AGENDA

BOARD OF MAYOR AND ALDERMEN

February 1, 2005

7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Mayor Baines calls the meeting to order.

2. The Clerk calls the roll.

CONSENT AGENDA

3. Mayor Baines advises 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 the supervision of the Department of Highways

A. PSNH Pole Petition #11-1045 (one pole) located on Mammoth Road; PSNH Pole Petition #11-1046 (one pole) located on Temple Court; and Verizon Pole Petition #9AAUAR (one pole) located on Front Street.

Informational – to be Received and Filed

B. Communication from Comcast submitting the 4th quarter 2004 franchise fee payment in the amount of $280,707.09.

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

C. Recommending that Ordinance:

> "Amending Sections 33.024, 33.025 and 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester."

ought to pass.

D. Recommending that Ordinances:

> "Amending Section 33.079(H) (Vacations) of the Code of Ordinances of the City of Manchester."; and
>
> "Amending Section 33.081 (4)(a) (Sick Leave) of the Code of Ordinances of the City of Manchester."

ought to pass.

E. Recommending that Ordinance:

> "Amending Chapter 90: Animals., Section 90.11 License Required of the Code of Ordinances of the City of Manchester."

ought to pass.

F. Recommending that Ordinance:

> "Authorizing the Mayor to Dispose of Certain Tax Deeded Property Known as West Haven Road, Map 0922/Lot 0039-A."

ought to pass.

G. Recommending that Ordinance:

> "Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B."

ought to pass.

H. Recommending that Ordinance:

> "Amending chapter 30: City Officials and Employees of the Code of Ordinances of the City of Manchester by creating §30.12 Salary of the Mayor."

be forwarded to the voters as a non-binding referendum question at the November 8, 2005 General Election.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

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

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

4. Nominations to be presented by Mayor Baines, if available.

5. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.

6. Mayor Baines calls the meeting back to order.

OTHER BUSINESS

7. Report of the Committee on Finance, if available?
Ladies and Gentlemen, what is your pleasure?

8. Ordinances: **(A motion is in order to read by titles only.)**

"Amending Sections 33.024, 33.025 and 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester."

"Amending Section 33.079(H) (Vacations) of the Code of Ordinances of the City of Manchester."

"Amending Section 33.081 (4)(a) (Sick Leave) of the Code of Ordinances of the City of Manchester."

"Amending Chapter 90: Animals., Section 90.11 License Required of the Code of Ordinances of the City of Manchester."

"Authorizing the Mayor to Dispose of Certain Tax Deeded Property Known as West Haven Road, Map 0922/Lot 0039-A."

"Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B."

These Ordinances having had their second reading by titles only, the question is on passing same to be enrolled.

9. Mayor Baines advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

10. Mayor Baines calls the meeting back to order.

11. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.
Ladies and Gentlemen, what is your pleasure?

12. Communication from Alderman Gatsas requesting a discussion and information regarding going out to bid to engage Bond Counsel for the City's next contract and requesting the Finance Officer to provide information relating to the previous bidding process including documentation.
Ladies and Gentlemen, what is your pleasure?

13. Communication from the City Clerk requesting that the meetings for regular Board meetings be scheduled for Tuesday, March 15th and Monday, March 28th.
Ladies and Gentlemen, what is your pleasure?

14. Communication from Parks, Recreation & Cemetery requesting authorization of a PSNH utility easement located at Valley Cemetery at the intersection of Auburn and Chestnut Streets.
A motion is in order to approve the request for the utility easement and further authorize the Mayor to execute such documents, subject to the review and approval of the Department of Highways and City Solicitor.

15. Report(s) of the Committee on Traffic/Public Safety, if available.
Ladies and Gentlemen, what is your pleasure?

16. Ordinances: **(A motion is in order to read by titles only.)**

"Amending Sections 33.024, 33.025 and 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester."

"Amending Section 33.079(H) (Vacations) of the Code of Ordinances of the City of Manchester."

"Amending Section 33.081 (4)(a) (Sick Leave) of the Code of Ordinances of the City of Manchester."

"Amending Chapter 90: Animals., Section 90.11 License Required of the Code of Ordinances of the City of Manchester."

"Authorizing the Mayor to Dispose of Certain Tax Deeded Property Known as West Haven Road, Map 0922/Lot 0039-A."

"Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B."

These Ordinances having had their third and final reading by titles only, the question is on passing same to be ordained.

17. NEW BUSINESS

a) Communications
b) Aldermen

18. If there is no further business, a motion is in order to adjourn.

Public Service of New Hampshire

The Northeast Utilities System

RECEIVED
JAN 25 2005
CITY CLERK'S OFFICE

Office of the City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101-2097

January 24, 2005

Enclosed for your review are pole license petitions 11-1045 and 11-1046 for poles located in the City of Manchester.

If approved, please have the License section signed by the proper authority. Keep the copy labeled "**CITY**" for your files, and return the remaining copies to me at the address below. All billing should be sent to this same address. If rejected, please return the documents to me with documentation as to why it was rejected so that I may notify our field personnel.

Appreciate your help in expediting this petition. Please give me a call if you have any questions. I can be reached at 634-3234.

Thank you,

Kerry O'Donnell

Kerry O'Donnell
Right of Way Department
Public Service of New Hampshire
PO Box 330
Manchester, NH 03105-9989

Enclosure(s)

A

11-1045
RSH

PETITION AND POLE LICENSE
PETITION

Manchester, New Hampshire

January 13, 2005

To the **Board of Selectman** of the City of Manchester, New Hampshire.

PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND, INC., request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary along, and under the following public ways:

License one (1) pole, 88/153Y, located on Mammoth Road in the City of Manchester.

VERIZON NEW ENGLAND, INC.

BY: _____

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: _____
Kerry O'Donnell, Right of Way

LICENSE

Upon the foregoing petition and it appearing that the public good so requires, it is hereby

ORDERED

This _____ day of _____, 2005, that, PUBLIC SERVICE OF NEW HAMPSHIRE AND VERIZON NEW ENGLAND, INC. be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked "PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND, INC." No. 11-1045, dated October 13, 2004, attached to and made a part hereof.

City of Manchester, New Hampshire

BY: _____

BY: _____

BY: _____

Received and entered in the records of the City of Manchester, New Hampshire, Book _____, Page _____

Date: _____

ATTEST: _____
City Clerk

11-1046

PETITION AND POLE LICENSE
PETITION

Manchester, New Hampshire

January 13, 2005

To the **Board of Selectman** of the City of Manchester, New Hampshire.

PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND, INC., request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary along, and under the following public ways:

License one (1) pole, 1153/2, located on Temple Court in the City of Manchester.

VERIZON NEW ENGLAND, INC.

BY: _____

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: _____
Kerry O'Donnell, Right of Way

LICENSE

Upon the foregoing petition and it appearing that the public good so requires, it is hereby

ORDERED

This _____ day of _____, 2005, that, PUBLIC SERVICE OF NEW HAMPSHIRE AND VERIZON NEW ENGLAND, INC. be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked "PUBLIC SERVICE OF NEW HAMPSHIRE and VERIZON NEW ENGLAND, INC." No. 11-1046, dated November 19, 2004, attached to and made a part hereof.

City of Manchester, New Hampshire

BY: _____

BY: _____

BY: _____

Received and entered in the records of the City of Manchester, New Hampshire, Book _____, Page _____

Date: _____

ATTEST: _____
City Clerk

900 Elm Street, Suite 1401D, Floor 14
Manchester, NH 03101

9AAUAR

January 24, 2005

Mrs. Paula LeBlond-Kang
Deputy City Clerk
908 Elm Street
Manchester, New Hampshire 03101

Dear Paula:

Enclosed are copies of our Petition and License.

The licensing of pole(s) and/or buried wire/conduit, in the City of Manchester, New Hampshire, as per attached.

Will you kindly present the enclosed to the Alderman for their approval and signatures. Also, please fill in the date of licensing. It may then be recorded in the City Clerk's records and our recorded copy of same returned to this office. You may retain the remaining copy for your files.

If you have any questions concerning this license, please do not hesitate to call me at (603) 645-3318.

Yours Truly,

Leigh Ann Zdon
Right-of-Way Department

laz
enclosures

RECEIVED
JAN 25 2005
CITY CLERK'S OFFICE

Tel

9AAUAR
POLE LOCATION
FORM NO. 1

January 10. 2005

In The Board of Mayor and Alderman
of the City of Manchester, New Hampshire:

VERIZON NEW ENGLAND INC
&
PUBLIC SERVICE OF NEW HAMPSHIRE

requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

The placing and licensing of 1 new pole (629/87 1/2) on Front Street, in the City of Manchester, New Hampshire, as per attached.

cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England Inc. and Public Service of New Hampshire.

No: 9AAUAR
Dated: December 27, 2004
Verizon New England, Inc.

By: _____
Right-of-Way Department

Public Service of New Hampshire

By: _____
Kerry O'Donnell/Right-of-Way Department

A

Comcast

Comcast Cable Communications, Inc.
460 Amherst Street
Nashua, NH 03063
www.comcast.com

RECEIVED
JAN 21 2005
MAYOR'S OFFICE

January 20, 2005

Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, N.H. 03101

Dear Mayor and Aldermen:

Enclosed is the Comcast franchise fee payment for the fourth quarter of 2004, along with a backup detailed accounting sheet. If you have any questions regarding this payment, please feel free to contact me at 603-889-1363 ext. 3014.

