

BOARD OF MAYOR AND ALDERMEN

October 1, 1996

7:30 PM

Mayor Wiczorek called the meeting to order.

The Clerk called the roll. There were eleven Aldermen present.

Present: Aldermen Wihby, Elise, Reiniger, Clancy, Soucy, Shea, Domaingue, Pariseau, Cashin, Robert, Hirschmann

Absent: Alderman Sysyn

CONSENT ITEMS

Mayor Wiczorek 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.

Ratify and Confirm Polls

- A.** Conducted September 3 & 4, 1996 authorizing the Police Department to apply for a grant from the U. S. Department of Justice to supplement law enforcement agencies through the Universal Hiring Program to broaden Community Policing by hiring four additional officers.
- B.** Conducted September 24, 1996 relative to a communication from Rev. Robinson, Grace Episcopal Church, approving a proposed Exchange Agreement for property located at 98 Lowell Street for property located at 11 Liberty Street, subject to the review and approval of the City Solicitor.
- C.** Conducted September 24, 1996 authorizing the acceptance and execution of a grant offer in the amount of \$381,304.00 from the Federal Aviation Administration.

Informational to be Received and Filed

- D.** Communication from the Airport Authority submitting minutes of their June 20 and July 25, 1996 meetings.
- E.** Communication from the Manchester Transit Authority submitting minutes of their August 27, 1996 meeting along with the Financial Reports for the months of July and August and the Ridership Report for the month of August 1996.
- F.** Communication from the Chairman and Director of the Manchester Water Works urging the Board to strongly consider the collective bargaining proposal submitted by the United Steelworkers of America Local 8938.
- G.** Communication from Jessie Gates asking if it is possible to prohibit media personnel and political sign holders from approaching voters on election day.

REFERRALS TO COMMITTEES

COMMITTEE ON COMMUNITY IMPROVEMENT PROGRAM

- H.** Communication from Chief Kane, requesting approval of the proposed amendment/extension to the Hackett Hill lease, due to expire on December 31, 1996, and requesting the Mayor be authorized to execute same on behalf of the City.
- I.** Communication from Attorney Martin Baroff on behalf of Nickolas DeRossi, requesting the possibility of acquiring some or all of the City's remaining land on Pennsylvania Avenue.
- J.** Communication from Elizabeth Cazden relative to the commercial sewer charge for home-based businesses.
- K.** Communication from Christine Fonda, NH Division of Historical Resources, inquiring as to whether or not the City wished to comment on whether the St. Mary's Bank building should be nominated to the National Register of Historic Places.
- L.** Communication from Beverley Hanson, Right-of-Way Manager for NYNEX, requesting to obtain an easement on the north end of the Pickering Road/Goodwin Street for the placement of a concrete pad with a cross-connect cabinet.
- M.** Communication from the Manchester Regional Youth Hockey Association relative to an ice rental agreement problem with the Manchester Parks, Recreation & Cemetery Department, requesting the reinstatement of their traditional past held skating times which would amount to 2100 hours.

COMMITTEE ON FINANCE

- N.** Communication from Alderman Elise, proposing that the City repeal the increased fees associated with automobile registrations.
- O.** Communication from the Deputy Finance Officer advising of a request for Contingency transfer for Youth Services and submitting Resolution:

“Authorizing the Finance Officer to effect a transfer of One Thousand Seven Hundred Eighteen Dollars (\$1,718.00) from Contingency to the Office of Youth Services for office lease payments.”

- P.** Communication from George H. Boudreau, Jr., Director of Manchester on Parade, seeking the City's assistance for funding of Police coverage for the parade held on September 22, 1996.
- Q.** Communication from Terri Perkins seeking the City's assistance for funding for 15 members of the Co-Ed Softball team to attend the World National Co-Ed Championship near Dallas, Texas from October 17-20, 1996.
- R.** Resolutions:

“Authorizing the Finance Officer to effect a transfer of Five Hundred Dollars (\$500.00) from Civic Contributions to the South Little League.”

“Authorizing the Finance Officer to effect a transfer of Two Thousand Dollars (\$2,000.00) from Contingency to the Personnel Department for Total Quality Management Training Session.”

“Authorizing the Finance Officer to effect a transfer of Nine Thousand One Hundred Ninety Five Dollars (\$9,195.00) from Contingency to Retirement Severance payments.”

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- T.** Communication from Geoffrey Keegan, Grace Episcopal Church, requesting the installation of three 24” x 30” Grace Church signs at intersections outlined in the enclosed.
- U.** Copy of a communication from Gerard Smith submitting signatures of homeowners in the vicinity of Oak and Belmont Streets expressing their frustration of Chantilly’s Pub and Lounge located on the Daniel Webster Highway North constantly breaking the City’s noise ordinance.

REPORTS OF COMMITTEES

COMMITTEE ON PERSONNEL/INSURANCE

- W.** Recommending that the Board of Mayor and Aldermen approve and adopt the Family Medical Leave Act Policy as enclosed herein.
- X.** Recommending that the Board of Mayor and Aldermen direct the Risk Manager to provide employees with a copy of the current liability policy, enclosed herein, through the payroll distribution system.
- Y.** Advising of items approved in actions taken on agenda PC 6-96 for School, Water Works and Health.

COMMITTEE ON TRAFFIC/PUBLIC SAFETY

- Z.** Recommending that the parking proposal to promote off-street parking availability in Downtown Manchester submitted by Intown Manchester, as enclosed herein, be approved.
- AA.** Recommending that a request of Diane Stiefel to close Pearl Street from Elm Street to the Pearl Street Parking Lot on Saturday, October 5, 1996 from 12:00 PM to 8:00 PM in conjunction with a planned Antique Car Show be approved subject to the review and approval of the City Clerk, Fire, Highway, Police and Traffic Departments.
- AB.** Recommending that certain regulations governing standing, stopping and parking, be adopted and put into effect when duly advertised.

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

- S.** Communication from Alderman Shea, requesting that the noise ordinance be reviewed for potential changes to address the needs of residents bordering industrial areas.

