseur, Sysyn, Clancy, Pinard, O'Neil, Lopez and Cashin voted nay. The motion failed.

Alderman Wihby stated on Item T we recommended that we terminate the lease. In the meantime shouldn't we give notice to see if we can continue the lease on a month-to-month basis.

Alderman Wihby moved to enter into negotiations to be a tenant at will at the Hanover Street location. Alderman Pinard duly seconded the motion. Mayor Baines called for a vote. The motion carried with Aldermen Shea and Vaillancourt duly recorded in opposition.

> Confirmation of nominations to the Conservation Commission:
> Jennifer Drociak to replace Kathleen Brown, and
> Michael Steven Poisson to replace Jennifer Fox,
> with terms to expire August 1, 2003.

On motion of Alderman Wihby, duly seconded by Alderman Sysyn, it was voted to confirm the nominations.

> Confirmation of the nomination of William Larkins as an alternate to replace Robert Bennett as a member of the Zoning Board of Adjustment, term to expire March 1, 2004.

On motion of Alderman Gatsas, duly seconded by Alderman Wihby, it was voted to confirm the nomination.

> Confirmation of the nomination of Carol Resch to fill the unexpired term of Doug Wenners as an Alternate on the Conduct Board, term to expire October 1, 2003.

On motion of Alderman Wihby, duly seconded by Alderman Shea, it was voted to confirm the nomination.

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

> A report of the Committee on Finance was presented recommending that Resolution:
>
> > "Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Thousand Dollars ($100,000) for FY2001 CIP 511501 Maple Street Skateboard Park."
>
> ought to pass and be Enrolled and further recommending that Appropriating Resolutions:
>
> > "Approving the Community Improvement Program for 2002, Raising and appropriating Monies Therefore and Authorizing Implementation of Said Program."
> >
> > "Appropriating to the Central Business Service District the sum of Two Hundred and Five Thousand Eight Hundred Thirty Two Dollars and Ninety Nine Cents ($205,832.99) from Central Business Service District Funds for Fiscal Year 2002."

"A Resolution Appropriating to the Manchester Aggregation Program the sum of $758,516 from Aggregation Fees for the Fiscal Year 2002."

"A Resolution appropriating to the Manchester Transit Authority the sum of $705,000 for the fiscal Year 2002."

"A Resolution appropriating the sum of $12,791,347 from Sewer User Rental Charges to the Environmental protection Division for Fiscal Year 2002."

"A Resolution appropriating to the Manchester Airport Authority the sum of $34,951,867 from Special Airport revenue Funds for the Fiscal Year 2002."

"A Resolution appropriating to the Manchester School District the sum of $114,844,857 for the Fiscal Year 2002."

"A Resolution appropriating the sum of $3,751,196 from Recreation User Charges to the Recreation Division for Fiscal Year 2002."

"Raising Monies and Making Appropriations for the Fiscal Year 2002."

"Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2001 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Financing Agreement."

be referred to public hearing on Monday, April 16 at a time and place to be determined by the City Clerk in consultation with the Mayor.

On motion of Alderman Pinard, duly seconded by Alderman Shea, it was voted to accept, receive and adopt the report.

A report of the Committee on Lands and Buildings was presented recommending that the City convey a quitclaim deed to Properties, Inc., a wholly owned subsidiary of Public Service Company of New Hampshire with such conveyance subject to the payment of $26,130 considered to be fair market value by the Board of Assessors. The Committee noted that based on a report from the Planning Director it finds that such property is surplus to City needs and serves benefit to only the one abutter and, therefore, is recommending sale to said abutter. The Committee recommended that the Mayor be authorized to execute any and all documents related to the conveyance subject to reserving utility easements as may be required by the Highway Department and subject to review and approval of the City Solicitor.

On motion of Alderman O'Neil, duly seconded by Alderman Cashin, it was voted to accept, receive and adopt the report.

Communications from Alderman Vaillancourt relative to the new census figures and redistricting recommending the establishment of a 7-person committee to review this matter.

Alderman Wihby stated I have a letter from you stating that you want to sit down and discuss this with Alderman Cashin, myself and the City Clerk.

Mayor Baines replied yes. I have talked to Mr. Bernier and we have had several discussions about a way to proceed and we decided that the best way would be to look at the way it has been done in the past and come back to the Board with a recommendation.

