

COMMITTEE ON PUBLIC SAFETY, HEALTH & TRAFFIC

August 5, 2025 at 5:45 PM

Chairman Vincent called the meeting to order.

The Clerk called the roll.

Present: Aldermen Vincent, Morgan, Kantor, Barry, Goonan

Messrs.: T. Clougherty, Alderman Terrio, Alderman Fajardo

1. The Traffic Division has submitted an agenda which needs to be addressed:
NO PARKING ANYTIME
On N Russel Street, both sides, from Arah Street to Whitford Street
Alderman Morgan

*On motion of **Alderman Morgan**, duly seconded by **Alderman Barry**, it was voted to approve.*

2. Communication from Amy Sanders, on behalf of her client Brady Sullivan, requesting an additional loading sign and revised parking time limits and signage at 1555 Elm Street.

*On motion of **Alderman Goonan**, duly seconded by **Alderman Barry**, it was voted to approve.*

3. Ordinance Amendment:

"Amending Section 91.631 Eligibility Requirements for Municipal Curbside Collection by authorizing Public Works to revoke eligibility for cause."

Chairman Vincent asked Tim Clougherty to come forward. I understand what the intent of this is and all of that stuff but I think it is very vague. Could you explain what this is really looking like from DPW's perspective?

Tim Clougherty, Public Works Director, answered the intent is to give Public Works more latitude in enforcement. Quite frankly, not very often but we have experienced property owners that continually ignore the enforcement actions that we are taking and we have nothing other than the ability to fine them. Obviously, the fines aren't enough of a penalty so this gives us more latitude in order to make sure that our neighborhoods are cleanly.

Chairman Vincent asked so when it says "after multiple offenses", this is at your discretion and that could be two or three...you are working with people. I don't want anybody to think that this amended section means we aren't going to work with anybody. We are still going to work with people and do our best correct? It is not immediately going to go to this extreme unless it is an extreme case?

Mr. Clougherty replied that is correct. Our enforcement personnel reach out to property owners with violations. They will work with them. They give them multiple opportunities to correct violations if they are real estate issues or other things like they are trying to arrange for private service or something like that. The department does not benefit financially. We can't use any of the money that we assess in enforcement actions. Our main goal is to make sure that the streets and the neighborhoods in Manchester are clean and this is just another tool that will allow us to do that.

Alderman Barry stated I get it and I understand what our wants are and what we want to do with this but the unfortunate thing is as much as the landlords are going to get penalized for not doing what they should be doing, a lot of these landlords are absentee landlords who live out-of-state or whatever. The people who are actually going to get penalized are the tenants because if their trash isn't getting picked up because all of the sudden you say okay we are not going to pick your trash up anymore because you are not abiding by what we asked you to do and not paying the fines, etc., the tenants in the long run are the ones who are going to get penalized because their trash isn't going to get picked up. Not only them, but the neighbors. I will give you an example. There was a house in ward 10 where the neighbor was the one bearing the burden because the trash was overflowing and they weren't using enough trash bins and putting plastic bags out there and the skunks were getting in there and tearing the bags apart. Other people are going to see the negative results, not necessarily the landlords. I don't know if we have to change an ordinance or there is something we can work on where the city would still continue to pick up the trash but charge the landlord when it gets to the point that enough is enough. I don't know if that is something we can do or look into it. I don't feel comfortable having a private company pick up trash when the landlord isn't going to pay them or contact them.

Mr. Clougherty responded it is the tenants that are causing the problem in the situation you are talking about. Secondly, in the example that you brought up, having the city be paid for collection services is parallel to having a private company. If they are going to pay the city, they would pay a private company as well and clearly this ordinance is before the committee because our enforcement actions, which are fines, which is monetary and would be the same as paying for pick up, are not getting paid. I don't know what the efficacy of that would be. We are open to listening to other solutions that the committee or the Board may have.

Alderman Barry stated my point is at least if the city is picking up the trash, we know it is getting picked up. If we are going to rely on the landlord to contact a private company, they may not so what is going to happen is all of that trash is going to keep building and building and building and now it is going to be worse for the neighbors. It is going to be a huge mess. What do we do then if all of the sudden we start getting phone calls saying hey this trash hasn't been picked up for weeks?

Mr. Clougherty answered well we have had situations like that and we have addressed them.

Alderman Barry stated as long as there is a game plan for it, I will be fine.