Alderman Shea stated in regards to my request that the noise ordinance be reviewed for potential changes to address the needs of residents bordering industrial areas, I would like to state that I strongly urge that policies be adopted that will ensure that residents enjoy a quality of life that will encourage them to want to live within our City. What am I asking. I am asking that in

being sensitive to the needs of businesses the needs of residents being impacted by noise problems 24 hours-per-day, seven day-a-week be no overlooked, disregarded or ignored. I feel confident that solutions to noise problems can be resolved by having business officials, City residents and City officials working cooperatively on this matter.

Alderman Shea moved that his communication be referred to the Committee on Traffic/Public Safety. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

Report of the Committee on Accounts

- V. Recommending that the City of Manchester adopt the Revenue Policy submitted by the Finance Department as herein enclosed.

Alderman Domaingue stated in reviewing the revenue policy which has come before the Board, I am looking at Section IV under the heading of General Policy and asked if someone could enlighten her relative to the phrase "current revenues shall cover current expenditures" zeros in on because it almost seemed a little bit wide, it seemed to cover everything and asked if they had expenditures which outpaced the revenue, it would be the general policy to go ahead and enact additional fees and raise taxes and asked if that was what that sentence meant or did it mean after the City recovered the fees and the taxes and realized there perhaps would not be enough then, in fact, the City would have to reduce its expenditures.

Mr. Clougherty replied it was a repeat of the State position noting that the revenues had to equal the expenditures and it was either the combination of those revenues on which fees were set or the tax rate which was why they were setting it and the whole thrust of the policy was to approach the setting of fees from a more costing standpoint - what did it cost to provide the service - and once you had the cost would the fee cover that whole cost or a portion of it, so that when the Board would be reviewing those items they would have that information in front of them.

Alderman Domaingue stated also under that heading "General Policy" there was a section which read "when imposing a new fee and/or charge and revising an existing fee or charge, the proposal shall be reviewed by the Finance Department and the City Solicitor's Office for feasibility and compliance with applicable laws." Alderman Domaingue stated she knew that had been done with respect to the new fees associated with auto registrations and speaking for herself as an Alderman noted she had received a significant amount of phone calls regarding that particular fee, wanted to know if anyone in that Committee process had proposed amending that section to include that each proposal whether a new or a revision of an existing fee shall have a separate public hearing.

Mr. Clougherty replied he did not believe that was recommended at the Committee level as he could not recall such a discussion having taken place.

Alderman Domaingue stated it seemed some of the problems with the existing auto registration fees which had been part of the budget process was that the public was not fully informed as to the duration of the additional fee or what the percentage would be noting they were caught off-guard when registering their vehicles, but thought it was important if the Board was to pass this policy that the statement of each and every proposal for new fees receive a public hearing and moved to amend that section.

Alderman Cashin in reference to Article VIII - Collection Process - noted it read "all funds in excess of \$100.00 shall be deposited on the same day as collected" and indicated that was impossible, it could not be done, it was not practical.

Mr. Clougherty replied the item under Article VIII, "all funds in excess of \$100.00 shall be deposited on the same day" was pretty much the same language that would be found in the State statutes noting the intent of the language was that they would not be having departments sitting on excessive amounts of funds for extended durations and trying to move the money into the banks as quickly as possible and the State and most other places where that language could be seen was interpreted to mean the day as a 24 hour type of thing and certainly if someone had something coming in at the end of one business day they would then deposit it the next business day which was meant by the term "daily". Mr. Clougherty stated the point raised by Alderman Cashin had been brought to the attention of his staff who suggested the language be changed to read "departments shall make daily deposits unless the funds to be deposited are less than \$100.00" and thought that perhaps a lot of the departments might be able to get most of the money in, but at 4:55 PM someone comes in and they've missed the time schedule, it was not the intent to be unreasonable and to hold people to an unreasonable standard to get every single dime in the bank in at 5 o'clock, but rather it was the intent to get most of the departments into a position where they were depositing on a regular basis the dollars that can go to work for the City and if the Board wished to change it to read "the department shall make daily deposits less funds that are to be deposited are less than \$100.00" believed that would deal with some of the problems that the Tax Collector's Office has and also those mentioned by the City Clerk's Office.

Alderman Wihby moved to amend the policy to read as suggested by the Finance Officer "departments shall make daily deposits unless the funds to be deposited are less than \$100.00." Alderman Cashin seconded the motion. There being none opposed, the motion carried.

Alderman Domaingue moved to amend that section to include the words "each proposal whether new or a revision of an existing fee shall have a separate public hearing".

Alderman Hirschmann stated there were a lot of different departments with fees which were amended frequently and if there was to be a public hearing on every fee which was amended noted it would be quite an undertaking for the City Clerk's Office and could see it for new fees or go over a certain percentage, but to do it for every amendment would be quite a difficult task.

Alderman Domaingue stated there was no doubt that the City had so many fees, but if the City was expecting the public to fork out that money out of their pockets they would like the courtesy of knowing that the City went ahead and supported the increasing of the fees or the recommendation of a new fee as she thought the process the Board had gone through in the process where that particular auto registration fee was discussed was public enough so that the public had an opportunity to comment on it during the budget process, however, what she was now finding from people who were calling her was that they did not feel that any information was forthcoming until such time as they had read about it in the newspaper and/or showed up to have their autos registered.

Alderman Hirschmann stated there had been a number of calls regarding that subject, but on the agenda tonight there was an item regarding the dog impound fee to go up ten dollars and asked if they would have a public hearing for that.

Mayor Wieczorek stated the City could be paralyzed.

Alderman Wihby suggested the Finance Officer comment on Alderman Domaingue's motion.