Alderman Wihby moved to have the Mayor, Aldermen Wihby and Cashin, and the City Clerk sit down and come up with a recommendation on how to proceed with redistricting. Alderman O'Neil duly seconded the motion.

Alderman Vaillancourt stated again it is only courtesy, your Honor, to allow the person who submitted the communication to speak and make that motion. I spent a great deal of time researching this and putting this together because time is on the march and we have to get moving on this project. It is quite clear that the boundaries for the 12 wards in Manchester are out of sync and they have to be reorganized this year to the point where we get them within 5% of the standard deviation unless we want the state to come in and control the way we line up our State Rep seats next year. If you want that to happen then your wards to not all have to be of the same size but that would lead to all kinds of problems. It is quite clear that Manchester will lose one State Rep and go from 36 down to 35. 36 is divisible by 12 and 35 is not so there is going to be a problem there. I have put together some data on how that could be accomplished. I have also gone through and done the ward by ward numbers that will have to be changed and I sent you a graph and chart and everything concerning that. I assume that you have all had a chance to read this over. The most salient point is that this has to be approved not only by this Board but it has to have a Charter amendment, one of those old bugaboos this year because the delineation of ward boundaries are stipulated in the Charter. In order for that to happen of course it has to receive a majority of the vote of the voters so I suggest that anything that is done has to receive a pretty good consensus by this Board. The process I have set in motion here I think would be a reasonable one. Perhaps you want to discard that and wait two weeks and have your little committee meet, but I think the appropriate thing would be to have a seven member panel, which would include the Planning Director who is vitally involved in this because he will have the data from the state, the computerized programming. I think the City Clerk should have a representative. I think that three Aldermen would be an appropriate number and a School Board member and if the Secretary of State who lives in Manchester would be willing, I think that he would serve. Ten years ago we know what happened. It became a rather political mess. Ten years ago we know what happened. It was done by the Board of Recount, which I don't think is an appropriate committee to do this. I just have my own ideas. As I said, I worked a lot on this. I would be more than willing to serve on the committee. I think we should invite

the Manchester Democratic and Republican chairs to get involved and I would have one other proposal that I would make beyond this which would be that we have the Aldermen from the wards who are going to be losing citizens and the wards that are going to be gaining citizens get together and try to mutually agree upon what kind of streets or areas would make sense. If you look at the chart, you will see what I think are the wards that are going to have to lose and gain and I think if we can get the Aldermen from those two wards to come to a meeting of the minds it might facilitate the process. This should not be rancorous but it can become a big political football.

Mayor Baines replied I want to express my appreciation for your analysis of this. I think you have done an extraordinary job and I think that the group I have assembled will consider that and come back with a recommendation for the Board.

Alderman Gatsas stated I have a question for either alderman Vaillancourt or the City Solicitor. What happens if it doesn't pass?

Alderman Vaillancourt replied if the resetting of the lines doesn't pass then the City would be out of sync. We could continue to have 12 wards for City elections as we see fit and this will not affect this year's vote for anything. This would take effect next year but what would then happen is if your boundaries are out of sync for state elections, if Ward 6 has 5,000 more people than Ward 1 you would not be able to elect the same number of reps from those two wards. What happened 20 years ago as far as what Bill Gardner told me was that the wards were out of sync so they combined Wards 6 and 2 so they got a comparable number of people. The state would come in and fix it.

Mayor Baines asked just so I understand as well, it would go to a vote in November.

Alderman Vaillancourt answered that is up to this Board.

Mayor Baines asked so if it failed you still have two years to correct it.

Alderman Vaillancourt answered no. The state, I think, has until next April.

Mayor Baines asked the state would come in if there was a defeat.

Solicitor Clark stated I believe that the state legislature would redistrict for the state representatives, but not the others.

Alderman Hirschmann stated I know that tradition is a big thing around here and in the past the Chairman of the Board would put together special committees. Is Alderman Cashin going to put this together?

Mayor Baines replied I discussed this with Alderman Cashin today and he is in agreement with this proposal.

Alderman Levasseur stated I agree with Alderman Vaillancourt on this. this is going to turn into a political football. I know what is going to go on here. I have to lose 600 people in my ward so that means you are going to start moving boundaries around and knocking out different sections. This is going to turn into a holy war and whoever decided that they were going to decide to put these committees together, I don't think that is an appropriate way of doing things. I agree with Alderman Vaillancourt. There should be a big committee on this and it should involve the Aldermen who are going to lose people in their wards. You said you already put a committee together.

