

# **BOARD OF MAYOR AND ALDERMEN**

**September 2, 2025 at 7:00 PM**

Mayor Ruais called the meeting to order.

Mayor Ruais called on Alderman Morgan to lead the Pledge of Allegiance.

A moment of silence was observed. Alderman Morgan requested remembrance for Stephen Dolman.

The Clerk called the roll.

Present: Alderman Morgan, Goonan, Long, Fajardo, T. Sapienza, Kantor, O'Neil, Levasseur, Terrio (late), E. Sapienza, Burkush, Barry, Vincent, Thomas

Mayor Ruais: There is a recognition I would like to make this evening before we begin. Is Vanessa Blais here? So, this evening we're going to recognize direct support professionals. Places like Easter Seals and the Morris Center doing incredible work for those with disabilities within our community. I have a resolution that I would like to read this evening:

"Whereas direct support professionals are essential to the physical, mental and emotional security of Manchester citizens living with a disability, and direct support professionals' commitment and dedication to caring for others with disabilities personifies the true meaning of community. And whereas, direct support professionals, direct care workers, personal assistants and in-home care providers are the primary providers of publicly funded long term supports and services for individuals with disabilities in Manchester. And whereas, direct support professionals assist Manchester citizens with disabilities and leading independent lives, and are dedicated to developing close and trusted relationships with individuals, their families and their community to provide a broad range of daily living support. And whereas, direct support professionals' devoted commitments enrich lives by enabling community engagement of citizens impacted by disabilities and further strengthens communities by including people with disabilities. And whereas, 2025 marks 18 years of celebrating direct support professionals' contributions to improving the lives of those they support and the communities they enrich. And now therefore, I, Jay Ruais, Mayor of the City of Manchester, New Hampshire, do hereby proclaim September 7th through the 13th, 2025 as Direct Support Professionals Appreciation Week and call this to the attention of all citizens."

Thank you for all the work you do in our city.

## **PUBLIC COMMENT**

Mayor Ruais advised that the purpose of the public comment session is to give residents of Manchester the opportunity to address the Board. All people wishing to speak must sign up with their name, address and topic prior to 7 PM. Once called, they will have up to three minutes to speak and any comments must be directed to the chair

and concluded when their time is up. If the Clerk calls their name and they are not present to speak, they will not be given a second opportunity. Any resident wishing to speak will come forward to the nearest microphone, clearly state their name and address when recognized and give their comments.

Yasamin Safarzadeh: I want to start off by acknowledging how asinine I feel up here wasting the time of such career professionals who are leading our city into its next iteration of growth and celebrated industry and culture. I feel like much of these superfluous arbitrations are like trading pawns on a chess board, while the board itself rots from neglect and disuse. That being said, I'm doing my due diligence to stand up here and give a summative report regarding a mural, which was completed a few weeks ago by a group of incredible young artists and adults with disabilities. The mural was the subject of a previous aldermanic and mayoral gathering. This gathering yielded a decision to allow for the completion of the project, with a caveat for a later vote to keep or erase the project. The mural internship, for you who do not know, is a six-week intensive and professional skill development compensated internship working with at risk youth and adults with disabilities aiming at beautifying indispensable community hubs like Sheehan-Basquill Park. This year's program was centered around a vision of future without barriers. So, Sheehan-Basquill has the highest amount of families and some of the lowest funding. The kids that are in that ward wanted to reimagine the park in the future. We raised over the course of a year, \$54,000 for the program. And so, the program reads One Love in the Real, which was drafted by a 44-year-old man who has developmental disabilities. He is referring to the power of healing communities through love, but clarifying that it must be in practice, in the real, and not merely in thought. There is the shape of a young man in space on a skateboard. He represents a participant's brother who has died of cancer. In this reimagining of the park of the future, those we lost are still with us. The building at the top right holds references to some of the work of architect Zaha Hadid, who has passed away. And these references aided the youth in conceiving of what future-scapes can look like. We can go on and on; superheroes that the kids got to reimagine, that were based on their experience and histories. There was a young man that didn't speak for three weeks, and then he finally started to render his superheroes on the space and started to smile. That was very unique. There's a person in a boat on the bottom right-hand corner, a woman who feels a lot of pressure. I mentioned where she moved now,

but vulnerable populations who are unhoused women are some of the highest. So that's the whole thing. You should look at it. It's cute. You know, we'd like to keep it because it would probably negatively impact the kids that devoted those six weeks to make it.

Amara Phelps: I am a Ward three resident and have been an outreach coordinator and advocate for young adults in Manchester and across the state for four years in a myriad of spaces and industries for over five years. Positive street art artists have collaborated with Manchester nonprofit My Turn to carve out a space for young people in New Hampshire cities to explore and discover the magic of creation, collaboration and healing their communities. Over six weeks, the program puts teens in the driver's seat as they become a true team to realize each step of work involved in the process, directing every element of planning, preparation, and painting with light oversight from a team of adult working artists. Over the years, the program has expanded to include participants from all walks of life. Partnering with groups like Manchester's only youth homeless shelter Waypoint and adult disability groups Opportunity Networks and The Plus Company, the project is a true reflection of the beautiful variegated crop that makes Manchester what it is. I have had the honor of leading this program for the last two years alongside my mentor, Yasar Farzad. It is my favorite program that we pour ourselves into each year. An investment of over \$50,000 independently scouted from grants, individual donors and partner organizations, which transforms into a boon of positivity, growth and development for every life it touches. To watch students come into their own, finding their place in a world many kids, and even adults from the disability community, have been conditioned to see themselves apart from is a beautiful thing. Participants in our program feel a sense of pride in themselves and work they never expected to enjoy. Young women exchange bashful smiles as they show off the fruits of their labors, formal letterheads and nutritional preps for our team. Teen boys enjoy a popsicle atop a ladder as they paint their own concepts onto the wall, all the while working elbow to elbow with men 20 years their senior with physical and developmental disabilities. Here in these spaces, everyone has something to learn from one another, no matter the age, ability, where they come from, or who they are. Many in our program are burdened with the preconceived notions of the world around them. Teens are categorized as spending too much time on their phones and lacking the initiative and wisdom of older generations. Those who are homeless are labeled as scary and lazy, accused of freeloading off social systems, and disabled adults

are viewed and treated like children, incapable of adult level conversation skills and experiences well into their 50s and beyond. Our amazing team of individuals challenges every notion set against them, routinely showing up for a hard day of work to serve their city in a park, often ignored by its own community, laboring through 95-degree days to make the world they will soon inherit a better place. The mural they created reflects this idea. Each participant created a vision of a utopian future for the park, free from the burdens and limitations of the real world, yet went through blood, sweat and tears. These individuals strive to beautify and improve our city. The integrity and intention of their work is questioned and threatened with erasure. All I ask is what message does that send to our youth? Or to anyone in Manchester who hopes to heal their community and make their neighborhood a cleaner and brighter place to live? That their efforts, vision, ideas and dedication are unworthy of space within the city that raised them to teach and share how to create is to give someone the world, and to take it away from them is heartbreaking.