Mr. Clougherty stated he could see the point that Alderman Domaingue was attempting to make and understood the issue some Aldermen were having with respect to the auto registration revenue, but he was unsure if the Board should amend this particular section of the revenue policy or the budget process section noting that if the Board were to allow for the policy to move forward the Finance Department would come in at the next meeting with specific language addressing it which could be incorporated into the policy as he was unsure as Alderman Hirschmann had stated that they would want to go out and have public hearings on every fee or amendment and thought that would be too much, but there was a threshold which he thought could be accommodated and thought there was a time sequence which Alderman Domaingue was concerned about with respect to the budget where they would be able to work some language in there and address her concerns.

Alderman Domaingue asked if she could have a time certain from the Finance Officer.

Mr. Clougherty reiterated he could come back at the next meeting with some recommended language which would try to get at the position if new fees or charges were to be brought in and how they would be handled.

Alderman Domaingue stated it was not her intent to hold up the process, but felt having received the input from several people that they felt they saw a slight of hand going on by the Board but knew it was not the Board's intent noting those people would have felt better having had a more public process regarding the auto registration fee and was willing to wait thirty days or till the next meeting.

Alderman Soucy moved to accept, receive and adopt the report of the Committee on Accounts, Enrollment and Revenue Administration as amended. Alderman Hirschmann duly seconded the motion.

Alderman Cashin stated the Board was being asked to adopt the report of the Committee this evening and then come back with changing the wording at the next meeting and suggested this item be tabled this evening and come back with everything at the next meeting.

Mr. Clougherty stated they would perhaps be adding in additional language under the budget section.

Alderman Cashin moved that Item V be tabled. Alderman Domaingue duly seconded the motion. The motion carried with Aldermen Soucy and Robert duly recorded in opposition.

Mayor Wieczorek stated prior to addressing the remainder of the Agenda noted that Clem Lemire was present and that thirty years ago this date that Clem Lemire came to Manchester which was where they had the first merger of the Parks and Recreation Department, when Happy McIntyre was the Parks Commissioner, Parks and Playground and Ignace Gill was in charge of recreation and congratulated Clem and was appreciative of his having brought it to his attention.

Mr. Lemire stated he thought he would bring it to the Mayor's attention as it was nice to see all of the changes which had occurred over the last thirty years noting that as a former department head in three different cities he appreciated more the time that the Board spent for the City and hoped that the people appreciated it as much as he did.

Mayor Wieczorek stated coming from Mr. Lemire, it was much appreciated.

Brief presentation by Mr. Felix Torres, Executive Director, Manchester Neighborhood Housing Services, Inc.

Mayor Wieczorek stated Felix M. Torres has been a practicing community development professional for over 10 years. Mr. Torres graduated from Harvard University in 1979 and has completed all of the course work for a master's in City Planning at the Massachusetts Institute of Technology. He has been responsible for a diversified portfolio of projects running the gamut from the development of a 16-unit AIDS residence to a financial restructuring of a 265 - unit Section 8 project. Mr. Torres has provided technical assistance to and performed loan underwriting for housing non-profit developers as a staff member of nationally-known Housing Intermediaries CEDAC and Neighborhood Reinvestment Corporation. Mr. Torres has worked with well-known community housing corporations -UESTRA, CDC and the Coalition for a Better Acre. Mr. Torres was a founding member of the AIDS Housing Corporation, a part

board member of the AIDS Action Committee and is a current board member of the Chelsea Commission on Hispanic Affairs. Mr. Torres is married and has two children, currently lives in Cambridge, Massachusetts and will be relocating to Manchester, New Hampshire in the coming year and welcome Mr. Torres.

Mr. Torres stated thank you, Mayor and Board of Aldermen, for having me. I have some information for the Board and the Mayor about our program. I'm going to start with a little quick history. The NHS was started in 1991 to respond to the conditions in the center-city. At the time, prostitution and drug dealing was open on the streets, we had the banks or FDIC owned many, if not most of the properties, buildings were vacant and boarded up and the situation had gotten to a crisis level. The residents, the business and the City of Manchester got together and said this has to stop and formed an organization NHS to impact the situation in the center-city. We had three basic things that we do, three basic strategies that we approached to try to deal with the center-city. Number one was promoting homeownership, the NHS, the residents and the City and the business people feel that a neighborhood is best served when people who live there own the houses they live in. We're very committed to that and it's a key part to our strategy. The second thing we do is selective redevelopment. We have problem properties in our neighborhood, large multi-families that don't lend themselves to homeownership and as a strategy of last resort, we buy them and we either rehabilitate them or tear them down and build new. Over the last four years, we've probably bought over a 100 units, somewhere close to 150 and ended up with 40 at the end and what made up the difference with green space and parking, part of what the residents in the neighborhood wanted. The third and I think maybe the most important piece is a Resident Leadership Program where we work very strongly with the residents in the neighborhood to help them help themselves. We strongly believe that we do not do for people, but people do for themselves and that the NHS just provides opportunities for the residents in the center-city to change the conditions in the neighborhood. So, to that end we help organize crime watches, block clubs, we were involved in the block party held on Cedar Street a weekend ago, we provide administrative support, we do training, how to run a meeting, how to have an agenda, and these kinds of things and work very strong with the residents. Our board are 51 percent residents, so we're resident controlled and resident centered. Over the past several years, we've had a lot of success, I think the center-city is a significantly different area now than it was in 1991 when I first came up here working for the Neighborhood Reinvestment Corporation. While we don't take all of the credit or even most of the credit there are a lot of people involved that the City, the Police Department, local businesses and the residents, we think, were an important part of that whole mosaic of things that changed in the center-city. I'm not going to go into any kind of statistics, one, because I almost never remember them and two, because they're in your packet. One of the things, let me talk a little bit about the future. Part of the most exciting thing that's happening in our future is that we voted to expand our services. We have been very much focused on the center-city and we will continue on that focus but we have decided, the Board of Directors decided as a response to requests from Aldermen, other residents to expand our services to other neighborhood in the City and I want to emphasize that we're not interloped with where we're

not wanted, we will only work in neighborhoods where we are needed or people want us where the residents of the City and everyone agrees that what we do makes sense to their neighborhood or that block or those homes. We're also doing, working currently on a new construction homeownership project in the center-city which is the first new construction of homeownership in quite a long time, Alderman Clancy can probably tell me exactly how long, and we're very excited about that and there's some plans and pretty pictures in your package that shows you one of the things we're doing. I haven't moved here because my son is still in his senior year of high school and when he graduates we intend to move, knock on wood that he graduates, not that we intend to move. I really enjoyed my time when I was up here back in 1991 commuting and working here and am very glad and happy to be part of the Manchester community and I certainly can't wait until I move here and I can stop paying Massachusetts income taxes. My card's in your packets, so if you have any questions and you need to call and if you have some places you want to increase homeownership, please give us a call, we're there to serve.