Mayor Baines replied this is a committee that will be established and will come back with a recommendation on how to proceed with this.

Alderman Levasseur asked who is on the committee.

Mayor Baines asked Alderman Cashin to explain this.

Alderman Cashin answered all we are doing right now is the Mayor, Alderman Wihby, myself and the City Clerk are going to sit down and work out a process and come back to this Board with a recommendation. You can either agree Iwate it or disagree with it.

Alderman Levasseur asked so you are going to bring forth a recommendation for a committee.

Alderman Cashin answered yes.

Alderman Levasseur asked and those two guys right there are going to be the ones who decide that. The two guys who have been here forever. What about some new blood?

Mayor Baines answered well I think they are two well-respected Aldermen.

Alderman Levasseur replied I don't have a problem with well respected, but I would like some new blood once in awhile.

Mayor Baines stated there is a motion on the floor. You can vote it up or down.

Alderman Vaillancourt replied the only problem I have with that is that implicit in that is that you and Alderman Wihby and Alderman Cashin think my proposal is no good. I am wondering what is wrong with my proposal.

Alderman Cashin responded Alderman Vaillancourt no one has even mentioned your proposal. We are aware of your proposal. Certainly we are going to look at your proposal and we are going to work with your proposal and I wouldn't be surprised if you are called on to participate to some degree okay.

Mayor Baines asked the Clerk to read the motion.

Deputy Clerk Johnson stated the motion on the floor is to accept the Mayor's recommendation regarding redistricting which was to establish a process on how to proceed and recommending that the Board refer the issue of redistricting to the City Clerk, Alderman Cashin, Alderman Wihby and Mayor Baines for a recommendation back to the Board of Mayor and Aldermen at the next meeting.

Mayor Baines called for a vote on the motion. The motion carried with Alderman Vaillancourt being duly recorded as abstaining.

> Communication from the Airport Director seeking the Board's consent and approval to allow the Airport Director to sell, acquire, and transfer certain land parcels for the purpose of improving aviation services; and for such purpose the Clerk has prepared the following resolution for consideration.

On motion of Alderman Thibault, duly seconded by Alderman O'Neil, it was voted to read the Resolution by title only and it was so done.

> Resolution:
>
> > "A Resolution authorizing the Airport Director to sell, acquire, transfer, and execute easements and deeds for various land parcels in the vicinity of the Airport for improving aviation services; and further obligating any proceeds for sales to be utilized exclusively for the development and improvement of the Airport."

On motion of Alderman Cashin, duly seconded by Alderman Thibault, it was voted that the Resolution be adopted.

Alderman Hirschmann stated I would like the individual who gave public testimony tonight and made some allegations about how his property was being handled, that he be taken into consideration. I don't know if Kevin Dillon was here at that time, but the gentleman said that there were market offers for his property and the Airport was writing letters and he thought it was underhanded. If we are going to authorize them to do this, I would just like some follow-up on that gentleman's request.

Mr. Dillon stated the properties that we are talking about here for these transfers do not impact any homes on Brown Avenue. The transfers that are being talked about here involve the Army site that is on the Airport. We simply want to swap properties with the Army. It is a 37-acre parcel. We are going to transfer and give them another 37-acre parcel off of Harvey Road. We need their site to continue cargo development and roadway development at the Airport. It also involves transfers with the Post Office. The Post Office has asked the Airport for a piece of property for a secondary entrance to their facility on Goffs Falls Road. In return, they are going to give us an equivalent piece of property that is in our runway protection zone that is in the best interest of the Airport to hold. We also have some other parcels off of Harvey Road. A piece of property referred to as the Chester Hamm property where they have asked for a piece of property that the Airport owns. In return, they are willing to give us a parcel double the size of what we will be conveying to them so it certainly is in the best interest of the Airport to pick up that property because it not only gives us frontage on Harvey Road, but also gives us mitigation property that we can use for future construction projects. The gentleman that spoke earlier tonight involves homes that the Airport is looking to take via eminent domain and that is the next item on the agenda.