Manny Ramirez: I am the creative director and co-founder of Positive Street Art. I am just here to back our colleagues from Positive Street Art and this project that was just spoken about in the last couple of speeches. I just want to reiterate their efforts to keep this mural in the town of Manchester. We are from Nashua as as an organization. And we have done a lot of projects in Nashua and also in the greater national community and out into the Lakes Region and other places in New Hampshire. Our main goal is to keep communities safe and beautiful. This project I vouch is aimed at doing just that. So, with this being one of our few projects that we have done in Manchester, I ask that you keep this project moving forward and that in the sense of positive street art, we love to continue to work with the city of Manchester.

Glenn Ouellette, 112 Auburn Street: As of August 26th, of this year, I will have been living in the downtown for 37 years, a total of 40 years in the city. I know this city. It's my home, and I intend to stay here for the rest of my life. It's a great city and sure, we all have problems, but I cannot believe that we're here tonight for issues that are more nuisance than anything else. My parents and my grandparents always pickled pickles and jams and stuff like that. It's part of our culture. It's part of our history. And here we are. We have a state law that allows it. And I was always taught in history that the city laws, state laws,

and the federal law supersedes our local laws. So, I don't understand why we're in a mess here unless there's something that is unhealthy and dangerous. Why are we doing this? Why does it take five months to turn on a block of lights? Thank you, Bill Barry, for turning them on. Last June, I went to the Beech Street shelter. And I discovered there were people there in wheelchairs in their 80s and 90s with oxygen and paralyzed to the waist. We're not supposed to be taking care of those people. Why didn't we call the state then? It's been over a year now. Last month I heard, Your Honor, that you did call the state. And we cannot find one bed of the 20 beds that we need in the entire state of New Hampshire. Boy, are we dire in this state if we can't take care of our own elderly. Most of these seniors that are there are disabled. They just can't go back to work. Not going to happen. The problem is we don't take care of our very own. They wouldn't have been homeless if they wouldn't have lost their rent. Today my rent went up \$664. That's 48.9% increase. Is that affordable? No, it's not. I'm asking tonight that action be taken under new business and that you pass a vote. That you allow the police department to close the Pine Street Cemetery gate from sunset to sunrise. That is a curfew to begin with. When I spend time on Pine Street, across the street from the cemetery, from midnight to about 2:00 in the morning, and people run in there and they never come back out. We don't need more crime in our streets. We certainly don't need it in the cemetery. It's not going to cost you much to go in there every night and make sure nobody's in the cemetery, and they lock the door. In the morning, they come back and they unlock the door. How simple is that? Action is more important than just talking. Thank you.

Troy Micklon, 29 Ode Way: Over the last couple of months on the campaign trail, I've spoken with many residents and local businesses. One concern that continues to come up is the number of panhandlers soliciting donations from drivers, especially along South Willow Street. South Willow is not just any street, it's Manchester's main retail corridor, home of the Mall of New Hampshire, restaurants, shopping centers, and a number of other businesses. With the holiday shopping season fast approaching, we have an obligation to ensure that this area remains safe, accessible and welcoming for shoppers, workers and drivers alike. Back in 2017, the city passed an ordinance to address panhandling, but it was ruled unconstitutional. That lawsuit, brought by the ACLU, cost Manchester \$89,000 in damages and legal fees. The court made it clear that you cannot ban speech, but it also affirmed that cities can regulate unsafe conduct, especially when

it occurs in active roadways. That's why I'm proposing a narrow, focused ordinance that doesn't target anyone's message. It simply says if a traffic median is not designed for pedestrian use, it should not be used. It should not be used for lingering or solicitation. This proposal is about safety, not speech. Let me be clear: This is not a judgment about people who are struggling. It is about protecting everyone: drivers, pedestrians and those that are standing in dangerous locations. These medians were never meant to be gathering spots. They are narrow, unprotected, and surrounded by fast moving traffic. I know this ordinance won't solve panhandling citywide, but it is a first step. One that I believe is legal, constitutional and enforceable. Enforceable, and it also directly reflects the concerns that I've heard from the people of Ward nine. And the truth is, this conversation is long overdue. We see this issue every day. Residents have voiced their concerns again and again, and yet no concrete solutions have been brought forward. Ward nine deserves more than acknowledgement. We deserve action. We deserve someone who not only listens, but also takes steps to solve the problems. That's why I'm not waiting until November. Leadership is not about holding a title, but it's stepping up when you see a problem and you can offer a solution. Win or lose, I plan on doing just that. This proposal reflects the kind of representation that Ward nine needs, guided by values and focus on outcomes. I've drafted a proposal here I'd love to share with all of you and thank you for your time.

Jeremy Kauffman, 349 Manchester Street: I sometimes leave the city of Manchester. Any of you guys ever been to some of New Hampshire's beautiful farm stands? You can find some of the places outside of Manchester. Any of you guys ever go to any of those? Ever buy some cookies or some pickles from one of those stands? Well, that's a beautiful right that those places have that we as Manchester citizens do not have. And not only do we not have that right here, we have Manchester City officials funded by our tax dollars, going around harassing citizens from selling pickles and cookies to their neighbors. And this is something that only Manchester and a couple of other cities do. So, every other place in the state, cottage and homestead food laws allow citizens to make small amounts of goods that are widely considered safe in their homes and sell them to other people. I'm here tonight proposing a very simple and narrow change, which is to amend 117.0 of the Manchester City code to no longer consider home based businesses to be food service establishments. That's it. At that point, people who sell food at their homes will still be

governed by all state laws that protect the rest of the citizens of this state. So, this isn't something radical. This is just saying allow Manchester citizens to be governed by the same state laws, and not extra state laws made up by the City of Manchester more than 60 years ago. Now, something that I've noticed aldermen like to do, and this isn't all of you, but it is some of you. You like to avoid taking positions because then you might get in trouble. So, some of you might want to do things like study it and kick the can down the road. I'm going to be paying attention to that. A lot of us here are going to be paying attention to that. And if you're the kind of person who's not willing to change this tonight, I'd ask you to come over here and write me a ticket yourself, because I just broke the law outside of City Hall. So, if you think this should be a law, please direct the police officer in the back of the room to come over here and issue me a ticket or arrest me, because I'm telling you right here that I broke the law tonight. And if this is the law that you support as alderman, I'd like you to enforce it yourselves. Anyone willing? Please. There's an officer right there. I'm telling you; I broke the law. Would you notify him? Could you tell him so? Are you willing to come over here and arrest me for selling illegal pickles tonight?