Alderman Robert stated, Mr. Torres, I'm looking at your strategies and things that you want to do - selective housing, redevelopment - I've been here to five years and I don't really recall a lot of that activity done by Neighborhood Housing Services, could you expound and tell us a little bit about that.

Mr. Torres replied, certainly. Our most impressive project to date has been the Merrimack Place Cooperative which are 26 new construction units on Merrimack and Cedar. We get comments all the time from people who recognize them and that was what we called selective redevelopment project. We probably tore down somewhere around, and don't hold me to these figures, but somewhere around 40 or 50 blighted, dilapidated problem properties, crime, crack houses, probably tore down 40 to 50 units and replaced them with 26 brand new 3-bedroom homes. So, that's the kind of project I'm talking about. We also did Cedar/Beech which were three buildings which were also vacant and blighted and owned by the FDIC. We bought them and rehabilitated them. One of which won a historical award. So, that's the kind of thing when I talk about selective redevelopment and we've actually have had in our past more of that kind of project has been, they're bigger projects and they have more splash, so to speak. So, that's kind of what we're known for more than anything else.

Alderman Robert asked just to be updated, Manchester Area Trust, have you incorporated that activity, that organization within your organization.

Mr. Torres asked which activity specifically.

Alderman Robert replied the Manchester Area Housing Trust.

Mr. Torres replied we have the Manchester Area Housing Trust and NHS have talked about merging, having them merge into us. We think that what they do around affordable housing is analogous to what we do around selective redevelopment, but our mission still is to do selective

redevelopment. We're not interested in just producing this kind of housing when it doesn't respond to a neighborhood revitalization question or issue.

Alderman Robert stated so I should take it as, no, you have not at this time.

Mr. Torres replied I'm trying to think...we're going to do what we do, but we are going to merge them, we are in a discussion to merge them into our activities. But, we are not going to change our mission, we're not going to change what we do and certainly you can hold me to that.

Alderman Robert stated I have some problems with Manchester Area Housing Trust, but since they're in the exploratory stage, I would like the opportunity to work with Mr. Torres and his group to make things work and work well for people in the inner-city.

Mayor Wieczorek stated I think he'd be willing to do that.

Alderman Clancy stated as far as Felix Torres has done, he's done one heck of a job in the inner-city area, no matter if he's tearing down houses or rehabing houses. The people I talk to in the ward have nothing but praise for Mr. Felix Torres, so I'd like to congratulate him on the job he's done in the inner-city area so far and I think he will continue to do the good job he's done.

Alderman Shea stated I'd also like to commend him, he attended one of my neighborhood meetings and explained to the people there what was involved and pledged that Ward 7 would be considered as an expansion type of enterprise connected with his program and I have the utmost praise. I've talked to him on several occasions and he's been very upfront, very courteous and very helpful and wants to help out our community.

Alderman Pariseau stated I just echo Mr. Clancy's comments.

Alderman Reiniger stated I'd like to point out also that Mr. Torres was instrumental in the organization getting a two million dollar grant recently from the Dime Bank of New York.

Mayor Wieczorek stated, Felix, I do want to compliment you. I was at the T Bond which is Tack Back Our Neighborhood barbecue a week ago Saturday and they had a big crowd out there, very active and it was very nice to see. When we first brought Neighborhood Housing Services here in the City, I was very pleased when the Neighborhood Reinvestment Corporation decided that Manchester would be a place to go where they could be helpful, but they would only come provided that they were going to have the cooperation of the City and we put together the partnership with the business community, the financial institutions and the residents and that's what makes it work and we have actually received recognition for the public/private partnerships that we did put together here in the City when the Federal Home Loan Bank did sponsor a panel down in Boston and we were recognized for doing that and I'm really very

pleased. In my view, if people haven't been around the center-city they should get out there and take a look to see the transformation that has taken. This is a project, in my view, that should never end. It is something that should continue until we really get the job thoroughly done and, Felix, your predecessors who have been here have done an outstanding job and I know I met you when you first came in here in '91 with the Neighborhood Revitalization Corporation and I was very pleased when you were selected to be the Executive Director here in Manchester. So, we want you to continue with the good work that you've started and that you're continuing and you know you have the support of the City because it's very obvious that a transformation is taking place. Thank you very much.

Confirmation of nomination of Paul Bolieau to fill the vacant position of the late Roland Rivard as a member of the Board of Fire Commissioners, term to expire May 1, 1997.

Alderman Hirschmann moved to confirm the nomination of Paul Bolieau to fill the vacant position of the late Roland Rivard as a member of the Board of Fire Commissioners, term to expire may 1, 1997. Alderman Pariseau duly seconded the motion. There being none opposed, the motion carried.

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

Mayor Wieczorek called the meeting back to order.

OTHER BUSINESS

A report of the Committee on Finance was presented, recommending that Resolutions:

“Authorizing the Finance Officer to effect a transfer of Five Hundred Dollars (\$500.00) from Civic Contributions to the South Little League.”

“Authorizing the Finance Officer to effect a transfer of Two Thousand Dollars (\$2,000.00) from Contingency to the Personnel Department for Total Quality Management Training Session.”

“Authorizing the Finance Officer to effect a transfer of Nine Thousand One Hundred Ninety Five Dollars (\$9,195.00) from Contingency to Retirement Severance Payments.”