Sincerely,

B. Christiansen

Bryan Christiansen
Manager of Government & Community Relations

Enclosed:
Check number: 239414803, $280,707.09

RECEIVED
JAN 21 2005
CITY CLERK'S OFFICE

B

comcast

COMCAST FINANCIAL
AGENCY CORPORATION
A Comcast Cable Communications Group Company
Eastern Division
200 Cresson Blvd.
Oaks, PA 19456

REMITTANCE ADVICE

No. 239414803

Date : 12-JAN-05 Vendor Name : MANCHESTER CITY OF Vendor No. : 154772

INVOICE NO.	INVOICE DATE	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
010705FF	07-JAN-05	4 MARC 1039 4TH QT '04 FRAN FEE	0.00	280,707.09
		TOTAL	0.00	280,707.09

THE FACE OF THIS DOCUMENT HAS A MULTI COLORED BACKGROUND - NOT A WHITE BACKGROUND

comcast

COMCAST FINANCIAL AGENCY CORPORATION
A Comcast Cable Communications Group Company
Eastern Division
200 Cresson Blvd.
Oaks, PA 19456

BANK ONE

Bank One, NA
Columbus, OH

No. 239414803
56-1544 / 441
644359333

Date 12-JAN-05
Void After 180 Days

$ ****280,707.09

Pay Two Hundred Eighty Thousand Seven Hundred Seven Dollars And 09 Cents**********

Authorized Signature

To The Order Of
MANCHESTER CITY OF NH
ONE CITY HALL PLAZA
OFFICE OF THE MAYOR
MANCHESTER, NH 03101
United States

Authorized Signature Patrick J. Moore

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

[redacted]

B

COMCAST
NORTHEAST REGION

CITY OF MANCHESTER From 10/01/04 - 12/31/04	Totals
Totals By Service:	
Basic Service Revenue	$ 4,025,689.15
Pay Service Revenue 1	$ 697,667.48
Other Unregulated Revenue 2	$ 503,969.82
Digital Revenue	$ 461,866.47
Late Fee Revenue	$ 32,337.15
Subtotal	**$5,721,530.07**
Totals By Non Service:	
Leased Access Revenue	$ 18,130.03
Less Bad Debt	$ (125,518.21)
Subtotal	**($107,388.18)**
Total Gross Revenue	**$5,614,141.89**
Franchise Fee 4Q 04 (5%)	**$280,707.09**
Franchise Fee 4Q 04 Due	**$280,707.09**

1 - Pay Service includes all Pay Channels and Pay Per View Movie/Event revenue.
2 - Other Unregulated includes converter, remote, installation, TV Guide, wire maintenance and other misc. billing adjustments.

(If you have any questions regarding this payment, please call Marc Lockard at 610-650-1039).

Authorized Comcast Representative:

Date: 1/10/05

FORM B : COPY FOR TOWN (SUMMARY)

B

SYSTEM NAME: COMCAST OF NEW ENGLAND

FRANCHISE NAME: CITY OF MANCHESTER, NH

PAID TO: CITY OF MANCHESTER

TERM: 2004 QUARTERLY

Type	REVENUE Category	OCT 04	NOV 04	DEC 04	Total 4th Qtr
Service	Basic Revenue	$ 1,333,811.78	$ 1,336,746.38	$ 1,355,130.99	$ 4,025,689.15
Service	Premium / Pay Revenue	$ 217,030.24	$ 245,058.67	$ 235,578.57	$ 697,667.48
Service	Other Unregulated Revenue	$ 168,658.98	$ 170,668.19	$ 164,642.65	$ 503,969.82
Service	Digital Revenue	$ 149,019.48	$ 154,017.86	$ 158,829.13	$ 461,866.47
Service	Late Fee Revenue	$ 11,147.12	$ 10,577.19	$ 10,612.84	$ 32,337.15
SUB TOTAL SUBSCRIBER REVENUE		$ 1,879,667.60	$ 1,917,068.29	$ 1,924,794.18	$ 5,721,530.07
Non Service	Home Shopping Network	$ -	$ -	$ -	$ -
Non Service	Advertising Revenue (Local)	$ -	$ -	$ -	$ -
Non Service	Advertising Revenue (National)	$ -	$ -	$ -	$ -
Non Service	Advertising Revenue (Regional)	$ -	$ -	$ -	$ -
Non Service	Leased Access Revenue	$ 4,606.46	$ 7,674.30	$ 5,849.27	$ 18,130.03
Non Service	Bad Debt	$ (44,066.04)	$ (44,440.33)	$ (37,011.84)	$ (125,518.21)
SUB TOTAL NON SUBSCRIBER REVENUE		$ (39,459.58)	$ (36,766.03)	$ (31,162.56)	$ (107,388.18)
TOTAL REVENUE		$ 1,840,208.02	$ 1,880,302.26	$ 1,893,631.62	$ 5,614,141.89
FRANCHISE FEE %		5.00%	5.00%	5.00%	5.00%
LOB 01	Cable franchise fee	$ 93,983.38	$ 95,853.41	$ 96,239.71	$ 286,076.50
LOB 36	Ad sales franchise fee	$ (1,972.98)	$ (1,838.30)	$ (1,558.13)	$ (5,369.41)
	Fee on Fee	$ -	$ -	$ -	$ -
	Less: $0.15/Sub/Mnth	$ -	$ -	$ -	$ -
TOTAL FRANCHISE FEE DUE		$ 92,010.40	$ 94,015.11	$ 94,681.58	$ 280,707.09

FORM A : COPY FOR TOWN (DETAIL)

B

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

> "Amending Sections 33.024, 33.025 and 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester."

ought to pass.

Respectfully submitted,

Clerk of Committee

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Reconstruction Coordinator, Class Code 5606

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Reconstruction Coordinator, Class Code 5606, Grade 17, **non-exempt**
Reclassify one position Equipment Operator V (Lawrence) to Reconstruction Coordinator

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Adopt new Class Specification, Class Code 5606, Reconstruction Coordinator

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

C

Draft

City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	**Reconstruction Coordinator**
Class Code Number	5606-17

General Statement of Duties

Operates complex motorized construction and repair equipment while supervising road construction crew of Highway personnel; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to oversee daily assigned work while operating specialized equipment involved in municipal construction projects. The work is performed under the supervision and direction of the Chief of Street Operations and/or Assistant Chief of Operations but considerable leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees in the class of Laborer, Public Services Worker, Equipment Operators II, III and IV and related positions. The nature of the work performed requires that an employee in this class be able to operate specialized heavy equipment while establishing and maintaining effective working relationships with other City employees and the public. The principal duties of this class are performed in an outdoor work environment with potential personal hazards.

Examples of Essential Work
(illustrative only)

- Directly supervises a work crew, and participates in repair, maintenance and construction activities, operates construction equipment;

- Establishes job priorities and time frames for assigned personnel;
- Monitors completion of job assignments to ensure compliance with standards and instructions and revises instructions and time frames as necessary;
- Trains employees on equipment, task procedures, work standards and proper safety procedures;
- Completes thorough and accurate reports on daily work activities, including tasks completed;
- Serves as liaison to internal and external customers and responds to requests and inquiries concerning programs, policies, procedures, time lines for construction, maintenance and repair projects;
- Determines when additional staff and resources are necessary to complete duties in timely manner and coordinates needs with other Supervisors and Superintendents;
- Operates complex motorized equipment, including excavator, two-yard and larger loaders, motor graders, backhoes, truck or tractor and trailer combinations, low-boy, self propelled roller, pavers, planers and bulldozers;
- Participates in snow plowing, operating grader, plows and applying salt as needed;
- Evacuates trenches, spreads earth, digs holes, clears debris and related earth moving procedures; Grades and resurfaces streets; Cuts and finishes grades and prepares sub-grades;
- Performs street construction, maintenance and repair functions, including raking asphalt to provide an even thickness, tamping and finishing, paving holes with asphalt, runs rollers, spreads and tamps gravel, digs and resets manhole covers and related equipment;
- Performs other duties of construction and maintenance crews as necessary;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Thorough knowledge of assigned area of work within the Public Works Department, including streets, sewers, sidewalks, bridges, street cleaning or a related area;
- Thorough knowledge of Manchester City geography, streets and business locations;
- Thorough knowledge of traffic hazards and traffic safety principles, practices and procedures;
- Thorough knowledge of the operation and maintenance and skill in the operation of construction and maintenance equipment, including excavators, backhoes, trucks, asphalt

sealers, rollers and tampers, sewer cleaning equipment, snow plows, street sweepers and related;

- Thorough knowledge of safety practices for equipment, hand and power tools;
- Comprehensive knowledge of construction heavy equipment;
- Thorough knowledge of supervisory principles and practices;
- Some knowledge of surveying principals and practices;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to supervise, train, evaluate and coordinate the work of others;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations on field operations;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- Experience equivalent to the position of a Highway Supervisor I or II; and considerable experience in motorized equipment operation; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- On call status;
- Class B CDL.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to understand department and safety rules and regulations and work around high traffic areas;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to work safely in heavy traffic and heavy equipment operation;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate hand and power tools continuously and to lift and carry, through a full

range of motion, up to 100 pounds occasionally, 50 pounds frequently, and 20 pounds continuously;

- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to work in trenches, in rough terrain and access construction equipment and to be able to stoop, kneel, crouch, stand, walk, push, pull, climb and grasp repetitively.

Approved by:_____ Date:_____

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinances:

> "Amending Section 33.079(H) (Vacations) of the Code of Ordinances of the City of Manchester."; and
>
> "Amending Section 33.081 (4)(a) (Sick Leave) of the Code of Ordinances of the City of Manchester."

ought to pass.

Respectfully submitted,

Clerk of Committee

D

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Section 33.079(H) (Vacations) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.079(H) (Vacations) of the Code of Ordinances by deleting language stricken (--) and inserting new language as bolded **(bold)**. Language of Section 33.079(H) struck through or bolded remains unchanged.