Nancy Troupakis, Karatzas Avenue: I stand before you today not out of anger, but out of deep disappointment. A disappointment rooted in the choices of our mayor and the silence of those who were elected to serve us. We entrusted our leaders with the responsibility to protect our community, to uphold transparency, and to act in the public's best interest. We were promised tax relief. What we got was the steepest property tax increase in decades. We were promised transparency. We got a mayor who vetoes his own budget to buy time, then cast the deciding vote to end debate. We elected a mayor to lead with integrity. Instead, we watched as he's persuaded our aldermen to do his dirty work, shielding himself from scrutiny while pushing decisions that affect every corner of our city. We are now witnessing a troubling pattern of persuasion masquerading as leadership and complicity disguised as cooperation. This isn't leadership. It's manipulation. Not in service of the people, but in service of a political agenda that has left our city vulnerable and our concerns unheard. We were promised compassion. What we got was a shelter system with no oversight, and a silence on federal funding that could protect our most vulnerable. The disregard for the community and community impact, and the refusal to engage in honest dialogue about what's happening in our neighborhoods. Our mayor has enabled a low barrier shelter to operate without oversight, claiming

compassion while ignoring accountability. Not because we oppose compassion, but because we demand responsibility. A shelter without oversight is not a solution. It's a liability. We've enabled the system that operates in the shadows, while the consequences play out in broad daylight. The consequences are felt daily by residents, families and businesses who are never consulted and never considered. The mayor's plan to close the shelter and open a new facility by April 2026 remains vague, and no confirmed nonprofit partner in no clear operational framework. We deserve better. We deserve leadership that listens, that owns its decision and that doesn't hide behind others when the going gets tough. We deserve aldermen who ask hard questions, not ones who rubber stamp policies without scrutiny. This is not just about policy. It's about principle. If our elected officials will not uphold it. Then it's up to us to demand. It doesn't stop there. Our mayor has empowered our school board to make decisions in secret, reporting only to themselves. And now our mayor's latest move is no accident. By backing a slate of at-large aldermanic candidates, he is orchestrating a calculated attempt to control the narrative. Our mayor's strategy is clear: persuade enough aldermen to collaborate. He controls every board and committee in this city. These independent voices are positioned to echo his talking points and deflect scrutiny, ensuring dissenting opinions never see the light of day. This is not governance or leadership. It is manipulation. True independence is not declared as demonstrated.

Zachariah Tringali: Tonight, I have a little poem. From the pits to the gate. Elm Street whispers with broken breath. Maple groans beneath the weight of death. And the alleys of Union and the railroad shade. Souls are battered. Bodies betrayed. Veterans shuffle with haunted stare. Heroes discarded, left to despair. The mentally ill cry out in night. Their pleas ignored; their chains held tight. Children of addicts born in gloom, learn to survive a living tomb. The needles gleam like a serpent's kiss. Promise a heaven but give an abyss. The dealers laugh as their victims fall, while politicians sip wine in city hall. The mayor smiles and the council nods, yet the streets are soaked in the tears of God. Lies are treated like poison bread. Thieves grow fat while the poor drop dead. The shelters fill, the beds run dry, and still the police drive the broken to die. Oh, Manchester city of stone. How many graves will you call your own? Yet listen: beneath the rotten crime a whisper rises. pure and divine. Not all are for lost or all lost to the flame, Christ remembers everyone's name. The thief, the liar, the addict, all scatter. All still rests in the hands of



God. The shepherd walks where shadows reign. He gathers the outcasts; he breaks their shame. From the pits of Elm, from granite's grain. He lifts the broken beyond all time. From the river's filth to heaven's shore, he opens wide the narrow door. Oh, Manchester, your doom is near. Unless you learn to truly hear. The homeless, the beaten and the outcasts aside are heaven's treasure, heaven's pride. And when the trumpet shakes the sky, the first shall live and the proud shall die.

Jamie Levine: I support my friend Reverend Zachariah. I have seen him do more for this city, along with the religious leaders of the Christian and Jewish churches, than anyone.

Deb Roux, 97 Springwood Way: I'm here to continue my pre-celebration of the 250th anniversary of the signing of the Declaration of Independence. I read most of it last time, but I'd like to continue with the grievances this time. And I think it's very important for us to understand this document, where it came from and all of our Founding Fathers' documents. So, I'm very proud to continue reading this to all of you. And before I begin, I'd like to thank Alderman Kantor and Alderman Barry for getting back to me on my question about what Manchester is planning to do for the 250th. Please let me know what you guys find out. I'd be happy to participate in any way that I can, so I'm just going to read a couple of sentences before I start with the grievances to kind of remind us of where we're at:

"The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world. He has refused to assist in laws the most wholesome and necessary for the public good. He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained, and when so suspended, he has utterly neglected to attend to them. He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records for the sole purpose of fatiguing them into compliance with his measures. He has dissolved representative houses repeatedly for opposing with

mainly firmness his invasions on the rights of the people. He has refused for a long time such dissolutions to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the meantime exposed to all dangers of invasion from without and convulsions within. He has endeavored to present the population of these states for that purpose, obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands. He has obstructed the Administration of Justice by refusing his assent to Laws for establishing judiciary powers. Judges, dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries. He has erected a multitude of new, and sent hither swarms of officers to harass our people and eat out their substance. He has kept among us in times of peace standing armies without the consent of our legislatures. He has affected to render the military independent of and superior to the civil power. He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws, giving his assent to their acts of pretended legislation.”

