

# COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

April 15, 2025 at 5:30 PM

Chairman Long called the meeting to order.

The Clerk called the roll.

Present: Aldermen Long, Levasseur, E. Sapienza, Fajardo

Absent: Alderman Thomas

Messrs.: P. Chiesa

1. Communication from Fuss & O'Neil, on behalf of Brady Sullivan, requesting an air rights lease to install building canopies on their proposed project at 1555 Elm Street.

Chairman Long asked has the Solicitor looked over this contract.

Peter Chiesa, Deputy Solicitor, answered I have. One version had a revocation clause but I don't see it in this version that has been submitted. Also, I believe someone had a question as to whether it had to be 98 years as opposed to 48 or 50.

Chairman Long stated I am not comfortable approving this air rights lease if the Solicitor has questions.

Mr. Chiesa responded we can certainly work that out in the next two weeks. Some have revocation clauses and some don't.

Chairman Long stated I think if we go 30 years and they get stained or whatever we can revoke it so they can't replace them.

Alderman Fajardo stated I did notice there was a maintenance clause in there and it just said for safety rather than aesthetics. That is something I would like to see added.

*On motion of **Alderman Levasseur**, duly seconded by **Alderman E. Sapienza**, it was voted to approve the air rights lease with included language regarding revocable for any reasons the city deems valid.*

2. Communication from Matthew Normand, City Clerk, regarding a proposed charter amendment to change the Municipal Primary Election to the fourth Tuesday in June in each odd-numbered year, with corresponding changes to the filing period and posting notice sections of the charter.

*On motion of **Alderman Fajardo**, duly seconded by **Alderman E. Sapienza**, it was voted to approve.*

Chairman Long stated there are two bills at the State House. They both change the primary to June. One would start in 2026 and one in 2027. The idea is that every odd

year we would have September and November and the next year we would have a June and November. To keep it consistent, we are looking to change this.

Matthew Normand, City Clerk, stated I would just note for the record that this proposes a fourth Tuesday in June and I did that because of the school calendar. If you think about what is going on in June, they are usually not out of school. This was an attempt to not have their schedule interfere with the polling places.

Chairman Long asked is this a charter amendment.

City Clerk Normand answered yes. Once the Board accepts this, I will forward it to the state. We will have another few votes on this before it is over.

3. Recommendations from the New England First Amendment Coalition for changes to Rule 3, Public Participation, of the Board of Mayor and Aldermen.  
(Note: This was referred to committee at the 3/18 BMA meeting.)

**Alderman Fajardo** moved to approve the recommended changes. **Chairman Long** duly seconded the motion.

Chairman Long stated in our packet is the current Rule 3 and the recommendations.

Alderman Fajardo stated to clarify, my motion would be to approve their recommended changes.

Alderman Levasseur asked Atty. Chiesa do you feel that what we currently have meets Constitutional muster.

Mr. Chiesa answered I do; both facially and as applied. I also believe that what has been proposed is also Constitutional.

Chairman Long asked do you have an opinion on one versus the other or are they both equal in your mind.

Mr. Chiesa responded from what I can see, they have taken out a few words in their recommendations like profanity and vulgarities. They have also instituted an obligation for the Chair to define whatever security concern is posed by a flag or sign that is asked to be taken down. Those are the primary differences as far as I can tell.

Chairman Long stated right and one says "shall" and theirs says "encouraged to be civil." I like the encourage because we aren't telling them you can't use foul language but we encourage you not to use foul language. If the Mayor objects to that, he could still make his move. I like the fact that it encourages. As far as the banners, I think that is fine because if somebody comes in with a banner, currently they can come in. If someone comes in with a banner or sign and sits in the front and they decide to pick it up and block my view of everybody, I wouldn't feel safe. I want to be able to see everybody.

Alderman Fajardo stated at that point though we have the discretion to ask somebody to adjust their sign placement. I guess I feel like this revised language doesn't take the opportunity away from the aldermen or the Mayor to use our discretion to enforce something that would either be outside of decorum or be unsafe.

Alderman Levasseur asked Mr. Chiesa, do these changes stop the Mayor from being able to have somebody removed if they do use vulgarity.

Mr. Chiesa answered that would be up to both the Chair and the police.

Alderman Levasseur asked so it is up to the Mayor and the police to decide that but they have that discretion.

Mr. Chiesa responded well if the police see some sort of disorderly conduct occurring in the audience, they can certainly take whatever action they deem appropriate.

Chairman Long stated the new language is also better detailed in my opinion for banners, flags and signs. It says where you will not use them like restricting public access within the Chamber. It is also strictly prohibited in those instances. It is already telling them why we would call them out if something was being obstructed like a camera or the view of other people. Looking at their language, does that address the current language that we have now?

Mr. Chiesa replied I don't believe there is anything wrong with the current language as it exists.

Chairman Long stated I do.

Alderman Fajardo stated I do too.

Mr. Chiesa responded then it is your prerogative to change it.

Chairman Long stated I don't like that the Chair would have to tell people not to use profanity. Personally, I don't think anyone should use profanity. This is Manchester's governmental house so it is their house, not mine. It is theirs. It is all of ours but it is not mine as an alderman. It is the publics. Personally, if I heard vulgar language it would go in one ear and out the other. I wouldn't address it. If you don't give me that respect, I am not going to address it. I think the new language makes it that the Chair, in this case the Mayor, can still do what he does currently but it isn't as firm. It is not telling people you shall not swear or use vulgar language. It says we encourage you not to, which is what we want to do.

Alderman Fajardo stated I agree.

Chairman Long asked or would you rather tell them they can't swear. Is that what you want to do? That is the question here and it encourages the signage and says not to use it to block other people from seeing. The current rule says basically the same thing but it is more firm on why not to bring in a banner or flag.

Alderman Fajardo stated it is all about creating a balance. At the end of the day, our job is to sit here and listen to people during public comment and we would always ask that they express the same level of respect that we offer them during their three minutes. In this proposed language, we are actively acknowledging the public's right to come in and say what they need to say and we are not restricting ourselves from intervening in a particular way if needed. Again, I think we should pass the revised language.

*Chairman Long called for a vote. The motion carried with Alderman E. Sapienza being duly recorded in opposition.*

Alderman Levasseur stated I am going to give this a little more thought before it gets to the full Board. I have questions that I will ask privately.

#### **TABLED ITEM**

4. Conflict of Interest proposal submitted by Alderman Ross Terrio.  
(Note: Tabled at the 6/24 meeting.)

This item remained on the table.

*There being no further business, on motion of **Alderman Levasseur**, duly seconded by **Alderman E. Sapienza**, it was voted to adjourn.*

A True Record. Attest.



Clerk of Committee