Communication from the Airport Director requesting a public hearing be held to consider finding a public purpose and necessity for the taking of property by eminent domain related to the new Airport entrance roadway as follows:

3070 Brown Avenue;
3048 Brown Avenue;
3114 Brown Avenue;
3025-31 Brown Avenue;
3011 Brown Avenue; and
39 Cascade Circle.

On motion of Alderman Thibault, duly seconded by Alderman Lopez, it was voted to refer this matter to a public hearing on a date to be set by the City Clerk and the Airport Director.

Communication from the Public Works Director submitting a retirement request for Edward J. Beleski.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to accept the retirement of Mr. Beleski with regret.

Resolution:

> "Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Thousand Dollars ($100,000) for FY2001 CIP 511501 Maple Street Skateboard Park."

On motion of Alderman Clancy, duly seconded by Alderman Pinard, it was voted to read the Resolution by title only and it was so done.

On motion of Alderman Sysyn, duly seconded by Alderman Levasseur, it was voted that the Resolution pass and be Enrolled.

Alderman Levasseur stated certain politicians and public figures take a beating every once and awhile for a lot of the things we take positions on, but sometimes we have to send out some accolades to people who have done some extraordinary work and Alderman Lopez has been out front on this issue for a long time. Even before he became an Aldermen he was out there with cans trying to get people to raise money for this and I just want to send out a real big thanks to Alderman Lopez for this. He has worked very hard for this Skateboard Park and we are finally going to see it come to fruition.

Mayor Baines replied I appreciate your comments and well deserved accolades as well.

TABLED ITEMS

18. Report of the Committee on Accounts, Enrollment and Revenue Administration
Recommending that the City request the State Legislature amend RSA 80:56 which would authorize cities and towns to charge a fee of $50 plus all project, bank and legal fees for uncollected checks.
(Tabled January 23, 2001 pending presentation from the Finance Department.)

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

Alderman Hirschmann stated I don't know where we stand with this actually. It was referred out of my Committee to the full Board but since then I believe Finance has a different opinion. Do you want us to receive and file this, Kevin?

Mr. Clougherty stated Finance doesn't have a different position on this. I think given the hour of the legislative session it would be difficult to introduce something like this so you probably would want it referred back to the Committee so that you could discuss a different strategy on it. My understanding is the Municipal Association is interested in doing something along these lines next year.

Alderman Vaillancourt stated you should just be aware of the fact that the filing for next year is in April for about a 20-day period. Nothing after that so you have to get it to somebody to introduce sometime this month.

Alderman Thibault moved to refer this item back to the Committee on Accounts, Enrollment and Revenue Administration. Alderman Clancy duly seconded the motion.

Alderman Levasseur stated instead of sending it back to Committee…we already know what the Committee is going to do. We sent it here to the full Board. We either vote for it or we don't. We are just going to be delaying the process again. I would rather see a motion, your Honor, to send it to legislation and see if we can get it done.

Alderman Lopez stated I believe the information during the Committee process was very little. In talking to Jennifer Desrochers she now has a lot of other information that she would like to present. Kevin, could you verify that?

Mr. Clougherty replied there have been some questions. We have some verifying information. It doesn't change our position on the matter, but certainly if the Committee wants that I will be happy to present it.

Mayor Baines called for a vote on the motion. The motion carried with Alderman Levasseur being duly recorded in opposition.

19. Communication from Peter McDonough, Hillsborough County Attorney advising that his office does not have jurisdiction over the alleged charter violations, and, therefore, cannot render an opinion. Atty. McDonough further notes that Sections 8.15 and 9.04 of the City Charter contain certain procedures and mechanisms, which the Board can utilize in this instance.
(Tabled March 20, 2001 pending Solicitor report.)

This item remained on the table.

NEW BUSINESS

Alderman Shea stated there are a couple of things that I want to bring up possibly for general discussion. One is that right now there are a lot of problems or there will be a lot

of problems with scooters and I think that there should be some kind of discussion about where scooters should be allowed and so forth. I noticed that Portsmouth, NH is having a hearing. I will move to refer this to the Committee on Administration.

Alderman Hirschmann duly seconded the motion.

Mayor Baines asked does that really belong in Administration.

Alderman O'Neil moved to refer the item to the Committee on Traffic/Public Safety. Alderman Shea duly seconded the motion. Mayor Baines called for a vote. There being none opposed, the motion carried.