“Authorizing the Finance Officer to effect a transfer of One Thousand Seven Hundred Eighteen Dollars (\$1,718.00) from Contingency to the Office of Youth Services for office lease payments.”

ought to pass.

On motion of Alderman Wihby, duly seconded by Alderman Domaingue, it was voted to accept, receive and adopt the report of the Committee on Finance.

Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by rezoning six parcels of land currently zoned R-1B (Residential One-family) located at the intersection of Bremer Street and Coolidge Avenue and having a combined area of approximately 1.27 acres, to R2-PO (Residential professional Offices.)”

“Amending the Code of Ordinances of the City of Manchester by adding a new Article XV under Chapter 2 - Administration providing for a Heritage Commission and amending the Zoning Ordinance by deleting Article XI - Historic District Commission.”

“Amending Chapter 4, Section 4-25 of the Code of Ordinances of the City of Manchester providing for increased fees for impoundment of dogs and purchase of dogs and cats.”

“Amending the Code of Ordinances of the City of Manchester by deleting Section 14-156, ‘Exemptions,’ in its entirety and inserting a new Subsection “c” in Section 14-3.2, ‘Exemptions.’”

“Amending Chapter 17 3/4, Penalties and Enforcement Procedures. Sec. 17 3/4-7. Departments Authorized to Issue Citations. of the Code of Ordinances of the City of Manchester.”

“An Ordinance amending Chapter 17 3/4, Penalties and Enforcement Procedures, by deleting Section 17 3/4-11, Citation Penalties, and replacing it with a new Section 17 3/4-11 Citations Penalties.”

“Amending Chapter 21B Sewer Use Ordinance, Article X, Section 2.0 (m) of the Code of Ordinances of the City of Manchester relative to the screening level for Sulfite, and deletion of some screening levels.”

“Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 10, Paragraph 1 of the Code of Ordinances of the City of Manchester relative to increasing the maximum penalty for industrial users in violation of the Code.”

“Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 11 of the Code of Ordinances of the City of Manchester by changing references to state statutes.”

“Amending the Code of Ordinances of the City of Manchester by deleting Chapter 27. Weights and Measures. in its entirety.”

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted that the Ordinances be read by titles only, and it was so done.

These Ordinances having had their second readings by titles only, Alderman Wihby moved on passing same to be Enrolled. Alderman Reiniger duly seconded the motion. There being none opposed the motion carried.

On motion of Alderman Wihby, duly seconded by Alderman Reiniger, it was voted to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

Mayor Wieczorek called the meeting back to order.

A report of the Committee on Accounts, Enrollment and Revenue Administration was presented advising that Ordinances:

“Amending the Zoning Ordinances of the City of Manchester by rezoning six parcels of land currently zoned R-1B (Residential One-family) located at the intersection of Bremer Street and Coolidge Avenue and having a combined area of approximately 1.27 acres, to R2-PO (Residential Professional Offices.)”

“Amending the Code of Ordinances of the City of Manchester by adding a new Article XV under Chapter 2 - Administration providing for a Heritage Commission and amending the Zoning Ordinance by deleting Article XI - Historic District Commission.”

“Amending Chapter 4, Section 4-25 of the Code of Ordinances of the City of Manchester providing for increased fees for impoundment of dogs and purchase of dogs and cats.”

“Amending the Code of Ordinances of the City of Manchester by deleting Section 14-156, ‘Exemptions,’ in its entirety and inserting a new Subsection “c” in Section 14-3.2, ‘Exemptions’.”

“Amending Chapter 17 3/4, Penalties and Enforcement Procedures. Section 17 3/4-7. Departments Authorized to Issue Citations. of the Code of Ordinances of the City of Manchester.”

“An Ordinance amending Chapter 17 3/4, Penalties and Enforcement Procedures, by deleting Section 17 3/4-11, Citation Penalties, and replacing it with a new Section 17 3/4-11 Citation Penalties.”

“Amending Chapter 21B Sewer Use Ordinance, Article X, Section 2.0(m) of the Code of Ordinances of the City of Manchester relative to the screening levels for Sulfite, and deletion of some screening levels.”

“Amending Chapter 21B Sewer Use Ordinances, Article XV, Section 10, Paragraph 1 of the Code of Ordinances of the City of Manchester relative to increasing the maximum penalty for industrial users in violation of the Code.”

“Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 11 of the Code of Ordinances of the City of Manchester by changing references to state statutes.”

“Amending the Code of Ordinances of the City of Manchester by deleting Chapter 27. Weights and Measures. in its entirety.”

were properly enrolled.

On motion of Alderman Elise, duly seconded by Alderman Pariseau, it was voted to accept, receive and adopt the report of the Committee on Accounts, Enrollment and Revenue Administration.

Communication from the City Clerk requesting that the Board set polling hours for the State General Election to be held on November 5, 1996 from 6:00 AM to 7:00 PM.

On motion of Alderman Soucy, duly seconded by Alderman Domaingue, it was voted to set the polling hours for the State General Election to be held on November 5, 1996 from 6:00 AM to 7:00 PM.

Communication from the Finance Officer advising that he is not opposed to the suggestion by MHRA and the Industrial Agent that \$27,224.33 in balances of the Millyard and Grenier Field Projects be retained by MHRA and managed in conjunction with Manchester Airpark funds to provide funding for future economic development projects.

On motion of Alderman Clancy, duly seconded by Alderman Pariseau, it was voted to approve that balances in the amount of \$27,224.33 of the Millyard and Grenier Field Projects be retained by MHRA and managed in conjunction with Manchester Airpark funds for future economic development projects.

Communication from the Finance Officer advising of the receipt of funds in the amount of \$11,259.11 in Drug Forfeiture funds, requesting the Board accept same and remand for the purpose intended.

On motion of Alderman Soucy, duly seconded by Alderman Shea, it was voted to accept the funds and remand them for the purpose intended.

Communication from the Finance Officer advising of the receipt of donations in the amount of \$575.00 and \$100.00 for the K-9 Unit, requesting the Board accept same and remand for the purpose intended.