Chairman Vincent stated just to make sure we are clear on this, this is more going to be for isolated instances. We are not expecting to have 20+ of these tomorrow and there is an appeals process. I do agree with Alderman Barry because one of my concerns in the beginning was this opens the door for bigger problems down the road like other trash issues.

Mr. Clougherty stated again this has nothing to do with anything financial. It is an attempt to force what I would characterize as absentee landlords to monitor and police their own businesses.

Chairman Vincent stated so accountability.

Mr. Clougherty replied yes. We would anticipate using this in very isolated circumstances.

Alderman Kantor stated my big concern is you are a great guy Tim but what if someone writes someone up because they are being targeted because someone doesn't like the person that lives there or how they put their trash out. Anything could happen so to take away someone's right of having their garbage picked up...I guess I would like to understand a little more. Do you understand where I am coming from? I trust you and I love DPW and I always rave about you guys because you are always picking up everyone's trash and all of the needles that shouldn't be out and about so I have high regards of all of you but you never know when you get a bad apple and that bad apple effects other people. I do know that we need to keep people in check and accountable.

Mr. Clougherty responded I appreciate those kind words. I can tell you that any time this would be exercised, it would be done at the Director or Deputy Director level. This would not be something where we would give the authority to our enforcement officers or the supervisor to execute.

Alderman Terrio stated I brought this amendment forward and want to give you some background information. The landlord for the property in question lives in Massachusetts. I feel bad for him because he is paying the fines. The tenants have violated the ordinance about eight times in the first half of this year. The tenants are the problem. They are not bringing their trash to the curb and it is overflowing and there are rodents and maggots. They don't seem to care because they are not paying the fine. It has happened eight times this year and I just can't get their attention and I can't get the landlord's attention. He pays the fines and the tenants do the same thing the following week and we will go out there and fix it for a week or two and then it happens again. It just keeps on happening. I feel Tim's frustration because there is no enforcement. It just happens again and again and again. We need some type of mechanism. I feel if they had a private collector with a dumpster and that company is picking it up, then the burden would be shared between the landlord and the tenants and maybe they would get their act together. I just don't know how to get these people's attention because it keeps on happening.

Chairman Vincent stated I think this could be a good first step. I totally get what you are saying.

Alderman Fajardo stated if the problem is absentee landlords and problematic tenants, I wonder if there is an opportunity to enforce at the ordinance level with Planning and threaten their certificate of occupancy. If you want to get their attention...I see the situation a lot too. People will start throwing their trash in the neighbor's bins and what have you. The goal, as you said, is to keep everything clean and safe and sanitary. Is there an opportunity to get the attention of an absentee landlord through non-compliance? It is on the business owner to sort that out with their tenants and if it is not painful enough for them to pay a fine, maybe interrupting their capacity to do their business would be effective.

Mr. Clougherty replied that is certainly a discussion I could have with Director Belanger. I think this may be a good trial or first step because at the end of the day, if you are revoking someone's certificate of occupancy, the people that are occupying that building are going to be on the street. That may be seen as an extreme measure for a trash issue.

Alderman Fajardo responded absolutely but at the same time when we think very specifically about the concern of absentee landlords who don't have an investment in this community, they don't have an investment in the people in their building often beyond just the money they collect from them in rent and they often don't meet the standard of living that any of us would consider safe, acceptable, etc. I just feel like there may be an opportunity for us to turn the screws a little harder on business people who come into this city and invest in a way that is not in line with our values and the culture that we want to have for our city.

Mr. Clougherty stated that is certainly a conversation we can have.

Chairman Vincent stated I think there will be more conversation down the road on other avenues. I think this is a first good step. I agree 100%, Alderman Fajardo, with what you are saying.

Alderman Goonan asked do the fines address the volume of trash.

Mr. Clougherty answered that is usually what it is; overflowing trash.

Alderman Goonan asked and when you fine them it goes directly to the landlord.

Mr. Clougherty responded that is correct.

Alderman Goonan asked are the fines too low because it sounds like they have no problem paying the fines.

Mr. Clougherty replied I believe the fine schedule is set by state law but I am not positive on that.

*On motion of **Alderman Barry**, duly seconded by **Alderman Morgan**, it was voted that the Ordinance Amendment ought to pass and be referred to the Committee on Bills on Second Reading for technical review.*

*There being no further business, on motion of **Alderman Morgan**, duly seconded by **Alderman Barry**, it was voted to approve.*

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.

Clerk of Committee