§ 33.079(H)

Maximum vacation Accrual. No employee shall be permitted to accrue in excess of **two times his/her** ~~one and one half times his~~ annual earned vacation. ~~For~~ example, an employee who earns ten days of vacation per year shall have no more than ~~15~~ **20** days earned vacation to his credit at any one time; an employee who earns 15 days of vacation per year shall have no more than ~~22 ½~~ **30** days earned vacation to his credit at any time; and an employee who earns 20 days of vacation per year shall have no more than ~~30~~ **40** days earned vacation to his credit at any one time.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

D

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Section 33.081 (4) (a) (Sick Leave) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.081(4)(a) (Sick Leave) of the Code of Ordinances by deleting language stricken (--) and inserting new language as bolded **(bold)**. Language of Section 33.081(4) struck through or bolded remains unchanged.

§ 33.081(4)(a)

Upon death (while employed by the city) or paid retirement, **all accrued sick leave up to a maximum of eighty (80) days, plus one-quarter (1/4) of the balance of the days accrued over eight (80) but not more than on hundred twenty (120) days, shall be payable to the employee or the designated beneficiary**~~, employees may be paid up to 80 days of accrued sick leave.~~

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

D

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

> "Amending Chapter 90: Animals., Section 90.11 License Required of the Code of Ordinances of the City of Manchester."

ought to pass.

Respectfully submitted,

Clerk of Committee

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Chapter 90: Animals., Section 90.11 License Required of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinance by inserting new language in Section 90.11 License Required as bolded (**bold**). Portions of the following section that remain unchanged appear in regular type.

(A) All dogs kept, harbored, or maintained by their owner or keeper in the city shall be licensed annually in accordance with the provisions of R.S.A. Ch. 466 at fees established as follows:

Puppies (4 to 7 months old)	**$ 7.50**
Neutered male/spayed female	$ 7.50
Male/female	$10.00
Senior citizen owner	
First dog	$ 3.00
Group license	
Five or more dogs	$20.00

(B) There shall be a charge of $1.00 for each month or any part thereof that the fees remain unpaid if said fees are not paid before June 1 in any year.

II. This Ordinance shall take effect upon its passage.

E

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

> "Authorizing the Mayor to Dispose of Certain Tax Deeded Property Known as West Haven Road, Map 0922/Lot 0039-A."

ought to pass.

Respectfully submitted,

Clerk of Committee

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Authorizing the Mayor to Dispose of Certain Tax Deeded Property Known as West Haven Road, Map 0922/Lot 0039-A."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. That in accordance with New Hampshire RSA 80:80, the Mayor is authorized to convey a parcel of tax-deeded property known as West Haven Road, City Map 0922/Lot0039-A in the City of Manchester to Dennis and Diane Traynor of 139 Mayflower Drive and Harold Bradley of 20 Robin Hill Road, subject to conditions set forth herein. A purchase and sales agreement shall be executed listing terms to include the City attaining approval of the subdivision of said property, approval of consolidation of property with abutters lots, and reimbursement of costs to the City by the purchasers at a cost not to exceed Three Thousand Dollars ($3,000.00).

Said property was acquired by Tax Collector's Deed dated January 16, 1991 and recorded in the Hillsborough County Registry of Deeds on January 21, 1991, Book 5234, Page 1626. The Board of Assessors concurs that the above noted disposition reflects a reasonable value.

The Board finds just cause to sell such property to the abutter as said parcel is considered residual/unbuildable, serves no practical public purpose other than to the abutters, is presently a liability to the City as a waste disposal site, and sale of property to the abutters shall place the property on the tax roles.

II. This Ordinance shall remain in effect for a period of two years (2) from the date of passage.

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

> "Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B."

ought to pass.

Respectfully submitted,

Clerk of Committee

G

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B.

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION I. "Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Front Street and Hackett Hill Road extended, said point being on the zone boundary line of the R-SM (Residential Suburban Multi-Family) zone district and the R-S (Residential Suburban) zone district, prior to this amendment;

Thence, westerly along the centerline of Hackett Hill Road, approximately 680 ft. to a point on the centerline of I-293 (F. E. Everett Highway), said point being the zone boundary line of the R-SM (Residential Suburban Multi-Family) zone district, the R-S (Residential Suburban) zone district, and the RP (Research Park) zone district, prior to this amendment;

Thence, northerly along the centerline of I-293 (F. E. Everett Highway), also being the zone boundary line of the R-S (Residential Suburban) zone district, and the RP (Research Park) zone district approximately 856 ft. to a point;

Thence, easterly along the extended property line of TM 767, Lot 4A and TM 767, Lot 4 approximately 344 ft. to a point;

Thence, southeasterly along the property line of TM 767, Lot 6 and TM 767, Lot 4, as extended to the zone boundary line of the R-S (Residential Suburban) zone district and the R-SM (Residential Suburban Multi-Family) zone district prior to this amendment, a distance of approximately 370 ft. to a point;

Thence, southerly along the zone boundary line of the R-SM (Residential Suburban Multi-Family) zone district and the R-S (Residential Suburban) zone district prior to this amendment, approximately 672 ft. to a point, said point also being the point of beginning.

Said description to include TM 767, Lot 4 and TM 767, Lot 4B and consisting of approximately 8.3 acres of land.

SECTION II. Resolve this ordinance shall take effect upon passage.

G

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

> "Amending Chapter 30: City Officials and Employees of the Code of Ordinances of the City of Manchester by creating §30.12 Salary of the Mayor."

be forwarded to the voters as a non-binding referendum question at the November 8, 2005 General Election.

Respectfully submitted,

Clerk of Committee

H

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Chapter 30: City Officials and Employees of the Code of Ordinances of the City of Manchester by creating §30.12 Salary of the Mayor."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. §30.12 Salary of the Mayor.

The base salary of the mayor shall be $85,000.00 per annum. In December of the second year of the mayor's term of office, and in December of the second year of each continuous and consecutive term to which the incumbent mayor is re-elected, the salary of the mayor shall be increased by the lesser of, two percent (2%) or by the same percentage of the increase in the Consumer Price Index for all Urban Consumers (CPI-U) Seasonally Adjusted, All Items (1982-84=100), compiled by the Bureau of Labor Statistics, United States Department of Labor, last published prior to the mayor's election to his successive term of office. The said adjusted increase in the mayor's salary shall not be paid until January of the following year after the mayor is inaugurated to a new term of office. Should the incumbent mayor not run for, or be elected to, a new and consecutive term of office, the new mayor's base salary shall be $85,000.00 to be adjusted for consecutive successive terms as set forth above.

II. This Ordinance shall take effect upon its passage.

H

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Traffic/Public Safety respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that chapter and chapter 335 of the Sessions Laws of 1951.

Section 70.36 Stopping, Standing, or Parking Prohibited

PARKING 10 MINUTES (7 DAYS):
On Lincoln Street, west side, from Spruce Street to a point 40 feet south

REPEALING PROVISIONS

That all rules and regulations now in effect in accordance with the provisions of an Ordinance "Chapter 70 Motor Vehicles and Traffic" as adopted August 6, 2002, with subsequent amendments thereto and inconsistent with the traffic rules and regulations herein adopted be repealed.

Respectfully submitted,

Clerk of Committee

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Reconstruction Coordinator) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Reconstruction Coordinator, Class Code 5606

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Reconstruction Coordinator, Class Code 5606, Grade 17, **non-exempt**
Reclassify one position Equipment Operator V (Lawrence) to Reconstruction Coordinator

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Adopt new Class Specification, Class Code 5606, Reconstruction Coordinator

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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Draft

City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	**Reconstruction Coordinator**
Class Code Number	5606-17

General Statement of Duties

Operates complex motorized construction and repair equipment while supervising road construction crew of Highway personnel; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to oversee daily assigned work while operating specialized equipment involved in municipal construction projects. The work is performed under the supervision and direction of the Chief of Street Operations and/or Assistant Chief of Operations but considerable leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees in the class of Laborer, Public Services Worker, Equipment Operators II, III and IV and related positions. The nature of the work performed requires that an employee in this class be able to operate specialized heavy equipment while establishing and maintaining effective working relationships with other City employees and the public. The principal duties of this class are performed in an outdoor work environment with potential personal hazards.

Examples of Essential Work
(illustrative only)

- Directly supervises a work crew, and participates in repair, maintenance and construction activities, operates construction equipment;

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- Establishes job priorities and time frames for assigned personnel;
- Monitors completion of job assignments to ensure compliance with standards and instructions and revises instructions and time frames as necessary;
- Trains employees on equipment, task procedures, work standards and proper safety procedures;
- Completes thorough and accurate reports on daily work activities, including tasks completed;
- Serves as liaison to internal and external customers and responds to requests and inquiries concerning programs, policies, procedures, time lines for construction, maintenance and repair projects;
- Determines when additional staff and resources are necessary to complete duties in timely manner and coordinates needs with other Supervisors and Superintendents;
- Operates complex motorized equipment, including excavator, two-yard and larger loaders, motor graders, backhoes, truck or tractor and trailer combinations, low-boy, self propelled roller, pavers, planers and bulldozers;
- Participates in snow plowing, operating grader, plows and applying salt as needed;
- Evacuates trenches, spreads earth, digs holes, clears debris and related earth moving procedures; Grades and resurfaces streets; Cuts and finishes grades and prepares sub-grades;
- Performs street construction, maintenance and repair functions, including raking asphalt to provide an even thickness, tamping and finishing, paving holes with asphalt, runs rollers, spreads and tamps gravel, digs and resets manhole covers and related equipment;
- Performs other duties of construction and maintenance crews as necessary;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Thorough knowledge of assigned area of work within the Public Works Department, including streets, sewers, sidewalks, bridges, street cleaning or a related area;
- Thorough knowledge of Manchester City geography, streets and business locations;
- Thorough knowledge of traffic hazards and traffic safety principles, practices and procedures;
- Thorough knowledge of the operation and maintenance and skill in the operation of construction and maintenance equipment, including excavators, backhoes, trucks, asphalt

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sealers, rollers and tampers, sewer cleaning equipment, snow plows, street sweepers and related;

- Thorough knowledge of safety practices for equipment, hand and power tools;
- Comprehensive knowledge of construction heavy equipment;
- Thorough knowledge of supervisory principles and practices;
- Some knowledge of surveying principals and practices;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to supervise, train, evaluate and coordinate the work of others;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations on field operations;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School or possession of a GED; and
- Experience equivalent to the position of a Highway Supervisor I or II; and considerable experience in motorized equipment operation; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- On call status;
- Class B CDL.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to understand department and safety rules and regulations and work around high traffic areas;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to work safely in heavy traffic and heavy equipment operation;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate hand and power tools continuously and to lift and carry, through a full

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range of motion, up to 100 pounds occasionally, 50 pounds frequently, and 20 pounds continuously;

- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to work in trenches, in rough terrain and access construction equipment and to be able to stoop, kneel, crouch, stand, walk, push, pull, climb and grasp repetitively.

