

# **SPECIAL MEETING - BOARD OF MAYOR AND ALDERMEN (RE: PUBLIC HEARING ON CHARTER AMENDMENTS)**

**July 11, 2023 at 6:00 PM**

Mayor Craig called the meeting to order.

Mayor Craig called for the Pledge of Allegiance, this function being led by Alderman Trisciani.

A moment of silence was observed.

The Clerk called the roll.

Present: Aldermen Cavanaugh, Stewart, Long, T. Sapienza, Kantor, Trisciani, Levasseur, Heath, E. Sapienza, Burkush, Barry, Gamache, George-Kelly

Absent: Alderman Fajardo

Mayor Craig advised that the purpose of the special meeting is to provide citizens with an opportunity to express their views concerning proposed amendments to the Manchester City Charter related to the school district.

## **2. Proposed Charter amendments:**

### **Shall the City of Manchester approve amendment to the City of Manchester Charter summarized below:**

1. The Charter is amended throughout so that the "School Committee" is referred to as the "School Board," a "School Committeeman" is referred to as a "School Board Member," consistent with the State law.
2. The School Board shall elect from among its members a chairman to serve for a term of two years. In the event of a vacancy, the School Board shall appoint a replacement to serve for the remainder of the term.
3. The School Board shall have fiscal autonomy and be responsible for overseeing the administration of the School District's budget. It shall have the authority to borrow money on behalf of the School District. The School Board shall be subject to the existing limitation on budget increase but shall have the authority to override that limitation with two-thirds super-majority of its membership.

4. Various provisions of the Charter are amended to provide that the School Board shall comply with the laws of the State of New Hampshire for the adoption and accounting of its annual budget and its capital budget and for the issuance of a debt instrument; to authorize the School Board to appoint an independent auditor, a clerk, and a treasurer.

5. Effective Date: Upon Passage

If you favor this proposal, vote YES; if you do not favor it, vote NO.

Mayor Craig advised that all people wishing to speak will have up to three minutes to do so and any comments must be directed to the chair. Any resident wishing to speak will come forward to the nearest microphone, clearly state their name and address when recognized and give their comments.

Richard Girard, 283 Orange Street, stated:

The charter amendments before you tonight are identical to those that were before the Board two years ago. Now, as then, the information that would be presented to voters is designed to mislead and it starts in the first section of the question. Being a former charter commissioner and a school board member, I am unaware of anything in state law that would require the charter to be amended to change the board's name or how the school board members are identified. When something is presented as needing to be done to be "consistent with state law" the clear message is that the current situation is in violation. It is not and this is deceptive. Next, the last part of what would be on the ballot says that the charter must be changed to "authorize the school board to appoint an independent auditor, a clerk and a treasurer." The school board already appoints its own independent auditor, clerk and treasurer. This is misleading the public as it clearly implies this now does not happen when it does. In the second part of what voters would see on the ballot, it says that the changes would allow the school board to elect its own chairman. What is not presented to voters is that the proposed changes would actually remove the mayor, who is chairman, from the school board which necessitates it having to choose its own chairman. Whether you agree with this change or not, and I don't, it should be clearly presented to the voters. It is not and that is deceptive. Giving the school board the ability to fill its own vacancies makes it so members of whatever

political majority exists at that time can pick someone who agrees with their point of view rather than someone who will represent the constituents affected by the vacancy. This is outrageous and wrong. Vacancies on the Board of Aldermen are filled by a special election. The same should be true here. The question in part 3 implies that the school board has no control over its budget saying "it shall be responsible for overseeing the administration of the school district's budget." The school board currently has the sole responsibility of overseeing the administration of the district's budget. It always has and doesn't need a charter amendment for that purpose. This is more deception. What the school board doesn't have, which is something that it would gain by these amendments, is the ability to spend as much money as it wants, override the tax cap when it wants, get into as much debt as it wants, and send its own tax bill whatever it wants it to be. Currently, this authority resides with the Board of Mayor and Aldermen, the city's governing body, as it should. Giving the schools this power effectively creates a second governing body and there is no check on its power, not even a mayor with a veto. Manchester is one city and should only have one governing body to balance the competing needs and priorities of its tax payers. Placing deceptively worded information on the ballot is simply wrong. As such, I ask you to vote against placing this on the ballot, especially when the material on tonight's agenda fails to strike through sections that would be removed and fails to identify wording that would replace it. This too is deceptive. Thank you for your time.

Lauren Boisvert, 11 Greer Street, stated:

I am speaking on behalf of myself as a resident of Ward 12 and a product of the Manchester school district but also as the Community Communications Coordinator of Manchester Proud.