And I'm also going to send you guys all a great video by Krisanne Hall. It's only an hour long, and it's it's a genealogy of our founding documents. So, I hope you guys get a chance to listen to it. Thank you.

Sarah Katz: I'm here to voice my concerns about PFAS pollution at Manchester's wastewater treatment plant and incinerator. I'm urging the Board of Mayor and Aldermen to actively address this issue. I canvassed in Manchester's neighborhoods recently and spoke with many residents who are enthusiastic about prohibiting PFAS chemicals. PFAS chemicals are linked to serious health impacts, including cancer, damage to the immune system, reproductive issues and developmental delays in children. Even low levels of PFAS can be very harmful to our residents. Manchester's limited monitoring shows that the city's wastewater treatment plant is receiving wastewater with PFAS in it. The plant and its sludge incinerator then send PFAS into the Merrimack River and the city's air. Manchester's sewer use ordinance does not specifically address the problems, but the BMA is the clear power and authority to change that under state law RSA 485-A. Instead of just focusing on compliance with the city's current Clean Water Act permit, which lacks limits for PFAS, the city has the chance to be a leader and make a difference in the health

of our community. Last month, you received a copy of a draft amendment to the sewer use ordinance. If adopted, that amendment would establish PFAS monitoring and reduction requirements for industrial sources that send their wastewater to the city's plant. You also received a petition with more than 170 signatures from Manchester residents, including my signature, urging you to take action. And again, I did canvassing and received really enthusiastic responses from the residents I spoke with. I'm here tonight to reiterate that request. Please take a leadership role and protect our community by amending Manchester's sewer use ordinance to address PFAS.

Kathleen Carswell, Amherst Street: I live on Amherst Street, Ward four, and I've been in that ward basically 63 years out of my 65. So, I've lived in Manchester for quite a long time. My mother raised us here with my grandparents, my aunts and uncles. We all worked hard, participated in city activities. But now all of this is going down the drain. We don't even take care of our elderly and shame on us. And I'm tired of being back here. I have elderly in my neighborhood that are scared to death because the PUC Eversource company likes to jack up the rates for our electric bill. I'm \$200 for a one-bedroom apartment. I pay more in Eversource bills than my two friends who have houses. It's ridiculous and I can't get any help. Oh, we can read the meter, is what they tell me. So, I have to pay \$20 for them to come read a meter. It's ridiculous. And we're pushing our elderly into the shelters where they shouldn't be. They should be number one on the list to go to a place to live decently for the rest of their lives. They paid their dues. So, shame on us and we should all hang our head low for that. It's disgusting. Second, could we please get parking another truck to do the city? They have one vehicle to do the whole city of Manchester. They can't be on all sides of the city in one day. So, when I call they're very good, they try to do whatever they can do to help out. I'm calling them almost on a weekly basis. And I asked the person that answers the phone, how many vehicles do you have? We have one, ma'am. I said, well, I'll mention that at the next mayor and aldermen meeting. Maybe we can get one of the parks vehicles that they were brand new last year, and then we dismantled that office. Why can't we use one of their vehicles, give it to them, put a different logo on the side? It's not rocket science. You know, we have to help out our neighbors. So, I have some elderly neighbors that are scared that they're going to be out in the street this winter. And it shouldn't be. I'm one. I'm a foot and a half on a banana peel myself. I'm on a fixed income. I can't afford to be where I am. I pay more in electric

than I almost do anything else. I have to pay for everything in my rent except for water and aggravation from my landlord. Because I asked him a couple of questions if you can help out doing things around the apartment building. You get no response. Where do you go? Where do my friends go? Where do my neighbors go? We have to start helping instead of hiding our heads in the sand.

Daniel Mowery, 112 Holt Avenue: Mr. Mayor, I ask if I could have maybe an extra minute in speaking time, since I am the one who has been attacked by your Department of Health. I love this city and I do a lot for the city. Our community on Holt Ave raises money for the police department and the fire department. Now, every time I have something the Department of Health is breathing down my neck. Cease and desist. I've had politicians at my house. Mr. Mayor, you've been at my house a couple of times. Alderman Kantor, you've been at my house several times. And I thank you for everything you do, Alderman Levasseur. I thank you for everything you're doing for me. I've even had President Trump's press secretary at my house. My house is clean. So, for someone to say that I might have a dirty house, so be it. Anyways, enough about that. Everyone knows why I'm here; it is because Anna Thomas and the department sent me a cease-and-desist order for my canning of bread and butter pickles, which has been in my family longer than probably most of you have been alive. I had many people asking to buy them online and jokingly I said, oh, I have a cash customer and some busybody called the city or emailed, which I've asked for a right to know request and I have not received it. It's been over three weeks and I keep on getting the same thing, but that's enough about that. But for the record, I never said I was selling them. I made a comment like I said, cash customer, yahoo. So, for the busybody: get a life. I called the Department of Health and asked them to call me. I never got a call back, so therefore, thank you, Department of Health for nothing. I sent the right to know request via email and UPS. The State of New Hampshire has a cottage law and a homestead law. For what the pickle snitch has started, this city has made national news. So tonight, you can be watching because I guarantee you, I've gotten calls from other news outlets in Boston and Pennsylvania. They're all watching tonight on the news. So, everything you aldermen do tonight will be in the national news. I have received nasty comments from people that I do not know, but I've received 99% comments from all over the United States, from the state senators, state reps, many op-ed articles and one off the wall state rep from our city. Again, Crissy Kantor and Joe Kelly,

I thank you. But now this fight is not for me. It's about every bake sale, every church, every organization that is trying to raise money because times are tough. Every baker. Every canner. Everyone. I'm asking the Board of Aldermen to change the ordinance that this city has in place which is foolish and total government outreach, plus I'm asking Mr. Mayor and the Board of Aldermen to put together a committee of elected officials and citizens to go over the ordinance and see what needs to be replaced. So, remember, we are God's children and we are supposed to help feed the poor, homeless and our neighbors. And for that, I will pray for all those people who sent me hate messages and for the person that turned me in. Always remember my motto: do not ask what Manchester can do for you, but ask what you can do for Manchester. Thank you. God bless you and God bless the USA.