Approved by:_____ Date:_____

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City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Section 33.079(H) (Vacations) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.079(H) (Vacations) of the Code of Ordinances by deleting language stricken (--) and inserting new language as bolded **(bold)**. Language of Section 33.079(H) struck through or bolded remains unchanged.

§ 33.079(H)

Maximum vacation Accrual. No employee shall be permitted to accrue in excess of **two times his/her** ~~one and one-half times his~~ annual earned vacation. ~~For~~ example, an employee who earns ten days of vacation per year shall have no more than ~~15~~ **20** days earned vacation to his credit at any one time; an employee who earns 15 days of vacation per year shall have no more than ~~22 ½~~ **30** days earned vacation to his credit at any time; and an employee who earns 20 days of vacation per year shall have no more than ~~30~~ **40** days earned vacation to his credit at any one time.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

8+16

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Section 33.081 (4) (a) (Sick Leave) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.081(4)(a) (Sick Leave) of the Code of Ordinances by deleting language stricken (--) and inserting new language as bolded (**bold**). Language of Section 33.081(4) struck through or bolded remains unchanged.

§ 33.081(4)(a)

Upon death (while employed by the city) or paid retirement, **all accrued sick leave up to a maximum of eighty (80) days, plus one-quarter (1/4) of the balance of the days accrued over eight (80) but not more than on hundred twenty (120) days, shall be payable to the employee or the designated beneficiary**~~, employees may be paid up to 80 days of accrued sick leave.~~

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

8+16

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending Chapter 90: Animals., Section 90.11 License Required of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinance by inserting new language in Section 90.11 License Required as bolded (**bold**). Portions of the following section that remain unchanged appear in regular type.

(A) All dogs kept, harbored, or maintained by their owner or keeper in the city shall be licensed annually in accordance with the provisions of R.S.A. Ch. 466 at fees established as follows:

Puppies (4 to 7 months old)	**$ 7.50**
Neutered male/spayed female	$ 7.50
Male/female	$10.00
Senior citizen owner	
First dog	$ 3.00
Group license	
Five or more dogs	$20.00

(B) There shall be a charge of $1.00 for each month or any part thereof that the fees remain unpaid if said fees are not paid before June 1 in any year.

II. This Ordinance shall take effect upon its passage.

8+16

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Authorizing the Mayor to Dispose of Certain Tax Deeded Property Known as West Haven Road, Map 0922/Lot 0039-A."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. That in accordance with New Hampshire RSA 80:80, the Mayor is authorized to convey a parcel of tax-deeded property known as West Haven Road, City Map 0922/Lot0039-A in the City of Manchester to Dennis and Diane Traynor of 139 Mayflower Drive and Harold Bradley of 20 Robin Hill Road, subject to conditions set forth herein. A purchase and sales agreement shall be executed listing terms to include the City attaining approval of the subdivision of said property, approval of consolidation of property with abutters lots, and reimbursement of costs to the City by the purchasers at a cost not to exceed Three Thousand Dollars ($3,000.00).

Said property was acquired by Tax Collector's Deed dated January 16, 1991 and recorded in the Hillsborough County Registry of Deeds on January 21, 1991, Book 5234, Page 1626. The Board of Assessors concurs that the above noted disposition reflects a reasonable value.

The Board finds just cause to sell such property to the abutter as said parcel is considered residual/unbuildable, serves no practical public purpose other than to the abutters, is presently a liability to the City as a waste disposal site, and sale of property to the abutters shall place the property on the tax roles.

II. This Ordinance shall remain in effect for a period of two years (2) from the date of passage.

8+16

City of Manchester
New Hampshire

In the year Two Thousand and Five

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B.

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION I. "Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned R-S (Residential Suburban) located on Front Street and Hackett Hill Road and known as Tax Map 767, Lots 4 and 4B, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Front Street and Hackett Hill Road extended, said point being on the zone boundary line of the R-SM (Residential Suburban Multi-Family) zone district and the R-S (Residential Suburban) zone district, prior to this amendment;

Thence, westerly along the centerline of Hackett Hill Road, approximately 680 ft. to a point on the centerline of I-293 (F. E. Everett Highway), said point being the zone boundary line of the R-SM (Residential Suburban Multi-Family) zone district, the R-S (Residential Suburban) zone district, and the RP (Research Park) zone district, prior to this amendment;

Thence, northerly along the centerline of I-293 (F. E. Everett Highway), also being the zone boundary line of the R-S (Residential Suburban) zone district, and the RP (Research Park) zone district approximately 856 ft. to a point;

Thence, easterly along the extended property line of TM 767, Lot 4A and TM 767, Lot 4 approximately 344 ft. to a point;

Thence, southeasterly along the property line of TM 767, Lot 6 and TM 767, Lot 4, as extended to the zone boundary line of the R-S (Residential Suburban) zone district and the R-SM (Residential Suburban Multi-Family) zone district prior to this amendment, a distance of approximately 370 ft. to a point;

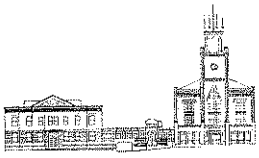
Thence, southerly along the zone boundary line of the R-SM (Residential Suburban Multi-Family) zone district and the R-S (Residential Suburban) zone district prior to this amendment, approximately 672 ft. to a point, said point also being the point of beginning.

Said description to include TM 767, Lot 4 and TM 767, Lot 4B and consisting of approximately 8.3 acres of land.

SECTION II. Resolve this ordinance shall take effect upon passage.

8-16

CITY OF MANCHESTER
Board of Aldermen



Memo To: Board of Mayor and Aldermen

From: Theodore L. Gatsas
Alderman – Ward 2

Date: January 26, 2005

Re: Discussion and information relating to Bond Counsel

I am requesting a discussion by the Board at its February 1st meeting regarding going out to bid to engage Bond Counsel for our next contract. I am also asking that the Finance Officer provide at or prior to this meeting, information to the Board relating to the previous bidding process including documentation as to when that was done and how many bids the City received.

C: Kevin Clougherty, Finance Officer

One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6455 Fax (603) 624-6481
www.ManchesterNH.gov

12

City of Manchester
Department of Finance

One City Hall Plaza
Manchester, New Hampshire 03101
Phone: (603) 624-6460
Fax: (603) 624-6549

January 27, 2005

Alderman Theodore Gatsas
C/o Office of the City Clerk
One City Hall plaza
Manchester, NH 03101

Dear Alderman Gatsas,

Enclosed per your request, is information regarding the City's previous bidding process for Bond Counsel Services. The Expressions of Interest and Qualifications (EIQ) was announced on September 21, 2004, the subsequent Request for Proposals (RFP) was issued on November 17, 2004. A total of six firms responded.

I hope this information is helpful. Please feel free to call with any questions.

Sincerely,

Randy M. Sherman
Deputy Finance Officer

Cc: Honorable Board of Mayor and Aldermen
Tom Clark

12

LEGAL NOTICE
CITY OF MANCHESTER, NEW HAMPSHIRE
INVITATION TO SUBMIT LETTERS OF INTEREST
AND QUALIFICATIONS
TO PROVIDE BOND COUNSEL SERVICES

The City of Manchester, New Hampshire (the "City) is, through its Finance Officer, requesting applications from firms desiring to serve as Bond Counsel to the City on all matters related to the financial requirements, both short term and long term, of the City. This request for Expressions of Interest and Qualifications (EIQ) is presented in compliance with the City's Procurement Code.

Firms interested in submitting letters of interest and qualifications shall first obtain copies of the City's formal invitation package. Invitation packages may be obtained by contacting:

Kevin A. Clougherty, Finance Officer
Department of Finance
City Hall, 2nd Floor
One City Hall Plaza
Manchester, New Hampshire 03101

(603) 624-6460

Submission of responses to the City's invitation for Expressions of Interest and Qualifications must be received by the Finance Officer on or before 5:00 PM, Friday, October 15, 2004.

The City of Manchester, NH is an Affirmative Action/Equal Opportunity Employer.

Individuals requiring special accommodations in order to respond to this solicitation should contact Mr. Kevin A. Clougherty, Finance Officer at the address or telephone number listed above at least twenty-four (24) business hours prior to the required accommodations.