On motion of Alderman Clancy, duly seconded by Alderman Pariseau, it was voted to accept the funds and remand them for the purpose intended.

Communication from the Deputy Finance Officer advising of the receipt of various donations in the amount of \$1,201.00 for the SRT Team, requesting the Board accept same and remand for the purpose intended.

On motion of Alderman Hirschmann, duly seconded by Alderman Elise, it was voted accept the funds and remand them for the purpose intended.

Communication from the Public Works Director requesting the Board authorize acceptance of NH Department of Environmental Services grant funds and to enter into a contract with the Waste Management Division for the Municipal Used Oil Collection Center Grant Program, and further requesting authorization for the Public Works Director, to execute such documents as may be required.

On motion of Alderman Robert, duly seconded by Alderman Shea, it was voted to authorize the acceptance of State grant funds and remand them for the purpose intended; and further to authorize the Public Works Director to execute such documents as may be required.

Communication from the Director of Office of Youth Services, requesting authorization

to collect and deposit funds received from the Cultural Diversity Task Force members and their associates for costs associated with the mailing of a newsletter.

On motion of Alderman Soucy, duly seconded by Alderman Clancy, it was voted to authorize the Director of Youth Services to collect funds and remand for the purpose intended.

Communication from the Director of Office of Youth Services, requesting authorization to receive and deposit funds received in conjunction with the Red Ribbon Week Breakfast.

On motion of Alderman Soucy, duly seconded by Alderman Elise, it was voted to accept funds and remand for the purpose intended.

Communication from Helen Hamilton, Executive Director, Kids Voting, New Hampshire, requesting permission to address the Board at its next meeting scheduled for October 15th for the purpose of updating the Board on their plans with respect to the upcoming election to be held on Tuesday, November 5th.

On motion of Alderman Pariseau, duly seconded by Alderman Reiniger, it was voted to grant permission to Ms. Hamilton to address the Board at its next meeting scheduled for October 15, 1996.

Communication from Sister Barbara McLean, Principal, St. Joseph Regional Junior High School expressing concern over various issues pertaining to school bus service, the sidewalk in front of Pulaski Park, Special Services and parking meters.

Alderman Wihby stated with respect to parking meters that was the only school located in that residential zone and asked if there was any way that resident parking permits could be given to the school.

Alderman Robert moved to allow Sr. Barbara to address the Board. Alderman Cashin duly seconded the motion.

Sr. Barbara stated when she looked around the City around their area on Bridge, Pine and High Streets all the apartment houses had parking areas except for St. Joe's Junior High School. The apartment houses all had parking areas, we do not and to me for us to go down two blocks down the street to park in the garages and for our teachers who are making very little money to ask them to pay \$30.00 per month and the school cannot afford to pay that and also the inconvenience of them trucking up the street, two blocks up with all their gear on rainy and snowy days, I think is asking a lot of educators to do and also for myself as the Administrator of the school, I'd have no place to park. If I had an emergency I'd have to walk two blocks down the street to get my car out of the garage to go wherever I need to, the hospital or wherever it

may be. Like I said, this is the straw that broke the camel's back. I've had it with how the City is treating the Catholic school system.

Alderman Robert stated there had been meetings at your school generally about how the City of Manchester School District, in particular.

Sr. McLean stated we had meetings because I represent the Diocese, I'm the liaison with the City and I represent all the Manchester School Principals, the Catholic School Principals, so when we had meetings to discuss with our parents the difficulties that the schools are experiencing, we had the meetings at St. Joe's and the first one was the bus situation where they were cutting back on buses which made for fewer buses which means that St. Joe's starts school at 7:20 in the morning with our students in their classes at 7:23 in the morning. I can't carry on any business, you people are all coming into work when we're almost ready to go home. For special services, to me, it was a ridiculous thing that we've had to go through with lawyer fees along with the City having to go through lawyer fees in order to get services for the kids who live in the City of Manchester, to get them special services that are equitable to the students in the public school sector and we just finished negotiating with the public school lawyers and our lawyers on a plan that we hope to implement very shortly that will go in, but it's giving services...the majority of students will only get two hours a month of direct services to help these LD kids.

Alderman Robert asked if special services was driven by budget or was it driven by federal legislation.

Sr. McLean replied, it's both, it has what the City will do and what the State will do and the Federal. It's a growing thing, like the City is very legitimate on saying they have an increase of students with learning disabilities, that's a reality. We have it, everyone has it, but what we're asking is give them services that will help them and we're not asking for the world out of it, we're asking for equitable services. What the City wanted to do was to cut them down to one hour a month of services. A kid with a speech impediment, one hour is not going to help that little kid and what we've come up with now is a pooling of five units of services for each student. So, how that's all going to work out, I don't know except to me it seemed very ridiculous for us to be putting a whole year into negotiating with the City of Manchester on getting services that are due to these kids.

Alderman Robert stated, your Honor, this has been something that I keep hearing about, year after year after year...during the spring, during the summer, all of a sudden we find out we're not going to get buses, the parochial schools aren't going to get buses and then all of a sudden we get them back for some reason, I don't know why. The special needs services the same thing. I think if you're a member of the Catholic school community, you get the feeling that something's not right, that somebody's trying to put you out of business or somebody doesn't like you. As I understand, as I've discussed it briefly with Len, it's partially budget driven, it's partially

legislated, but the children who attend those schools are Manchester people, they deserve the services. I want to make sure that they get the services they're entitled to and they don't have to go back and forth, pay lawyers and the lawyers, by the way they're not even sure what they're really doing because they've never done this before, this is just one of the problems they've run into, to make sure it doesn't happen again. Why don't we just take care of the parochial schools, give them what they're due just like any other school or any other public school in Manchester, I'd like an accounting, I'd like the School Department to tell me why. Is there a separate line item for this stuff, I want to see it funded.

Mayor Wieczorek stated that is a School Department issue, no question about it. I wish we could have the Bishop open three more schools, it would make me very happy, but I don't think that's going to be and I know you've had a number of conversations with the School Department on the busing issue, on the issue of special education.