Larry Moquin, Bow: I'm the business manager of Laborers Local Union 668 here in Manchester. I'm going to speak on behalf of all of my members so you didn't have to hear three minutes of each of them. But I'd just like to address you about the Cemetery Brook sewer drain project. It's the largest infrastructure project the city has ever undertaken, and we are concerned that Manchester residents will not be on this project building it. These are all Manchester residents that are here and wanting to build this project in their city. So, the benefits and the money you are investing will go back into the city and not out of state with workers that aren't from around here. We have the best training there is. Our training instructors in Massachusetts actually are training OSHA inspectors and tunnel safety. This project is very dangerous. The old saying was a man a mile. That means one death per mile. We've got 2.25 miles under the city. We've changed the safety on these projects immensely throughout the years to make sure that one death a mile does not occur, and we definitely do not want it to happen in our city. We just would like that the Board of Aldermen and mayor, that you think about a community benefits agreement when you guys are talking so we know that the money that you are all investing, which is all taxpayer money, ends up back in Manchester and also that your job is done on time, on budget, and most importantly, safely, because all of these men and women are here tonight after working all day because it's important to them. I thank you for your time. If you have any questions, you can all reach out to me. We have a training center down in Hopkinton, Mass that we'd love any of you guys to see so you can see exactly what we bring to the table. And I know you're also talking about heating for the homeless this

winter. Well, this project, we could bring some homeless people, give them an opportunity, give them a job, a career path, take them out of poverty. And we can also partner with the schools here and put students from Manchester building this tunnel, do their whole apprenticeship program and end up leaving with a career and also working to better their city. So, thank you for your time. And like I said, reach out if you'd like to ask any questions.

Cali Rojas: I know the last meeting that I came and spoke at, I had shed light on the issues that I have been noticing at the Valley Street and Pine Street Cemetery. As of recently, the back locks have been cut off. I don't know how, and from what I know, it's been 18 years that they have been locked. It's now creating so much more foot traffic. Continuous trash, needles, human feces. I have pictures, I'm sure you guys would not like to see them. But my wonderful friends here are tonight, and they have dedicated so much free labor and hard work to clean up that historical site, which is one of the oldest historical sites in the city. So, it's just really something that I think that we should all band together and really support their efforts rather than allow it to go downhill and continuously be degraded. Today there was a man walking around hitting the gravestones with a stick, which these people have dedicated so much time to get them to even stand back up. So, I did just want to shed light on that. I also think it is utterly disgusting hypocrisy for the health department to sit here and talk about them, worrying about the health and wellbeing of the Manchester residents when they're not worried about the needles that they're giving out, and being thrown across our streets and parks for our children. They are not worried about the PFAS forever chemicals that numerous people have come up here and mentioned. And still, it's radio silent. I haven't heard anything about that. So, I think it is such a slap in the face to us. I think that we really need to do better in the city, and I think that there are great changes and the ability for us to do that. So, I just wanted to mention that as well. I'm also going to leave off where Deb left off:

“For quartering large bodies of armed troops among us, for protecting them by a mock trial from punishment for any murders which they should commit on the inhabitants of these states. For cutting off our trade with all parts of the world, for imposing taxes on us without our consent, for depriving us, in many cases of the benefits of trial by jury for transporting us beyond seas to be tried for pretended offences. For establishing the free

system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies. For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments for suspending our own legislatures and declaring themselves invested with power to legislate for us in all cases whatsoever. He has abdicated government here by declaring us out of his protection and waging war against us. He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people. He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous, deliberate breach of faith, totally unworthy the head of a civilized nation.”

I'll end there. But thank you all. God bless you all.

Ken Tassey: Thank you, mayor, for the the more than 40 hours a week that you put in and your staff, for the sake of our our city. I'm here tonight to speak about the invasion of the rights of Mr. Mowery, who spoke just a short while ago. In my opinion, it is an example of government overreach. And I'm speaking about the recent issuance of a cease-and-desist order by the health department against Daniel Mowery for doing something that embodies community spirit, giving away hand bottled pickles to his neighbors. There was not so much as an inquiry or phone call or a knock at the door to find out if he was indeed running a commercial food operation from a residence. My wife and I have been the lucky recipients of his bread and butter pickles for a number of years. He never asked for a penny. And if someone who is a hired hand at the city can't distinguish between a tongue in cheek joke on Facebook and actually selling pickles or selling home canned goods, then that person is not qualified to be in that position. More consequential than whether Daniel can share his homemade food is the fact that, in my opinion, this was a political attack. I know that there have been 91-A Right To Know forums issued for the correspondence between the person who issued the cease and desist and the person who complained. I am not aware as to whether the identity of that individual has been revealed. But I can tell you that about a year ago, Daniel and his partner David, who have been doing block parties for a number of years, both at the Christmas season, end of the

year and in the summer, raised thousands of dollars for the Manchester Mounted Police and through soliciting donations from members of the Holt Avenue community gifts that are given away by a real a real Santa and Mrs. Santa. A lot of expenses gone through by Daniel and David to make this a really joyous occasion for the Holt community. Why do I say this is political? I know this is a non-partisan body. We have nonpartisan elections in the city, but three Democrats, one who is a sitting elected official at the time, invited himself into one of these events with the ill intention of finding a way to accuse Daniel of violating block party ordinances, which they did. And, expenses were imposed upon his block parties that make it very difficult for them to have that wonderful event every year. I would compel this board to investigate these political attacks. Manchester deserves fairness. The people of Manchester deserve fairness, regardless of what side of the aisle they're on. And our our citizens deserve freedom from partisan targeting. And Daniel deserves justice. Thank you.

Julia Siders: Valley Cemetery is the burial ground of most of Manchester's founding fathers. The men who laid out the streets. The men who built some of the historical homes are buried there. And for several years now I've been a member of the Valley Cemetery Volunteers, and we meet every other Saturday for three hours cleaning headstones, restoring headstones, and doing what we can to make that beautiful spot available to all people without the fear of somebody attacking you. And I have to say, it was my sanctuary. I think I've cleaned about 225 stones in the time that I've been a volunteer, and this past Saturday I was so discouraged at the situation. Two years ago, we had park rangers who went through every two hours. I knew every single one of them by name because they saw me every day after work. I would go to just chill out after a day. And we don't have those. The police used to come through, they'd say hi, we'd chit chat. We don't see them anymore. And I'm discouraged. I'm discouraged when I go to the chapel to get supplies and there's human feces on the steps of the chapel. And behind the chapel there's piles and piles of feces and toilet paper. And down behind, going down into the valley, piles of feces. So, you talk about the man selling pickles, how is this a health issue. I think they have parties at night. They shoot up drugs. We were there last Saturday. A couple walked in, sat on one of the walls and lit up a crack pipe. You know they don't care. I hear from neighbors that there's people having sex on chapel steps, a chapel that has been there for almost 200 years and. And just sex on the grass. I want to know who



I have to contact to get support, because I'm at the point where I'm about ready to give up. And it's sad. Very sad, because these people, there's so many important people buried there. So, I would love to to have somebody tell me. I actually started an email today to WMUR to see if they could do a story on it.