12

CITY OF MANCHESTER, NEW HAMPSHIRE
EXPRESSIONS OF INTEREST AND QUALIFICATIONS
FOR
BOND COUNSEL SERVICES

A. PROCESS

The Procurement Code of the City of Manchester, NH (the "City) requires that a two step process be followed in the purchase of Professional Services. The initial step is the City issuing a Request For Expressions Of Interest And Qualifications (EIQ). A "short list" of firms is then selected from the responders to the EIQ. The second step has the City issue a formal Request For Proposals (RFP) with only firms on the short list invited to respond.

Pursuant to the Code, the City is soliciting Expressions Of Interest And Qualifications from firms to provide Bond Counsel services. Only firms listed in the Bond Buyer's "Red Book" will be recognized for considered. The length of the engagement is for a period of at least five years (3,1,1).

B. INFORMATION CONCERNING THE CITY

The City of Manchester, New Hampshire is located on the Merrimack River in south central New Hampshire approximately 58 miles north of Boston, Massachusetts. It is bordered by the towns of Hooksett, Bedford, Londonderry, Goffstown, Auburn, Litchfield and Merrimack. Manchester is the largest city in New Hampshire with a population of approximately 108,000 and occupies a land area of 33.9 square miles. Manchester is the major trade and financial center for the state of New Hampshire.

The City ordinarily issues bonds on an eighteen-twenty-four month cycle totaling approximately $30 million. Though the majority of the City's issuances are fixed rate, general obligation debt, the City has issued revenue bonds, variable rate bonds and entered into variable to fixed swap arrangements. The City is rated Aa2 by Moody's Investors Service and AA+ by both Fitch Ratings and Standard & Poor's as of the date of this request.

Additional information can be found on the City's website www.manchesternh.gov. A copy of the Official Statement will be e-mailed upon request.

C. SCOPE OF SERVICES

The Bond Counsel will be asked to provide legal opinions and advice on the sale of all bonds, notes or other securities during the term of this engagement. Bond Counsel will also provide advice on other issues related to the financial structuring of other projects undertaken by the City. Several distinct types of services are required:

1. Since the City's capital needs are financed through long- term borrowing, the Bond Counsel shall meet with the City Finance Officer, at a minimum, on an annual basis to review the City's six-year capital improvement program.

2. The Bond Counsel shall provide the legal expertise necessary to improve and maintain the City's credit rating in the bond and note market. The Bond Counsel shall advise the City of

pertinent legal and tax issues.

3. The Bond Counsel should work with the City Finance Officer to ensure that the City is in compliance with Arbitrage Regulations.

4. The Bond Counsel shall represent the City Finance Officer in all matters before the Internal Revenue Service.

5. The Bond Counsel shall communicate in writing any pending federal or state legislation that could effect the City's financial plan. This communication is expected to assist the City Finance Officer with these requirements. Attendance at these presentations may be required.

6. The City may require assistance in the assembling and submitting information to federal and state agencies for approval of plans and programs. The Bond Counsel will be expected to assist the City Finance Officer with these requirements. Attendance at these presentations may be required.

7. The Bond Counsel shall assist with the preparation of the bond language and other contents of the Official Statement.

8. Perform such other duties as necessary including attendance at Board of Mayor and Aldermen meetings to discuss tax issues; CIP guidelines; strategies for improving the City's credit worthiness and other related financial matters.

D. INSTRUCTIONS TO FIRMS RESPONDING TO THE EIQ

Please send the original and six (6) copies of your response in a sealed envelope marked: "CONFIDENTIAL, EIQ RESPONSE" to the City for receipt by 4:00 PM on Friday, October 15, 2004 at the following address:

Mr. Kevin A. Clougherty
Finance Department
City Hall, 2nd Floor
One City Hall Plaza
Manchester, New Hampshire 03101

TELECOPIED PROPOSALS WILL NOT BE ACCEPTED.

(1) IT IS THE SOLE RESPONSIBILITY OF THE FIRM(s) RESPONDING TO THIS EIQ TO ENSURE THAT THEIR RESPONSE(s) ARRIVED AT THE DESIGNATED PLACE ON TIME.

Responses shall be submitted prior to the designated deadline. Responses may be withdrawn prior to the opening date and time, upon written request of the respective firm(s). Responses received after the stated deadline will be returned to the respective firm(s) unopened.

This EIQ is issued by the City's Finance Officer. An Evaluation Committee, comprised of the Finance Department Officials and the City Solicitors office, shall review all proposals submitted and make non-

binding recommendations to the Finance Officer. As part of the comparative evaluation, the Committee will review each submission with regards to the firms qualifications and performance of Bond Counsel services.

Firms may submit written questions concerning this Request no later than seven (7) calendar days before the deadline, to the address specified herein. The Evaluation Committee will review and consolidate all inquiries received before this deadline and will prepare and provide to all "firms of record" answers to questions it determines are of general interest. Therefore, firms are cautioned that all inquires should be in writing and expressed in general terms and shall not include any cost information. The inclusion of cost information in the EIQ phase may result in the firms disqualification.

If it becomes necessary to revise any part of this EIQ, or if additional data or information is necessary to clarify any of its provisions, an addendum will be published and provided to all firms of record.

All correspondence pertaining to this EIQ shall be directed to Mr. Kevin A. Clougherty at kclougherty@manchesternh.gov. No inquiries should be made to any other appointed or elected officials of the City. The City reserves the right to reject any or all submittals in response to this EIQ.

Expenses for developing and submitting EIQ responses are entirely the responsibility of the firm(s) responding and shall not be chargeable to the City of Manchester, NH.

E. QUESTIONS FOR THE SELECTION OF BOND COUNSELY SERVICES - EIQ

1. Briefly describe the Firm's practice in public finance and give a brief history of the firm. Please include a current organization chart detailing corporate structure.

2. The Firm shall provide resumes of the individuals in the who will be assigned to work with the City during this engagement. Resumes shall include a complete description of each individual members qualifications, experience and specific role in providing advisory services to the City. Describe the anticipated division of duties among partners, associates, etc. The names of all replacement personnel of the primary team and their qualifications and experience level should be included in your response.

3. The names, addresses, and telephone numbers of at least five professional references shall be provided.

4. Please name comparable New England cities for which your Firm has served as Bond Counsel during the past two years. In this regard, please provide a list of all New Hampshire cities and towns for which your Firm currently serves as Bond Counsel. A list of prior New Hampshire clients may be submitted as a separate attachment.

5. Please list all general obligation and revenue bond financings in which your proposed lead individual has participated, by year and total dollar amount, for the last two years. The itemized statement should differentiate new money issues from refunding issues. Also, please indicate the role of individuals in the Firm that would be assigned to the City of Manchester, in these deals.

6. Please provide a detailed statement of the proposed approach to this engagement with emphasis on the specific elements included under the Scope of Services section. The

statement shall include a discussion of any specific issues or difficulties which are unforeseen by the applicant's team for dealing with such elements.

7. Provide information demonstrating the financial stability of the Firm and it's ability to complete the project if selected. State if the Firm has filed for U.S. Bankruptcy Court protection during the past seven years and, if so, describe the circumstances and disposition of the case.

8. Please itemize any ethical, legal or regulatory actions or penalties taken against the Firm or any of its employees in the past five (5) years.

9. Description of previous experience as bond counsel to state agencies, to municipalities, regional public entities or other public entities. Include a list of government clients for which the Firm has served as bond counsel during the last five years.

10. Provide background information regarding the Firm's experience in tax issues associated with tax-exempt financing. Identify staff proposed to provide these services; provide brief resumes.

11. Identify the Firm's professional liability insurance provider and indicate the extent of coverage.

12. Describe the Firm's experience in drafting legislation.

13. Describe the Firm's experience in representing issuers before federal agencies (i.e. IRS, Treasury).

14. Describe your Firm's knowledge of and experience with New Hampshire municipal finance law and practices.

15. Identify any existing or potential conflicts of interest as well as your representation of parties or other relationships that would be of the nature disapproved by the issuer.

16. Any other information you feel would be relevant to the City.

F. SELECTION CRITERIA

The selection of firms to proceed to the second phase (RFP) of the procurement process will be based on a combination of the following criteria:

1. The knowledge of and practical experience with New Hampshire municipal finance that the firm, and the individuals assigned to the City possess.

2. The quality and extent of the applicant's experience and expertise in the area of Bond Counsel services.

3. The experience and qualifications of the individual who will be primarily responsible for advising the City.

4. The experience and qualifications in providing Bond Counsel services to other New England and New Hampshire cities and towns.

5. Availability and accessibility of staff assigned to the City.

6. Locality.

7. Ability to communicate ideas.

8. Ability to perform all of the major disciplines necessary to perform the work.

By October 29, 2004, the Finance Officer will notify responders of the status of their proposals. If necessary, interviews and site visits as part of the initial phase of the process are expected to be scheduled, between October 20, 2004 and October 27, 2004. The final "short list" selection will be made shortly thereafter.

City of Manchester
New Hampshire

Request for Proposals
For
Bond Counsel Services

November 17, 2004

12

CITY OF MANCHESTER, NEW HAMPSHIRE
REQUEST FOR PROPOSALS
FOR
BOND COUNSEL SERVICES

A. PROCESS

The Procurement Code of the City of Manchester, NH (the "City") requires that a two step process be followed in the purchase of Professional Services. The initial step, the City issuing a Request for Expressions of Interest and Qualifications ("EIQ") has already been completed. A "short list" of firms has been selected from the responders to the EIQ. The second step of the process has the City issue a formal Request For Proposals ("RFP") with only firms on the short list invited to respond.

Please be advised that your firm has been selected to be on the short list for Bond Counsel Services. Therefore, the firm is invited to respond to the following RFP.