Alderman Shea stated I have another thing and this is more personal than others but we did receive in our literature something from the Water Department concerning the West Nile virus and I know that I have been working with the Health Department and the City Solicitor's Office concerning the stagnant water. There are pools in the City and these are above the ground pools where people do not open the pools. In other words, they just allow the pools to remain stagnant and I think that these are a source of danger. I know where I live there were two or three crows that were infected with the West Nile virus and in general proximity to where I live there is a pool that no one uses. They just keep the top on and the stagnant water accumulates and I think that there should be some…this is a large 20' x 40' pool so we are not talking about a little area where you have a tire or something. I should think that…it does say here eliminate all sources of stagnant water but there is no remedy. I did speak to the person who was in charge of conducting tests last July when he came and he felt, I believe, and I don't want to put words in his mouth because he is not here to defend himself but he did claim that there should be some kind of ordinance governing that.

Mayor Baines asked can we refer that to the Health Officer and ask him to report back to the Board.

Alderman Shea stated I referred it almost a year ago and I haven't heard from him at all. I will refer it back to the Health Officer.

Mayor Baines stated we will follow-up on it from our office and report back to the Board.

Alderman Lopez stated the subject I would like to talk about and there has been some misunderstanding along this line is when the Board votes on something or a Committee votes on something and we expect that to be carried out and then we find out that things were changed in the midst of it whether it be by department head or another Committee

that was supposed to carry something out. I will give you an example. One was the parking down at the Millyard. I found out four days ago that it didn't happen. The other example is last year we approved money for windows at Central High School and I found out a month ago that it didn't happen because of a situation with the heating system. Is there some type of policy that we can establish that if they are going to change something in mid stream that has been voted on by this Board or a Committee that they should notify us?

Mayor Baines replied I agree.

Alderman Lopez asked do you need a motion on that.

Mayor Baines answered no. What I will do is remind the department heads. As you know I report to two Boards and I know that the School Board was made aware of that change and I am not sure how the communication took place, but I think we can remind people to communicate that to the Board and I will be glad to do so.

Alderman Hirschmann stated just for the Board's benefit can we discuss the status of three department heads. The Human Resources department head. Is that posted and is that being filled?

Mayor Baines stated it is posted but I am inclined at this point in time until we get through the budget process not to proceed with interviewing.

Alderman Hirschmann asked what about the Youth Services Director position.

Mayor Baines answered the same thing. It hasn't been filled and I am inclined to keep that in its present status until we go through the budget and deal with another issue that is going to be coming through Human Resources in terms of putting some of these departments together for administrative purposes.

Alderman Hirschmann asked what about the Welfare Commissioner. Is she back to work?

Mayor Baines answered she has been restored to her official status in accordance with the transition plan. Jackie Whatmough has been returned to her deputy status.

Alderman Hirschmann asked so the first two department heads we don't need and we are not going to hire.

Mayor Baines answered I think at this point in time, as I explained, until we go through the budget process I think it is best that we keep them unfilled.

Alderman Hirschmann asked was the Human Resources Department overstaffed.

Mayor Baines answered I didn't say that. What I said was that until we get through the budget process I believe it is in the best interest of the City for us to remain in an acting status and keep that position open until we have some discussion by the Board.

Alderman Hirschmann asked are there any other department head changes or openings or vacancies.

Mayor Baines answered no that is it.

Alderman Levasseur asked in the budget though you did include the salaries for those positions.

Mayor Baines answered yes until we have the discussion.

Alderman Cashin stated it is getting near that time and we are going to have to start setting up some budget hearings. I would like to discuss with the Board for a couple of minutes how they would like to work this out.

Alderman Levasseur replied we can do this in one Saturday. We can have them come in on one Saturday and go through it.

Alderman Cashin responded I don't believe you can do it in one Saturday, Alderman.

Alderman Gatsas stated we are not going to do it in one Saturday.

Alderman Cashin stated I don't mind meeting on a Saturday but I think you are going to have to meet more than just one Saturday. Maybe two Saturdays or maybe we meet during the week. I think we ought to start during the week somehow and then we can work the Saturdays in if we have to. We may not have to. It is up to you people. You can tell me what you want to do. I am pretty flexible.