Kevin Guertin: I actually thought I'd be the most uncomfortable one in here because I've never been in here before. But looking at our mayor, he must be the most uncomfortable one, because he's the only one standing, because everyone's sitting. So, his feet must be hurting, which is normal for a normal human being. I have been volunteering my time at the Valley Street Cemetery for many years, and I've heard a couple of people speaking about it, which I think is great. I've always heard that cities, towns, the fundings isn't there. We're shorthanded. We're short staffed. Well, there are a bunch of people out in the city of Manchester that are willing to help out and work for free, like they have been. I've been doing the Valley Cemetery with a few of my friends for quite a few years now, and we just finished up the backside in the beginning of this year, which came a long way, and it's very clean, and I've been hearing people coming to the cemetery with their kids and their strollers and their dogs saying how they like the big improvement that we've made within the last several years. But however, the past year that's been going by has been going downhill very fast. Between the drugs, the alcohol, the housing, which thank you for helping with that, we've seen you on the news helping with that, which is great, but it needs a little bit more work on that. And the big thing is what really threw in the towel for me, and I still volunteer my time for free. Not looking for money because I like restoring. Good example: look at the ceiling. Something happened to this building with this ceiling. This is either plaster or it's aluminum. So, if this place got piled in with people that were homeless or doing drugs and the ceiling got destroyed, you'll never get it back the same. You can get the same aluminum, but the plaster, it'll never be the same. Same thing with the tombstones that I myself sweat blood and tears and guts to prove that I've done it. Some of these stones can't be replaced. So, you try fixing them to the best of what you can. And then when you do, especially when they're slate and you come back and it's broken again, it kind of discourages you. The kick in the teeth part is the backside of the cemetery. We got a lot, 98% of it done. It looks beautiful. People can go in there and this is a real beautiful place to be in. They just cut chains on the underside where the arena is. And I guess the idea of that being said is, oh, for more positive feedback coming in.

From what I've seen, not to sound rude or disrespectful, but so untrue. It just makes more traffic for more people to come and sleep and have sex and do drugs and hide from. The part I don't understand is it was monitored at one point in time and it was in very good shape at that time. The gates were locked, the place was patrolled. Now it isn't patrolled anymore and the gates are bolted to the sidewalk open. If the gates were closed that night, that's less places for them to party, less places for them to hang out, and less places for drugs, and less places for overdosing. Because there has been numerous overdosing in that part of the cemetery, which is the oldest cemetery in Manchester that some people still like to stroll through because there are stones in there that you're not going to see anywhere else, including our founding fathers that are in there. They worked hard for what we have in this city today. I don't like to see it be thrown down and forgotten about. I could go on forever, but my three minutes is up because I just got rolling. I just wanted to be heard and see if something can be done with the Valley Street cemetery being patrolled more, or lock the gates up and keep out what needs to stay out. Thank you for your time.

Nate Dwyer, 211 Valley West Way: I'm here to talk about the fact that a man who, out of his own time, effort and money, was distributing pickles to people that he knew and he got a citation and I think that's frankly wrong. New Hampshire has a very good Food Freedom Act, which allows for homesteading, such as pickles, baked goods. I myself just recently sold baked goods earlier today. And the fact that Manchester seeks to override New Hampshire's homesteading law is wrong and a clear overreach.

Jessica Margeson: I commonly come before you to speak on many different housing issues that affect our city and its residents. Tonight, the subject I will speak on may be a different one than I've spoken on before, but its impact to the residents concerns me just as much as all the other concerns I have brought here before. I am concerned about PFAS at the Manchester wastewater treatment plant and its on-site incinerator. I feel that the adverse effects proportionately affect areas already overburdened by environmental pollution. The Manchester Wastewater Treatment Plant is receiving wastewater that contains PFAS, but the plant cannot remove PFAS and as a result, the plant is sending these harmful chemicals directly into the Merrimack River. Manchester's wastewater treatment plant and its on-site incinerator are also sending PFAS into the air. The incinerator is the only one of its kind in New Hampshire, and it is located near many

homes, a baseball field and an elementary school. Manchester should require upstream PFAS reduction to curb PFAS coming into the plant from industrial sources. We should address the impact of the plant's PFAS air and water pollution on communities facing environmental burdens, include the Manchester Municipal Landfill to reduce PFAS before it even gets to the wastewater treatment plant. As stated earlier, we do have that clear authority with state law. Separately, when you vote tonight on the recent mural and whether to keep it or cover it, please remember that art is subjective and to vote not on your opinion of the art, but the message it sends to keep it and to show that everyone matters. And lastly, what is different between pickles and soup except those served? Please remember that tonight when voting and make sure that if we're giving away pickles, we can give away soup to those who are homeless.

Matt Glavin, Derry: I came tonight to tell a little story about the Cemetery Brook project and how one of our signatories was awarded this project. And then a month after they were agreed to a price, the general contractor said no, how about 40% less? And that was the end of the conversation. You know, after a verbal agreement, one of the largest reinforcing projects in the state of New Hampshire, about 250 to 300 tons of rebar that our members, Manchester residents, would have been paid a pretty good wage and done very safely, just up in smoke. We should be looking strongly at some of these contractors that are coming in and bidding some of these projects to make sure that Manchester residents are there. The safety programs are in place to make sure that, God forbid, a rescue or anything needs to happen in these tunnels that we have the training, just like Larry was saying. That's one of the things we preach: safety, safety, safety. We get projects done on time. The pace is good, the safety is there. And I just hope that going forward that we can make sure that these projects are being manned by Manchester residents for a good wage, not some company that's going to lowball and play games and that's it.