B. SCOPE OF SERVICES

Bond Counsel shall provide legal opinions and advice on the sale of all bonds, notes or other securities during the term of this engagement. Bond Counsel will alsoprovide advice on other issues related to the financial structuring of other projects undertaken by the City. Several distinct types of services are required:

1. Assist the City Finance Officer in the preparation and execution of all documents relating to the issuance of all bond notes and other debt instruments. Prepare and issue all related legal opinions regarding City debt issuances regardless of funding sources.

2. Since the City's capital needs are financed through long- term borrowing, the Bond Counsel shall meet with the City Finance Officer, at a minimum, on an annual basis to review the City's six-year capital improvement program.

3. The Bond Counsel shall provide the legal expertise necessary to improve and maintain the City's credit rating in the bond and note market. The Bond Counsel shall advise the City of pertinent legal and tax issues.

4. The Bond Counsel should work with the City Finance Officer to ensure that the City is in compliance with Arbitrage Regulations.

5. The Bond Counsel shall represent the City in all matters before the Internal Revenue Service.

6. The Bond Counsel shall communicate in writing any pending federal or state legislation that could effect the City's financial plan. This communication is expected to assist the City Finance Officer with these requirements. Attendance at these presentations may be required.

7. The City may require assistance in the assembling and submitting information to

federal and state agencies for approval of plans and programs. The Bond Counsel will be expected to assist the City Finance Officer with these requirements. Attendance at these presentations may be required.

8. The Bond Counsel shall assist with the preparation of the bond language and other contents of the Official Statement.

9. Perform such other duties as necessary including attendance at Board of Mayor and Aldermen meetings to discuss tax issues; CIP guidelines; strategies for improving the City's credit worthiness and other related financial matters.

C. INSTRUCTIONS TO FIRMS RESPONDING TO THE RFP

Please send the original and four (4) copies of your proposal (marked: CONFIDENTIAL, RFP RESPONSE) to the City for receipt by 5:00 PM EST on December 1, 2004 at the following address:

Mr. Kevin A. Clougherty
Finance Department
One City Hall Plaza
Manchester, New Hampshire 03101

FAXED PROPOSALS WILL NOT BE ACCEPTED

IT IS THE SOLE RESPONSIBILITY OF THE FIRM RESPONDING TO THIS RFP TO ENSURE THAT THEIR RESPONSE ARRIVED AT THE DESIGNATED PLACE ON TIME.

Responses shall be submitted prior to the designated deadline. Responses may be withdrawn prior to the opening date and time, upon written request of the respective firm(s). Responses received after the stated deadline will be returned to the respective firm(s) unopened.

This RFP is issued by the City's Finance Officer. City Finance Department Officials shall provide technical assistance and support to the Finance Officer in selecting Bond Counsel. As part of the comparative evaluation, the Finance Officer will review each submission with regards to the firm's qualifications, performance of Bond Counsel Services and cost of services.

If it becomes necessary to revise any part of this RFP, or if additional data or information is necessary to clarify any of its provisions, an addendum will be published and provided to all firms on the short list.

All correspondence pertaining to this RFP shall be directed to Mr. Kevin A. Clougherty at (603) 624-6460 or via e-mail at kclougherty@manchesternh.gov. Additional information such as Bond Resolutions, recent Official Statements, and audited financial statements are available upon request. No inquiries should be made to any other appointed or elected officials of the City. The City reserves the right to reject any or all submittals in response to this RFP.

Expenses for developing and submitting RFP responses are entirely the responsibility of the firm(s) responding and shall not be chargeable to the City.

12

D. QUESTIONS FOR THE SELECTION OF BOND COUNSEL - RFP

Please describe the means by which your firm proposes to be compensated for Bond Counsel services relating to particular financings and periodic debt-related services rendered between financings (i.e., fee based on size of bond issue versus retainer). Please specify any variations or special arrangements relating to various types of bonds (i.e., revenue bonds versus general obligation vs. swap, etc.). Your proposal should include estimates of fees for the ensuing three-year period based on the level of effort that you envision. The firm's billing cycle and documentation that would be provided shall also be explained in detail in this section.

E. SELECTION CRITERIA

Pricing of services of the selected firm must be highly competitive, although cost is not the sole criteria. In evaluating responses to this invitation, the City will seek to assure that a reasonable and equitable fee be paid for a high quality of service, and the selection will not be made solely on an apparent low bid basis without consideration of all other qualitative factors bearing on the value and timeliness of services. Information provided by firms as part of the EIQ phase as well as cost information provided in the RFP phase will serve as the basis for selections of a firm to provide Bond Counsel Services for the City.

F. AWARD

If additional interviews and site visits are necessary, they would be expected to be held between December 6th and 7th. The final selection will be made shortly thereafter.

12

City of Manchester
Department of Finance
One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6460
(603) 624-6549 Fax

MEMORANDUM

Date: October 18, 2004

To: Kevin Clougherty, Randy Sherman, Joanne Shaffer,

From: Lisa Sorenson

RE: **EIQ Responses**

Please be advised that we are in receipt of 6 proposals in response to our EIQ for Bond Counsel.

Pierce Atwood
One Monument Square
Portland, ME 04101
Contact:
James Saffian
207-791-1319
207-791-1350 fax
jsaffian@pierceatwood.com

Ropes and Gray
One International Place
Boston, MA 02110
Contact:
Richard Manley Jr.
617-951-7481
617-951-7050 fax
rmanley@ropesgray.com

Palmer & Dodge, LLP
111 Huntington Avenue
Boston, MA 02119
Contact:
Walter St. Onge
617-239-0389
617-227-4420 fax
wstonge@palmerdodge.com

Nixon Peabody
899 Elm Street
Manchester, NH 03101
Contact:
Kevin M. Fitzgerald, P.C.
603-628-4016
kfitzgerald@nixonpeabody.com

Robinson & Cole & Craig
84 Bay Street
Manchester, NH 03104
Contact:
William H. Craig
603-641-2500
603-669-1310
Whcraig1@aol.com

Hawkins, Delafield & Wood, LLP
67 Wall Street
New York, NY 10005
Contact:
Steven Donovan
212-820-9300 (direct line: 820-9380)
212-514-8425
sdonovan@hawkins.com

12

CITY OF MANCHESTER
Office of the City Clerk

Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

January 27, 2005

The Honorable Board of Mayor
and Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Honorable Board Members:

Due to the Citizen of the Year Award presentation on Tuesday, March 29th I am requesting that the meetings for regular Board meetings be scheduled for Tuesday, March 15th and Monday, March 28th.

Your favorable consideration of this request is greatly appreciated.

Sincerely,

Leo

Leo R. Bernier
City Clerk

One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6455 Fax (603) 624-6481
www.ManchesterNH.gov

13

CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Dennis Smith
Sandra Lambert
Ronald Ludwig, Director

January 18, 2005

The Honorable Board of Mayor and Alderman
City Hall
908 Elm Street
Manchester, NH 03101

Re: PSNH Utility Easement located at Valley Cemetery Intersection of Auburn & Chestnut Streets

Dear Members of the Board:

As the City and friends of Valley Cemetery move forward with it's restoration efforts of the Currier Gate at the above mentioned intersection we would like to relocate a PSNH utility pole. The pole (see attached photographs) will be relocated from the Southwest corner of the intersection to the Northwest corner approximately 15' in from the existing fence line on the City owned property currently billed to SMG Verizon Wireless Arena.

Temporary traffic signals have been installed and the existing signals, poles and bases have been removed from the south side of the intersection. All that remains is the existing wood utility pole and meter pedestal for the traffic signal power. Once the City grants PSNH a blanket easement, the pole can be relocated and the new traffic signals can be installed in their new location (see enclosed plan) and the remaining concrete can be poured for the sidewalk. This work will greatly enhance the view of the newly restored Currier Gate and associated site work. All described work will be completed with grant funding currently in place.

In order to officially execute the easement, we would request that the Board of Mayor and Alderman authorize the Mayor's signature on behalf of the City. We will then obtain the necessary signatures from the PSNH and have the document recorded at the Hillsborough Registry Of Deeds.

Best regards,

Chuck DePrima, Park Planner

Cc: Ronald E. Ludwig, Director
Thomas Clark, City Solicitor
Bert Guimond, Sr. Project Specialist PSNH
Pat Nutter, Chief Engineer Verizon Wireless Arena/ SMG

14

City of Manchester
Office of the City Solicitor

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ci.manchester.nh.us

Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Daniel D. Muller, Jr.
Kenneth R. Bernard
Michele A. Battaglia
Marc van Zanten

January 12, 2005

Mr. Chuck DePrima
Parks, Recreation & Cemetery Department
625 Mammoth Road
Manchester, NH 03104

Re: **PSNH Easement/Auburn & Chestnut Streets**

Dear Chuck:

Pursuant to your letter of December 7, 2004, I have reviewed the proposed easement from the City to PSNH and it is satisfactory.

You will need to forward this easement to the Board of Mayor and Aldermen for approval and authorization for the Mayor to execute.

If you have any further questions, feel free to contact me.