Sr. McLean stated it's really the meters that really got my Irish up, it really pushed me against the wall. But, the thing just like the snow plowing. The Parks and Recreation are there when we have a storm, they plow out Pulaski Park, but I have to send my custodians over to Pulaski Park and clear off the snow so the buses can get in safely without the kids getting hurt and when I call the City about that asking them if they want to just clear that area so the buses can pull in they told me that was my responsibility. Now, that's across the street from the school, so we've been doing it and to me, I feel that that is part of the City's property, but also to look for the safety of those kids.

Mayor Wieczorek stated it probably ought to go back to the Traffic Committee and take another look at that area that you're talking about. You see, the area that you're in there are also other businesses that are there.

Sr. McLean replied there are the lawyers on High Street and Dr. Tenn's in the back of us and Boufford's Funeral Home.

Mayor Wieczorek stated there are businesses around there which makes it a little bit difficult, but maybe we can get some resolution to that aspect of it.

Alderman Shea asked how many parking spaces would you need, Sister.

Sr. McLean replied probably right off hand the way it's been going now it we've find where we can park, it's pick and choose. It's probably about 15, 16 parking spaces.

Alderman Reiniger stated with Mr. Ludwig present maybe there was an area of confusion as to who should remove the snow from the sidewalks between Highway and Parks and asked if Mr. Ludwig could provide clarification on it.

Mr. Ludwig replied we do plow that parking lot. As I sit here and think about the way it looks and the trees along the edge of the road on Pine Street, it's quite possible given the limited space to plow snow either against the fence heading east or in either direction as it relates to going up Pine Street that probably a good amount of that snow does end up making a banking along that edge of trees on Pine Street.

Sr. McLean interjected, no, it's right along the curb, the curbing of the sidewalk.

Mr. Ludwig stated it is, but we don't put it there.

Sr. McLean stated you're not putting it there, the snow plows are coming along Pine Street.

Mr. Ludwig stated, but I'm pushing it out from the playground, I must be.

Sr. McLean stated no, it's not coming from the playground out, the playground stops right where the trees are when you're plowing in there. The sidewalk is a separate issue from the playground.

Alderman Wihby stated I've talked to Highway before to come in and they've actually gone in and picked up some of the snow, just to get it out of there, so it is the Highway's problem. We can send them a communication telling them to do it, it's no big deal, they should be doing it anyway.

Sr. McLean stated when St. Joe's the adolescent is starting at 7:20 in the morning and these kids are like zombies when they start that first period, they're not with us, but there are other little kiddos in the elementary school who are being picked up very early in the morning also who have to wait for school to start because we're starting so early.

Mayor Wieczorek stated it's not an easy issue to solve, to try and get everybody there at the same time, we'd need I don't know how many more buses, it would just be phenomenal. Well, we'll continue to work at it noting it has been referred to the Traffic Committee and, Sister, I would encourage you to be at that meeting when it comes to Traffic.

On motion of Alderman Robert, duly seconded by Alderman Domaingue, it was voted to refer the communication from Sr. Barbara McLean to the Committee on Traffic/Public Safety; and further to forward a letter to the Board of School Committee relative to the issue pertaining to student special services.

Communication from the Chairpersons of Prevention Works in Manchester, requesting permission and assistance to mail the Red Ribbon Week invitation and a red ribbon to all City employees with their paychecks.

On motion of Alderman Pariseau, duly seconded by Alderman Wihby, it was voted to approve the request relative to Red Ribbon Week Breakfast.

Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by rezoning six parcels of land currently zoned R-1B (Residential One-family) located at the intersection of Bremer Street and Coolidge Avenue and having a combined area of approximately 1.27 acres, to R2-PO (Residential professional Offices.)”

“Amending the Code of Ordinances of the City of Manchester by adding a new Article XV under Chapter 2 - Administration providing for a Heritage Commission and amending the Zoning Ordinance by deleting Article XI - Historic District Commission.”

“Amending Chapter 4, Section 4-25 of the Code of Ordinances of the City of Manchester providing for increased fees for impoundment of dogs and purchase of dogs and cats.”

“Amending the Code of Ordinances of the City of Manchester by deleting Section 14-156, ‘Exemptions,’ in its entirety and inserting a new Subsection “c” in Section 14-3.2, ‘Exemptions.’”

“Amending Chapter 17 3/4, Penalties and Enforcement Procedures. Sec. 17 3/4-7. Departments Authorized to Issue Citations. of the Code of Ordinances of the City of Manchester.”

“An Ordinance amending Chapter 17 3/4, Penalties and Enforcement Procedures, by deleting Section 17 3/4-11, Citation Penalties, and replacing it with a new Section 17 3/4-11 Citations Penalties.”

“Amending Chapter 21B Sewer Use Ordinance, Article X, Section 2.0 (m) of the Code of Ordinances of the City of Manchester relative to the screening level for Sulfite, and deletion of some screening levels.”

“Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 10, Paragraph 1 of the Code of Ordinances of the City of Manchester relative to increasing the maximum penalty for industrial users in violation of the Code.”

“Amending Chapter 21B Sewer Use Ordinance, Article XV, Section 11 of the code of Ordinances of the City of Manchester by changing references to state statutes.”

“Amending the Code of Ordinances of the City of Manchester by deleting Chapter 27. Weights and Measures. in its entirety.”

On motion of Alderman Wihby, duly seconded by Alderman Soucy, it was voted to dispense with reading the Ordinances by titles only. There were none recorded in opposition.

Alderman Wihby moved that the Ordinances be Ordained. Alderman Pariseau duly seconded the motion. There being none opposed the motion carried.

Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of \$5,930,000 for the 1997 CIP 7.60322 Wastewater Treatment Plant Odor Control.”

“Authorizing, Bonds, Notes or Lease Purchases in the amount of \$7,000,000 for the 1997 CIP Cohas Brook Interceptor.”