*On motion of **Alderman Barry**, duly seconded by **Alderman Long**, it was voted to take all comments under advisement and further to receive and file any written documentation presented.*

## **CONSENT AGENDA**

### **Accept BMA Minutes**

2. Minutes from the August 5 BMA and Finance meetings.

### **Approve Under Supervision of the Department of Highways, subject to funding**

3. 50/50 Sidewalk Petitions:

#### Residential

39 Harriman Street

67 Pickering Street

219 Joliette Street

465 Manchester Street

## **REFERRALS TO COMMITTEES**

### **COMMITTEE ON FINANCE**

4. "Amending the FY2024 Community Improvement Program authorizing and appropriating funds in the amount of Two Thousand Six Hundred Twelve Dollars (\$2,612) for the FY2024 CIP 212124 Oral Health Program."

"Amending the FY2024 Community Improvement Program authorizing and appropriating funds in the amount of Thirty-Eight Thousand Twenty-Eight Dollars and Forty-Eight Cents (\$38,028.48) for the FY2024 CIP 610424 Dilapidated Buildings."

"Amending the FY2022 Community Improvement Program authorizing and appropriating funds in the amount of Four Thousand Two Hundred Twenty-Seven Dollars (\$4,227) for the FY2022 CIP 811522 HUD HOME-ARP Planning and Administration Support."

"Amending the FY2026 Community Improvement Program authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the FY2026 CIP C200021126 CBDO - Special Activities."

"Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty-Six Thousand Five Hundred Dollars (\$36,500) for the FY2026 CIP C330040726 Domestic Violence Unit Overtime Program."

"Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Thousand Dollars (\$80,000) for the FY2026 CIP C410021626 School Based Dental Program - Medicaid."

## **REPORTS OF COMMITTEES**

### **COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS**

5. Recommending that the proposed criteria for the Community Revitalization Tax Relief Incentive Program (RSA 79-E) for applications within the Central Business Service District be approved.  
*(Unanimous vote)*

### **COMMITTEE ON BILLS ON SECOND READING**

6. Recommending that Ordinance Amendment:  
  
"Amending Chapter 117: Food Service Establishments of the Code of Ordinances of the City of Manchester by making changes to reflect the new food code and increasing various fees."  
  
ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration.  
*(Unanimous vote)*

### **COMMITTEE ON COMMUNITY IMPROVEMENT**

7. Recommending that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$2,612 for CIP 212124 Oral Health Program be approved.  
*(Unanimous vote)*
8. Recommending that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$38,028.48 for CIP 610424 Dilapidated Buildings be approved.  
*(Unanimous vote)*
9. Recommending that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$4,227 for CIP 811522 HUD HOME-ARP Planning and Administration Support be approved.  
*(Unanimous vote)*
10. Recommending that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$20,000 for CIP C200021126 CBDO-Special Activities be approved.  
*(Unanimous vote)*
11. Recommending that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$36,500 for CIP C330040726 Domestic Violence Unit Overtime Program be approved.  
*(Unanimous vote)*

12. Recommending that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$80,000 for CIP C410021626 School Based Dental Program-Medicaid be approved.  
(Unanimous vote)
13. Recommending that the request from the City Solicitor to extend the end date for CIP 411125 Domestic Violence Victim-Witness Coordinator until December 31, 2025 be approved.  
(Unanimous vote)
14. Recommending that the request from the Planning & Community Development Director for line item adjustments to CIP C200060126 Concentrated Code Enforcement #1 and CIP C200060226 Concentrated Code Enforcement #2 be approved.  
(Unanimous vote)
15. Recommending that the request from the Highway Chief Engineer to extend the end date for CIP 710925 Annual Street Reconstruction (CDBG) to June 30, 2027 be approved.  
(Unanimous vote)
16. Recommending that the request from the Chief Facilities Manager to extend the end date for CIP 711613 Odd Fellows Hall Operational Expense Project to June 30, 2030 be approved.  
(Unanimous vote)
17. Recommending that the request from the Parking Manager for two license plates to accommodate an addition to the division's fleet be approved.  
(Unanimous vote)

#### **COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC**

18. Recommending that the following traffic regulation be approved:  
**NO PARKING ANYTIME**  
On N Russel Street, both sides, from Arah Street to Whitford Street  
Alderman Morgan  
(Unanimous vote)
19. Recommending that Ordinance Amendment:  
"Amending Section 91.631 Eligibility Requirements for Municipal Curbside Collection by authorizing Public Works to revoke eligibility for cause."  
ought to pass and be referred to the Committee on Bills on Second Reading for technical review.  
(Unanimous vote)

## **JOINT SCHOOL BUILDINGS COMMITTEE**

- 20.** Advising that the Manchester School District Priority I status and financial report for July 2025 submitted by LeftField has been accepted.  
*(Unanimous vote with the exception of Alderman Kantor who was absent)*

*HAVING READ THE CONSENT AGENDA, ON MOTION OF **ALDERMAN FAJARDO**,  
DULY SECONDED BY **ALDERMAN VINCENT**, THE CONSENT AGENDA WAS  
APPROVED.*

## **REPORT OF THE SPECIAL COMMITTEE ON BASEBALL/CIVIC CENTER**

- 21.** Recommending that a payment not to exceed \$150,000 be authorized to the NH Fisher Cats for replacement of the field turf per the terms of the contract between the city and the NH Fisher Cats.  
*(Unanimous vote)*

This item was removed from the Consent Agenda at the request of Alderman Morgan.

Alderman Morgan: I'd like to provide an update on the New Hampshire Fisher Cats replacement field turf. We have received the following updated information. The final invoice number is \$385,007. With the Fisher Cats contributions of \$98,212.36, the subtotal is \$286,794.64. So, the 50/50 subtotal split would be \$143,397.32. So, this split is what our request of funding would be from the city based on our contractual obligation in the lease. So, the final breakdown of payments are Fisher cats are paying \$241,609.68, and the city is at \$143,397.32.

**Alderman Morgan** moved to accept the report and adopt its recommendation.  
**Alderman Vincent** duly seconded the motion.

Alderman Long: Thank you, Your Honor. My understanding is there's \$73,000 still unspent for that field. Would that come off of the \$140,000-plus?

S. Wickens: That's correct. There's almost \$73,000 in project balance money that was baseball related. That has not been spent. I confirmed that with the Josh Gagne.

Mayor Ruais: So the actual ask is going to be \$70,000 and change?