Very truly yours,

Thomas R. Clark
City Solicitor

TRC/hr
Enclosure

Public Service of NH
Law Department
PO Box 330
Manchester, NH 03105
CRS# 9Y-358465 DMS 461247
Town: 293

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS that **City of Manchester** a municipal corporation with a place of business of **One City Hall Plaza, Manchester 03101** in the County of **Hillsborough** in the State of **New Hampshire** (hereinafter called the Grantor(s)), for consideration paid, grant(s) to PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE (PSNH), a corporation duly established by law, with a mailing address of P.O. Box 330, in Manchester, in the County of Hillsborough, in the State of New Hampshire, 03105, and VERIZON NEW ENGLAND, INC. a corporation duly established by law and having a mailing address of 185 Franklin Street, Boston, Massachusetts 02107 (hereinafter called the Grantee(s)), and their successors and assigns forever as tenants in common, with QUITCLAIM covenants, the RIGHT and EASEMENT to lay, install, construct, reconstruct, operate, maintain, repair, replace, patrol and remove above/underground lines which may consist of wires, cables, pipes, ducts, conduits, manholes, and such testing terminals, transformers and foundations and enclosures for the same, vaults, pedestals, repeaters, markers, poles, and towers together with foundations, crossarms, braces, anchors, guys, grounds and other equipment, for transmitting electric current and/or communications and intelligence, and to do the necessary cutting and trimming of trees and brush, over, under and across land owned by the Grantor(s) off **Auburn and Chestnut Streets** in **Manchester**, in the County of **Hillsborough** in the State of New Hampshire, more fully described in deed of **Manchester CHM LLC** to **City of Manchester** dated **March 30, 2000** and recorded in the **Hillsborough** County Registry of Deeds, Book **6225**, Page **1056**.

Said easement will be located within the following described limits:

A thirty (30) foot wide area beginning at the Grantor's southwesterly corner at Auburn and Willow Streets and extending easterly along the Grantor's boundary running parallel to Auburn Street to a point on the Grantor's southesterly corner at Auburn and Chestnut Streets, thence turning and extending northerly along the Grantor's boundary on Chestnut Street, meaning and intending to include poles 52/3Y and 52/4 and anchors supporting said poles and any other facilities a deemed necessary in the future by either party.

The width of this easement shall be 20 feet; 10 feet either side of the center line of the distribution lines as constructed. This easement grants the right for guying/anchoring facilities outside the 20 foot strip. Together with the right to lay, install, construct, reconstruct, operate, maintain, repair, replace and remove any service cables and related equipment extending to any buildings or structures on said land in order to provide electric or telephone service and/or communications and intelligence thereto. This conveyance shall include the right of access from other land of the Grantor(s) for all purposes in connection with the exercise of the within granted easement; the right to excavate, trench, and backfill by men or machines and temporarily to place excavated earth and other material on adjacent land, provided that the land shall be restored by the Grantee(s) to substantially the condition in which it was immediately prior to such excavation, trenching, and backfilling; the right to go upon adjoining land when working on said lines and associated equipment; and the right to install temporary aboveground lines for temporary periods over and across said land of the Grantor(s) to provide continuity of service thereon when only underground line rights are requested.

14

The Grantor(s) for itself and its heirs, executors, administrators, successors and assigns, covenant(s) and agree(s) that it will not erect or maintain, or permit to be erected or maintained, any building or structure of any kind or nature which exceeds twelve (12) feet in height, upon the land over said easement, and that it will not plant or permit to be planted any trees over said easement.

Witness our hands this _____ day of _____, 2004.

City of Manchester

BY: _____
Robert Baines, Mayor

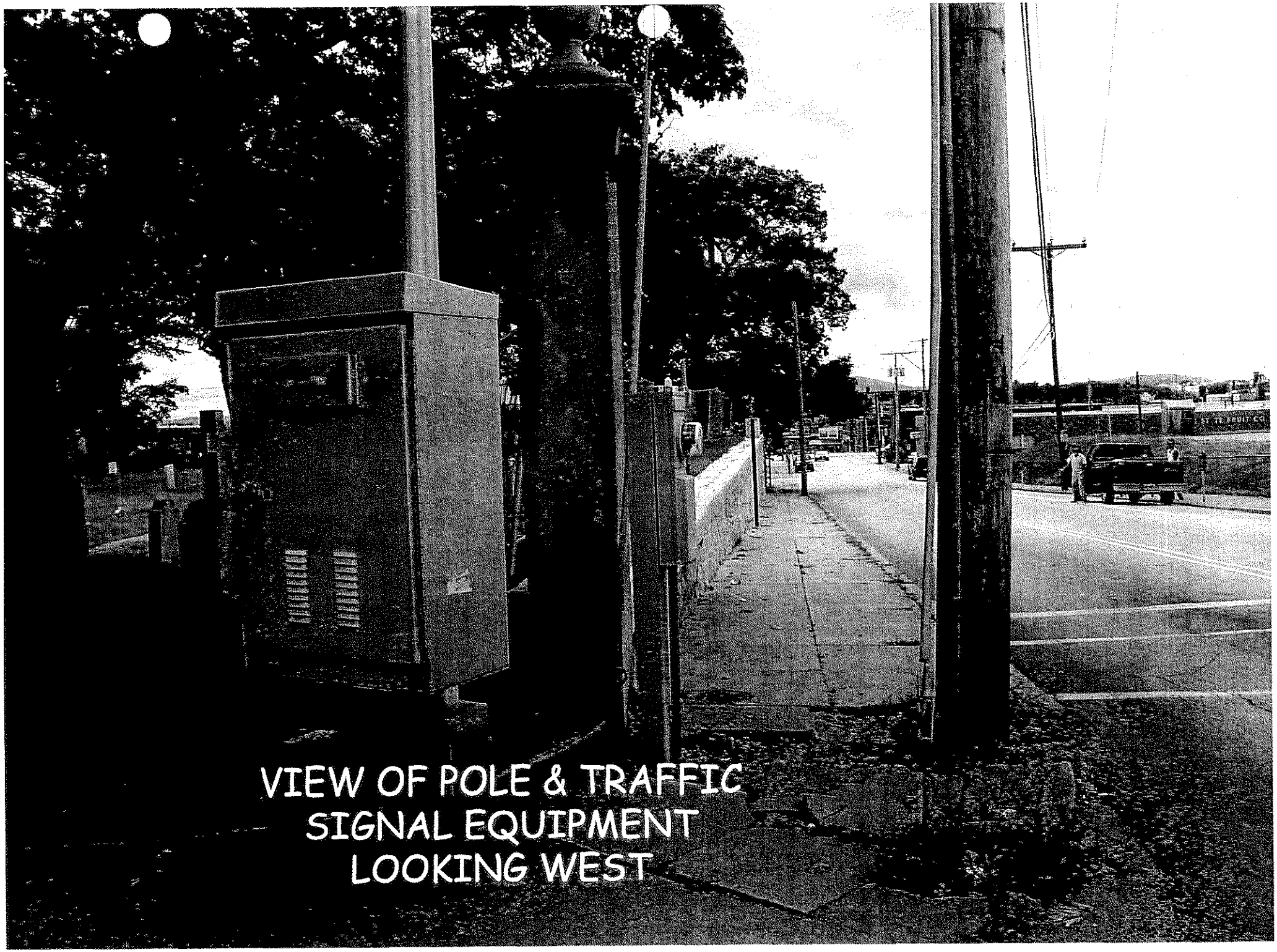
State/Commonwealth of _____
County of _____

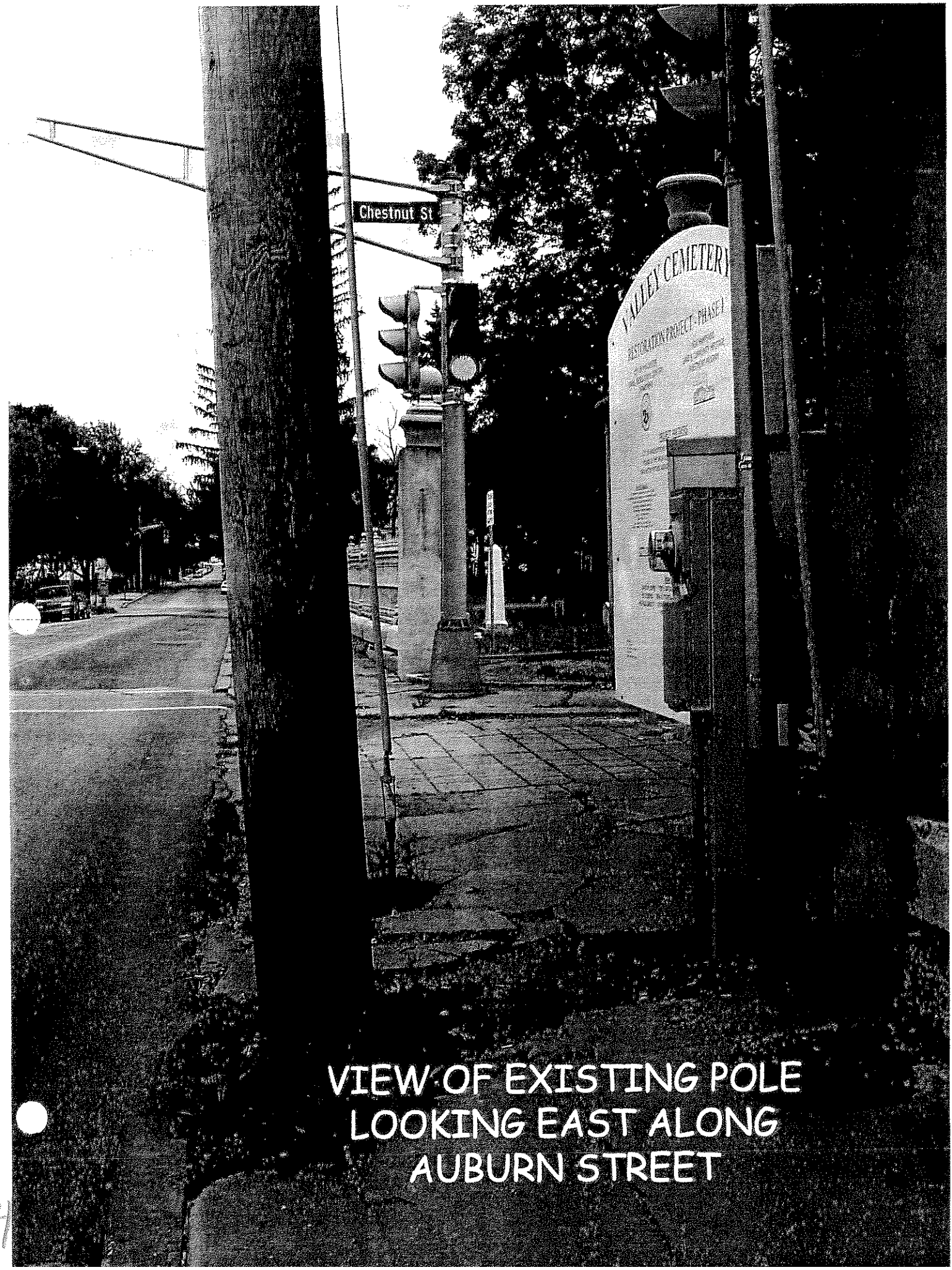
The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by Robert Baines, Mayor of the City of Manchester.