Dear Mayor and Aldermen,

Thank you for accepting Manchester Proud's testimony in support of a referendum to allow the voters of Manchester to adopt the charter revision needed to achieve autonomy for our Board of School Committee. We believe the proposed amendments to be in accordance with the intent of the community-

driven plan for the future of Manchester schools shaped by 10,000 residents and adopted as the Manchester school district's strategic plan in 2020. Manchester Proud, therefore, supports the creation of a referendum and the ultimate adoption of the proposed charter revisions. More specifically:

- We believe it makes good sense for our school board to have the authority to both prepare and approve the Manchester school district's budget because its members are most knowledgeable of the needs of our students and schools and, therefore, are most capable of determining responsible investments in our city's public schools.
- Granting fiscal autonomy to our school board would preserve appropriate spending constraints. Our school board members are duly elected officials with a record of fiscal responsibility who will continue to be held accountable to Manchester voters. Furthermore, they will continue to be bound by the tax cap policy and procedures as is our Board of Mayor and Aldermen.
- As specifically noted in the strategic plan, it is no longer practical or advantageous to have the city's mayor serve as the school board chair. The complex issues facing our diverse and growing city make the jobs of mayor and school board chair extremely demanding and it is not simply possible for any single person to fully serve both positions.
- The proposed amendment represents a model of governance proven to be effective by the majority of other communities. It acknowledges public schools as an essential community asset worthy of governance by elected officials who focus their unique challenges and opportunities; elected officials with the information and insights needed to optimize Manchester's investment in education and workforce development.

Please consider that uncoupling the Board of Mayor and Aldermen and Board of School Committee will sharpen the focus and enhance the effectiveness of both boards, enabling both to act with the expertise needed to move our city forward in an increasingly complex and competitive world. Thank you for your consideration.

Brittany Ping, 408 Rimmon Street, stated:

I did not prepare a nice beautiful speech for you here today. I do want to state that this kind of question has been before this Board. I went back through my political history and we were here in 2020 and 2021 and we are talking about this in 2022. I am not in support of the charter amendment as written. I don't have a beautiful speech as Mr. Girard did. I do believe that we elected our mayor and we elected the 14 of you to do the jobs in front of you and that includes working with the Board of School Committee.

We talk about checks and balances when we are talking about our national races that we are looking towards for 2024 that this great state is hosting for our First in the Nation so I believe that this charter amendment, if it were to go in front of the public, they are going to vote against it. We have seen that happen time and again on the legally binding charter amendments that have passed that have been presented to our electorate. The same thing. Your constituents at the Board of School Committee were elected, the 14 of them along with the mayor who has chosen to preside as ex-officio chair. They were elected for those reasons. I think being honest and earnest with your constituents about why you support putting this in front of the electorate is what I expect to happen at the end of this meeting. That is the next question that I would ask as a constituent in Ward 11 and I do ask that you do not vote to put this on the ballot. Thank you for your time.

Jim O'Connell, 265 Prospect Street, stated:

I serve on the Board of School Committee. I rejected the idea of deception. This topic has come before this Board in the past and has been working its way through a series of challenges. It has met those challenges and has been successful in coming before the people as an enabling question three or four years ago and again in a contest that went to the court where the city challenged the decision by the state to allow this to go forward. This is the fifth year of this process. There has been lots of time for people to be aware of the niceties or the intricacies if they wish to be. To me, this is a matter of good governance. The Manchester school district is today a very significant enterprise that is very complicated and a great challenge. I think it is a challenge for the mayor of this city and the future mayors to concentrate their time on the many challenges within the city. The school district itself represents a whole other set of challenges. I think most of you who have sat in your seats as aldermen for a number of years know that there is a period every year when you get towards the budget when you are challenged with trying to work out what the right thing to do with schools is. Frankly, despite having superintendents come before you, you are not dealing with those topics every day. You read some information sheets and you ask your questions and you do your due diligence but if people were to ask the next level of questions, most aldermen don't

know, with the best intent in the world, the details of what is going on. So to me, I think this is a very simple thing. I think the people of Manchester would be better served by...they already directly elect the Board of School Committee. The people who are going to the polls in September and November this year, when they elect people, they elect 14 people to run the school district on their behalf. It is a \$250 million enterprise. The people in each of our wards know that and they vote for people that they feel will adequately and properly represent them. I would strongly urge you to support this matter. Ultimately, this is to go before the people. It is the ultimate in democracy. You are not deciding tonight whether this will happen or not. You are deciding whether the people of Manchester will have an opportunity, after five long years, to actually decide whether this should be done or not. I wouldn't take it upon myself as an alderman to think that you are the final arbiter here. You are simply allowing democracy to be in place. It is the fairest thing to do and it is the right thing to do. I trust the wisdom of the people of Manchester and I think you should do. The last point I will make is that historically mayors in Manchester have as often not served as chair of the school board as they have in practice. Many mayors have chosen not to actually chair the meetings and to go occasionally. Thank you for your time.