Alderman Soucy moved that the Bond Resolutions be read by titles only. Alderman Reiniger duly seconded the motion. There being none opposed, the motion carried, and it was so done.

Alderman Soucy moved that the Bond Resolutions pass and be Enrolled. Alderman Domaingue duly seconded the motion. There being none opposed, the motion carried.

Resolutions:

“Authorizing the Finance Officer to effect a transfer of Five Hundred Dollars (\$500.00) from Civic Contributions to the South Little League.”

“Authorizing the Finance Officer to effect a transfer of Two Thousand Dollars (\$2,000.00) from Contingency to the Personnel Department for Total Quality Management Training Session.”

“Authorizing the Finance Officer to effect a transfer of Nine Thousand One Hundred Ninety Five Dollars (\$9,195.00) from Contingency to Retirement Severance payments.”

“Authorizing the Finance Officer to effect a transfer of One Thousand Seven Hundred Eighteen Dollars (\$1,718.00) from Contingency to the Office of Youth Services for office lease payments.”

On motion of Alderman Wihby, duly seconded by Alderman Reiniger, it was voted that the Resolutions be read by titles only, and it was so done.

On motion of Alderman Clancy, duly seconded by Alderman Shea, it was voted that the Resolutions pass and be Enrolled.

Mayor Wieczorek nominated Mr. A. Joseph Dion to fill the vacant position on the Planning Board, term to expire May 1, 1997.

Under the rules this nomination was to lay over to the next meeting.

Mayor Wieczorek stated he had notified the members of the Board that he had made an appoint to the Housing and Redevelopment Authority by appointing Mr. Fred B. Kfoury, Jr. to fill the term of Anita Armbruster who was not reappointed noting his term would begin today.

TABLED ITEM

Ordinance: (Note: Tabled 3/19/96 pending submission of agreements.)

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include portions of the lots currently zoned I-3 (General Industrial) and I-2 (Industrial Park) on the southerly side of Huse Road and the easterly side of South Willow Street.”

This item remained on the table.

NEW BUSINESS

A report of the Committee on Community Improvement Program was presented recommending that the Board approve a 10-year lease agreement between the City of Manchester and the McIntyre Ski School allowing for the construction of an addition adjacent to the existing ski lodge building and other provisions as contained, subject to the review and approval of the City Solicitor.

On motion of Alderman Clancy, duly seconded by Alderman Domaingue, it was voted to accept, receive and adopt the report of the Committee on Community Improvement Program.

Alderman Shea moved to nominate Mr. Edward N. O'Brien to the Manchester Revolving Loan Fund Loan Review Committee.

Alderman Reiniger moved to nominate Dennis O. Robinson to the Manchester Revolving Loan Fund Loan Review Committee.

Alderman Wihby moved to nominate Peter Madden to the Manchester Revolving Loan Fund Loan Review Committee.

Alderman Elise moved to nominate Joseph Fremeau to the Manchester Revolving Loan Fund Loan Review Committee.

Alderman Hirschmann stated he had a question of Alderman Elise relative to sending a letter to the Department of Environmental Services about the Auburn Waste Station noting he had received a communication at his home in which she had asked the State not to grant the permit for Waste Management's Transfer Station in Auburn and was kind of surprised that she had not discussed it with the Board first.

Mayor Wiczorek stated he did not believe that was what Alderman Elise had stated in her letter noting there had been two items in the letter with one being she had indicated she would vote for it if they had done two certain things and would vote against it, if two other things were done, however, there was no argument between the City of Manchester and the Town of Auburn, it was not something between the City and Town, but rather between Waste Management and the Town of Auburn noting the City did not care where Waste Management went as it was their problem that they had to deal with and if the City was going to be getting involved in things

thought the City should be talking to the Town of Auburn about getting their incinerator off the Watershed too.

Alderman Hirschmann stated he disagreed as the City had a vested interest in that that facility or another facility be built noting they had all entered into an agreement at \$55.00 per ton for transfer which could go down to \$48.00 a ton if that facility was built and asked if he was wrong.

Mayor Wieczorek replied it did cost more to ship it to Rochester.

Alderman Hirschmann stated it was in the City's best interest to see that that facility be built, and reiterated that he was surprised that that type of communication had not been discussed at the Board level, but rather sent up to the State noting he would send the State his own letter saying something different.

Mayor Wieczorek stated he could not say what Alderman Elise's motivation was.

Alderman Elise stated she had sent a letter to the State saying if they could ensure that any hazardous waste would not infect the City's Watershed and water supply, then to grant the permit, however, if they couldn't assure that she encouraged them to not grant the permit noting the City also had a vested interest in it's water supply and if the City's water supply could not be protected then Waste Management could also build a facility in another location, which was her concern and felt that was what she had wanted to address as an individual Board member and not necessarily reflecting the opinions of other Board members.

Alderman Domaingue stated the Board had had a visit at the beginning of the summer from Mr. Kamen regarding the Science Museum and thought his last statement had been that he would come back at the end of August and give the Board some plans to review and was wondering where they stood with it.

Mayor Wieczorek stated he had talked to Mr. Kamen noting he had been scheduled to attend this evening's meeting, however, something came up, but he would be present with a model at the next meeting on October 15th.

Mayor Wieczorek recessed the meeting to meet with the Chief Negotiator.

Mayor Wieczorek called the meeting back to order.

Alderman Elise moved to approve layover of agreement with MAPS in accordance with the memorandum of agreement and cost calculations to be presented for ratification at the next meeting. Alderman Cashin duly seconded the motion. The motion carried with Alderman Robert duly recorded in opposition.

Alderman Pariseau moved to approve layover of agreement with PBS in accordance with the memorandum of agreement and cost calculations to be presented for ratification at the next meeting. Alderman Wihby duly seconded the motion. The motion carried with Alderman Cashin, Robert and Hirschmann duly recorded in opposition.

There being no further business to come before the Board, on motion of Alderman Shea, duly seconded by Alderman Domaingue, it was voted to adjourn.

A True Record. Attest.

City Clerk