My Commission expires:

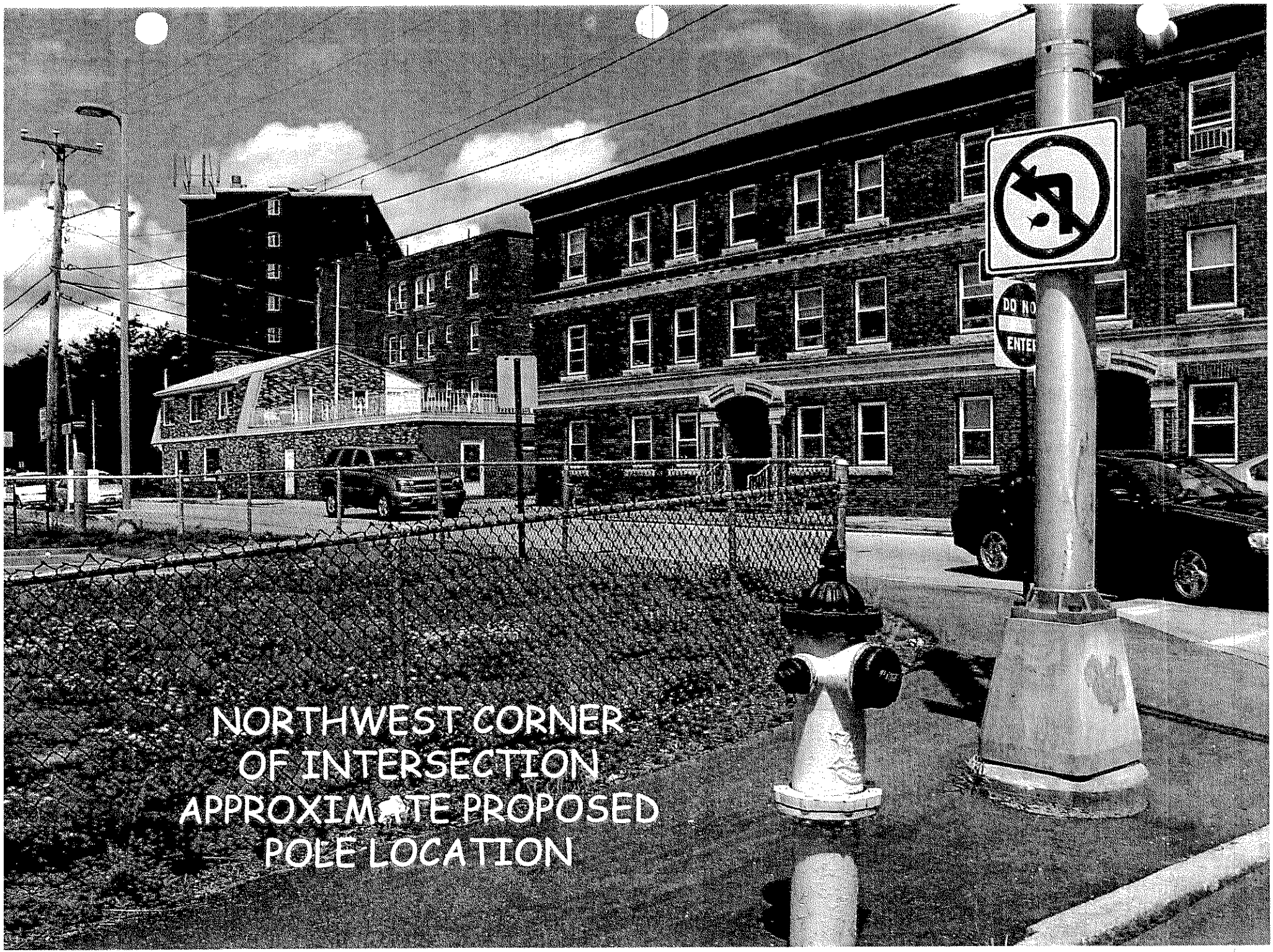
_____
Notary Public/Justice of the Peace

OVERALL VIEW OF GATE
& SITEWITH POLE &
TRAFFIC SIGNAL EQUIPMENT

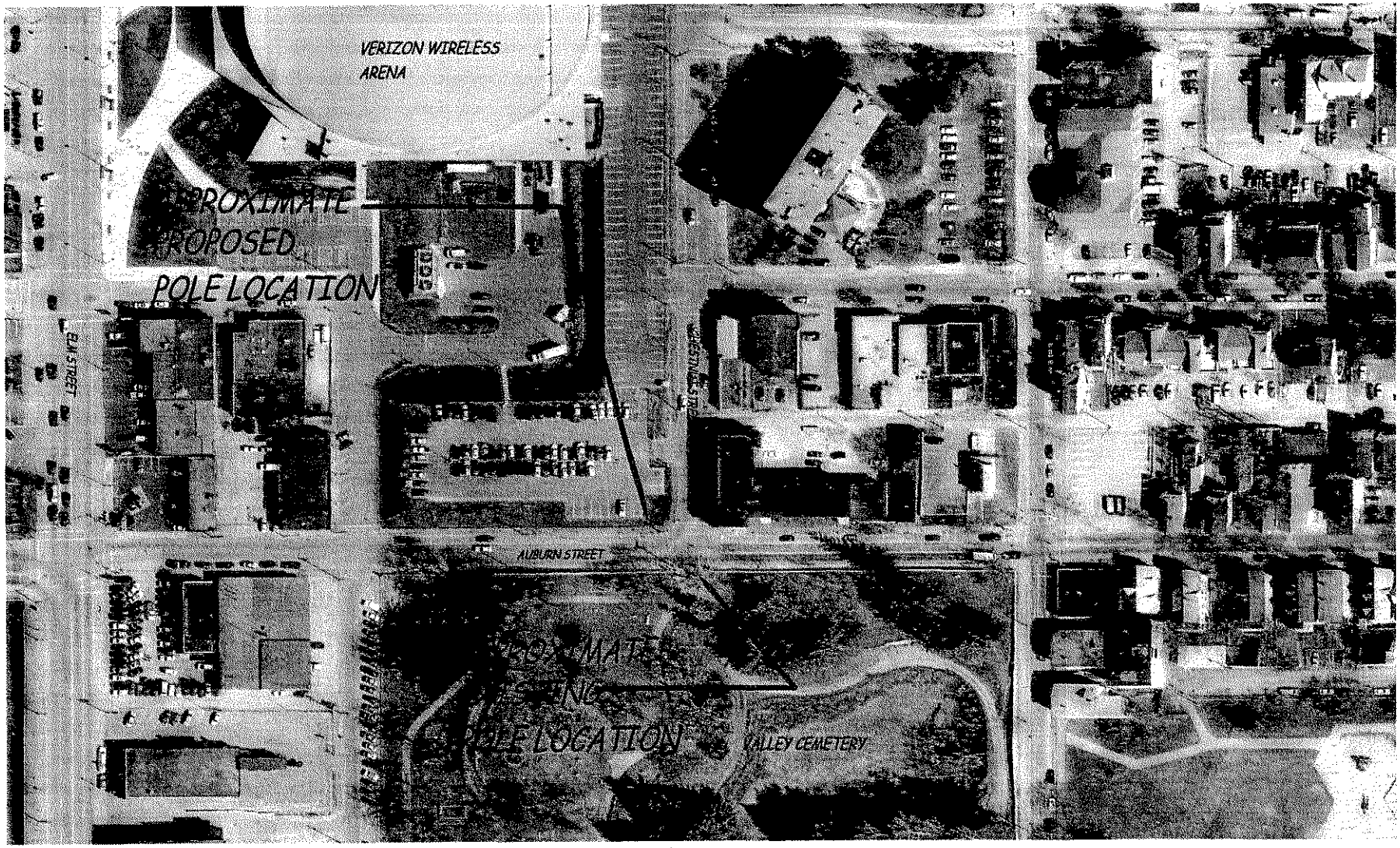

VIEW OF POLE & TRAFFIC
SIGNAL EQUIPMENT
LOOKING WEST



VIEW OF EXISTING POLE
LOOKING EAST ALONG
AUBURN STREET


NORTHWEST CORNER
OF INTERSECTION
APPROXIMATE PROPOSED
POLE LOCATION

EXISTING POLE LOCATION
ON SOUTHWEST CORNER OF
INTERSECTION
62
4



REV	DATE	DESCRIPTION	DR	CK

SITE OVERVIEW
VALLEY CEMETERY
UTILITY POLE RELOCATION

CITY OF MANCHESTER
PARKS, RECREATION
AND CEMETERY DEPARTMENT

VALLEY CEMETERY
AUBURN & CHESTNUT
STREETS INTERSECTION

SCALE: 1" = 100'