Alderman Hirschmann asked could we start by taking on the health insurance issue and have Blue Cross and Blue Shield come in before the full Board. That is an 18% increase? I think that is where we should start.

Deputy Clerk Johnson stated the Clerk would advise that we did reserve Monday evenings through the months of April and May for budgetary discussions. I know that the Mayor is booked for some of those evenings already but I also know that he is available for some. We did keep those aside as we usually do. There are also a couple of Tuesdays when you don't have Board meetings that we could perhaps hold aside for those deliberations as well.

Mayor Baines stated could I suggest that we sit down and come up with a tentative schedule and get it out to people.

Deputy Clerk Johnson stated I have one question for the Board with regards to this matter because it has been done different ways each year. Some years they have specifically requested certain departments to come in like departments that are in excess of say $1 million or something. Other years they have wanted them all in and in other years they have said no we only want to see these four or five. If we are going to be scheduling some meetings, from the Clerk's perspective we would like to have some idea as to how much we need to schedule in and then we can work out a schedule with the Chairman.

Alderman Wihby stated I haven't seen any numbers yet to see who we want in and who we want out.

Mr. Robinson stated the report should be available sometime tomorrow.

Alderman Wihby asked is that going to be last year's numbers, YTD, the requests for this year and the Mayor's numbers.

Mr. Robinson answered as of 10:15 PM that is the way it is formatted right now.

Alderman Gatsas asked what is that format exactly.

Mr. Robinson answered 2000 actual, 2001 budget, 2001 YTD through March, departmental requests and the Mayor's budget.

Mayor Baines stated once I suggest is once you get them tomorrow if you have any individual suggestions please call Wayne. I suggest that we sit down with the Clerk and come up with a schedule.

Alderman Cashin asked is that agreeable to the Board.

Mayor Baines stated a request has been made by the School Board that there be a joint meeting of both Boards to deal with the School District budget initially. I was wondering if the Board would support that.

Alderman Gatsas replied I would rather…we haven't seen the budget. I would prefer to have them come in and give their…I think it was one of the best presentations we had last year.

Mayor Baines asked would you prefer to do that before we have the joint meeting.

Alderman Gatsas answered I think they should come in so we have an opportunity to look at the numbers and ask some questions. I would assume that we will have the ability, as we did last year, to ask questions.

Mayor Baines replied absolutely and then we can talk about a joint meeting after that. Is that the will of the Board? That is fine.

Alderman Wihby stated just to go back, they presented a budget to you and you gave them a number and now when they come to us to make a presentation are they going with your number.

Mayor Baines replied under the Charter, they present their full budget.

Alderman Wihby stated so you cut them about $3 million and they are still going to show us a number that is higher than that.

Mayor Baines replied they are required to do that under the Charter.

Solicitor Clark stated pursuant to the Charter the School Board has to present their budget to you. That doesn't mean the Mayor's budget has to coincide with their budget but they have to present their budget to you.

Alderman Wihby asked can we ask if when they do come to us that they are prepared to speak on the $3 million and what they plan on cutting.

Mayor Baines answered yes we will ask them to do that.

Alderman Vaillancourt stated last year we asked them to go beyond the $3 million. Maybe we should ask them to do that this year.

Mayor Baines stated what I would suggest is let them come in and make their presentation and then we can decide where we are going from there. Let's see it first. They did a wonderful presentation last year and then we can decide what we need to do.

Alderman Gatsas asked is it the wish of this Board that we allow the constituents of the City to view the budget process and we have MCTV here.

Alderman Cashin stated I have already asked Grace Sullivan to do her best to see that they are all live. I am not sure that she can do all of them but we will have to get the schedule to her and she can work it out.

Alderman Wihby asked are the numbers going to go in our binders.

Mr. Robinson answered yes.

Deputy Clerk Johnson stated you had a communication that has not been taken up.

Mayor Baines stated right. The Chief Negotiator just wanted to bring to your attention House Bill 429 regarding a neutral arbitrator in labor disputes. Just be aware that the testimony is this week.

Alderman Gatsas stated I am looking at a memorandum that I believe we received from the City Clerk regarding a proposed charter amendment for the City of Manchester regarding the school department. Have we prepared our rebuttal to this?

Solicitor Clark replied it is being prepared and should be up there tomorrow and you will all get copies.