Heather McGrail stated:

I am the President and CEO of the Greater Manchester Chamber of Commerce and I do not want to waste your time by echoing Lauren Boisvert's Manchester Proud sentiments and facts. We work very closely as a Chamber with Manchester Proud so I won't repeat some of the different ideas that she said but I just wanted to chime in based on the fact that a lot of chambers we work with nationwide do see the model work very well for the autonomous and separate governance that we are speaking of. I think that it is a proven model nationwide. Similar studies show that there is a lot of value there and I think we can look to those other cities to see how that can be functional and productive in a really prudent way to divide the work and have division of responsibilities but still have integration. We would be in support of putting this on the ballot. Thank you.

Ken Tassey, 226 Karatzas Avenue, stated:

I am a member of the Board of School Committee but here as an independent resident of the City of Manchester. I would like to express my concern about the question brought forth by what I believe to be a minority of Manchester's residents to have the Board of School Committee as an independent an autonomous taxing authority. By policy, teachers may not make material decisions independent of their principals and principals may not make policy decisions without consulting with the superintendent. Department heads within the Police Department report through a hierarchy to their Chief in order to prevent chaos within the department. If the government of our city and all of its various departments are to be compared to the human body, then the mayor and the aldermen are the head of the city and all of its various departments are its arms and legs and various organs. The different departments should not and cannot act independent of the central nervous system, which would be this body before us. As such, the essential current system of checks and balances should remain intact. I ask this Board to please reject this question. Thank you very much.

Rick Blais, 733 Chestnut Street, stated:

I am in opposition to this. I think it is a terrible derelict of duties for anybody that would vote to move this. Everybody is talking about playing nice and I know how hard you work Mayor but the reality is it is all about the money. Why do they need taxing power? Why do they need the ability to go out for bonds? Who is going to control that? We know how powerful the unions are in this city and that is my biggest fear; seeing out of control spending and I think that is why the tax cap was originally put in place. You want them to circumvent all of this. I think anyone voting tonight to put this on the ballot is voting for giving taxing power to the school board. If they feel they have a hierarchy issue, maybe they should restructure it and clean out the school board or whatever it takes to make it more efficient but they definitely aren't keeping up with the rest of the towns and cities. People are leaving Manchester because of the school system. I met a gentleman who has been here three years and has a newborn baby and is planning on moving out of the city if the school district doesn't increase their test scores. More money is not going to solve the problem without accountability and that is what you all

were elected for. So I hope you really think hard about your vote tonight and look at solving the problem rather than throwing money at it. I realize that it is not your personal checks but it is the citizen's money and you have a fiduciary responsibility to we the citizens to oversee that money. I ask you to rethink this and vote no to put this on the ballot tonight.

Ryan Drohan, Porter Street, stated:

The Founding Fathers created our government with checks and balances. Letting the school board set its own tax rate removes one of the core foundations of our government. There is all this talk about housing affordability and the belief that taxpayers have deep pockets. Yes, taxpayers do have deep pockets because they have a hole in their pocket. They have no money. Taxpayers are struggling with inflation, food, gas, rent, and health insurance. With the school board setting its own tax rate, probably taxes will go up exponentially and in turn rents will go up and the people you say you want to help will be added to the homeless ranks, which will further increase the homeless industrial complex and spending and you will all have to deal with that. The school board just wasted \$4,000 taxpayer dollars on a drag queen show when reading, writing, English and STEM scores are abysmal in our schools. This shows that the school board is not willing to make sure that taxpayer money is being used to educate our kids in reading, writing, English and STEM. Another concern is that the teacher's union will get massive pay increases at the taxpayer's expense while the other unions like Police, Fire, Public Works, etc. will be wanting matching big increases and be fuming if they don't get them. What is the point of the BMA spending and in reality wasting well over six figures of taxpayers' money to have an outside company review the city's pay scales just to have it all go back to square one? This has no benefit to the students' learning and only increases wasted spending on dead weight, DEI positions and the administration. This needs to be voted against and removed.

*There being no one else present wishing to speak, on motion of **Alderman Trisciani**, duly seconded by **Alderman Long**, it was voted to take all comments under advisement and further to receive and file any written documentation presented.*



*This being a special meeting of the Board, no further can be presented and on motion of **Alderman E. Sapienza**, duly seconded by **Alderman Barry**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is fluid and cursive, with a long horizontal stroke at the end.

City Clerk