Alderman Cashin asked, Mr. Hodgen could you come up front please.

Alderman Vaillancourt stated I have in my hand the House Calendar for Thursday. That bill is on the consent calendar, which means that unless somebody rips it off, which is not likely, it will pass unanimously without any opposition. The vote was 13-0 in the labor committee. Almost never do you see something taken off the consent calendar with a vote the opposite way. I would say that is fast tracked to pass with amendment.

Mr. Hodgen replied I don't know if the Board members have a copy of the amended bill. Essentially, I learned yesterday that the Labor Committee had reported it out of committee with a 13-0 vote that it ought to pass and it is my understanding that the House of Representatives is scheduled to act on it this Thursday. This bill, as amended, will

only affect the cities of the State of New Hampshire, will only apply to police and fire negotiations, but it will make the fact finders report for police and fire negotiations binding and the Board of Mayor and Aldermen will not even have an opportunity to vote on the fact finder reports in those instances. Now in the City of Manchester we only have 10 unions and 5 of those are either police or fire and I think it will completely change negotiations in the City. I think it will affect all of the negotiations on the City side. I can't predict the School side. I have to think that the other unions will lay back and wait and see what happens with the police and fire unions and perhaps grab their coattails. I do think that the bill takes the legislative body's authority to ratify contracts away from you potentially. I don't expect every contract will always go to fact finding, but if this bill passes it will completely change negotiations in the City of Manchester in my opinion and I am not sure what can be done about it at this point and whether somebody can take if off of their consent calendar or whether somebody can argue against it. It is a particular problem in my opinion because it only affects the cities of the State of New Hampshire and a couple of towns that have Town Council form of government and most of the legislators up there represent communities who will not be affected by it at all.

Alderman Gatsas asked have you spoken to your counterpart in the city of Nashua.

Mr. Hodgen answered no. In Concord I have, but not in Nashua.

Alderman Gatsas asked what is their opinion in Concord.

Mr. Hodgen answered they think it is devastating. This is not a new idea.

Mayor Baines asked their words were "devastating."

Mr. Hodgen answered my words are devastating. They are trying to figure out, as is John Andrews at the Municipal Association what can be done to prevent the bill from passing. I am not sure what can be done. I suppose if it is passed by the House it will go to the Senate. If it passes, for the first time in New Hampshire, the Board will not be able to vote.

Alderman Gatsas stated in deference to my colleague, Senator O'Neil, who is a co-sponsor of the bill there is obviously an opportunity at the Senate side that if we make some adjustments it can be done. Now I don't know…I think you need some…my suggestion would be that if Nashua is on board and if Concord is on board I am sure that Senator O'Neil would be more than happy to sit down and chat with you to make sure that if you all are concerned about the same problem we can get it resolved.

Alderman Wihby asked wasn't this a study committee that was put together a year ago. They went around the State and I think they came to Manchester and met with different people all over the place.

Mr. Hodgen answered yes last year.

Alderman Wihby stated this is a recommendation from what they heard from all of the different…

Mr. Hodgen interjected not to my understanding. There is a new committee and a new session of the legislature. This is a new bill. I believe that the study committee voted the earlier versions of this inexpedient to legislate, but it is a new session and it is back again.

Mayor Baines stated I suggest that you take Alderman Gatsas' suggestion and sit down with Alderman O'Neil and discuss it.

Alderman Shea stated, David, I had no idea about this but I was just wondering if two parties negotiate do they both have to agree to go to a fact finder.

Mr. Hodgen replied no. If there is an impasse then the statute requires fact finding and generally mediation occurs prior to fact finding.

Alderman Shea asked in essence if there is an impasse you go to mediation and then the following process if that is not settled you go to fact finding automatically without any kind of discussion. In other words if the labor union doesn't want to go to fact finder or whatever…

Mr. Hodgen interjected under this section of the statute, if you do not resolve the negotiations you have to go to fact finding.

Alderman Vaillancourt stated far be it from me to discount the minority opinion. I have been known to vote in the minority myself on occasion, but this was a 13-0 vote. Manchester is well represented in the House Labor Committee. Ben Baroody, Jeff Goley and Eric Palangas so it is one of the committees we have better representation on so I suggest your only hope is to kill it in the Senate if you want to change it.

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

A True Record. Attest.

City Clerk