S. Wickens: It's going to be just shy of \$72,000. I mean I don't I don't have the exact project balance.

Mayor Ruais: I think the previous motion was not more than \$150,000. \$70,000 falls well within that. So I think we can move forward with that.

M. Normand: The general manager of the Fisher Cats is here. He might be able to shed some light on this.

Mayor Ruais: I think what was clear was that this number falls below the \$150,000 that was requested. We would only invoice up until what we have to pay. The subtracted amount would be the \$73,000.

T. Fisher: Can I ask where the \$73,000 came from?

S. Wickens: So it's not coming from CapEx. There were other projects that the city had put money aside to help the Fish Cats over the years. And this is extra. This is on the city side. It has nothing to do with CapEx.

Alderman Long: So the money is on the city side. It's not coming from the Fisher Cats.

Mayor Ruais: We are not asking you to contribute an additional \$70,000.

Alderman Burkush: I think we had talked about a special revenue account for that.

S. Wickens: I believe it was an email to you, alderman. We could do one of two things. It's probably not going to be more than \$72,000. It could come from contingency. There's still a \$200,000 balance in contingency. It could come from the Special Revenue reserve, but that would take ten votes, because that's not the purpose of that account. Or it could be bonded. It's kind of small to bond. But, you know, at the end of the day, there's \$200,000, and I would say in the past three years we haven't even touched contingency. And if we were to have a problem, that was a major problem as the year were to progress, well, then maybe you hit the special revenue reserve.

Mayor Ruais: Your recommendation is that we use contingency for the balance?

S. Wickens: That's what I would do. But, you know, it's the will of the board.

Alderman E. Sapienza: The full board is yet to to greenlight paying anything. Correct?

Mayor Ruais: That's correct. We're contractually obligated to do this.



Alderman E. Sapienza: Then I get the feeling we're putting the cart before the horse here. We're talking about which account we're going to use in all this. We've yet to decide whether we're going to pay a red cent towards this.

Mayor Ruais: We don't have a choice.

Alderman E. Sapienza: Is that a fact? I mean, have we decided that yet?

Mayor Ruais: We are contractually obligated to do this.

Emily Rice, Solicitor: We are contractually obligated to do this.

Alderman E. Sapienza: All right. What part of the contract? I mean, I'm not entirely certain we're contractually obligated to do it. I mean, a few years ago, we were told that we had to upgrade the stadium because the Fisher Cats were now associated with Major League Baseball. We had to provide a bullpen and all this. So we ponied up the money. The Fisher Cats are associated with Major League Baseball. Great, let Major League Baseball pay for it. I'm not 100% certain that we have to come up with this money.

Alderman Long: I'd like to make a motion we take it out of contingency, Your Honor.

Alderman O'Neil: I'll second.

Alderman Levasseur: I'm not sure which contract that we're reading, and I'm not sure if there's an addendum to the 2005 contract. The 2005 contract, which covers a lot more than what addendums I've read subsequent to the 2005 contract, make the Fisher Cats or whoever is leasing the property from the City of Manchester responsible for the field. He came here and got \$2.8 million out of us and another million dollars out of us, and told us they were doing field upgrades. As a matter of fact, they have done field upgrades subsequent to the last amount of money we gave them. Our contract specifically holds them accountable. I don't have it in front of me. I have it on my phone somewhere, but there are two parts. I don't remember if it's section 18 or 19 or whatever. Both of those

specifically state, they are responsible for the field. The whole field. Not just the infield. So, I don't know where anybody's coming up with that the City of Manchester is responsible for the field that they use. And it's just like a restaurant. I mean, or any property, if you wear and tear the carpet out, the landlord doesn't come in and change it unless it's in the contract that says we're specifically responsible for the the carpet. We're not. It doesn't say anywhere in there that we're specifically responsible for the field. I understand capital improvements, but the field is not a capital improvement. It's an actual necessity. I can see a capital improvement of a roof, maybe, but we've already spent millions of dollars on this. Our bond was supposed to be up in 2029. It's been pushed out to 2035 now. So, unless somebody shows me an addendum that says specifically, we're responsible for the field, I cannot vote for this. I've read the contracts. I've read them multiple times because they've been to us multiple times for money. And I went over it again. And it specifically states the field is to be the burden of the team.

Mayor Ruais: I think Director Wickens has a comment on this that the contract from 2016 addresses this.

S. Wickens: Well, it's a contract for 2016. That was the amendment that Mayor Gatsas had done. But I mean, to Alderman Levasseur's point is, if he doesn't feel that the field is a capital asset, well, then that's a determination that has to be done by, I guess, someone else. We've always thought that the field was a capital asset, but maybe it's not. I'm not saying that I'm right on that, Your Honor.

Alderman Long: There's an addendum to that contract which states that the capital improvements would include the field. We're responsible for half; that was negotiated.

Alderman Levasseur: And why aren't they a part of our agenda? If someone's going to come to this board. You know, we hear about it all the time. Nobody ever asks any questions on this board. And then when you do ask questions, you're always made to be the bad guy. I've read the contracts. I've read the agenda. We've gone through this before as a board previous times, and we've discussed what a capital expenditure is. You want to name everything, that's a capital expenditure. But it specifically says in our 2005 contract, they are specifically responsible for a specific item. And then this morphs every

time we get a new request, a new piece of paper is written and then the language starts to spread out. I don't agree with it. They should be responsible for their own field. They should be responsible. I mean, if we're going to have to change the seats out, maybe that's a capital expenditure, right? Because everyone gets to use it. But when it's your own field with your own bases, what's next? Baseball bats? Is that a capital expenditure or the gloves they have on their hands? The balls that we throw with, their caps, the uniforms? You want to go down the path of what a capital expenditure is? The field is theirs. That's what they use. We just replaced that whole field. And then again, I apologize, but we don't even get the agendas with the contracts attached to them.

Alderman Long: We paid half for the drainage on the fields. That was the new agreement made by former Mayor Gatsas. So that's that precedent where the field would be capital improvement.

Mayor Ruais: That's my understanding. When I had this conversation last year when we were talking about renewing the contract, when I met with Peter Chiesa about that, that was the addendum that he had addressed in our meeting last summer, that it was the understanding that this fell under a capital improvement.

Alderman Levasseur: Did somebody write the city a letter from the Fisher Cats, or even an email? I'll be happy with an email. Hi guys. It's time for us to fix the field. And as you know, per clause 26 on page 33 of the 2016 contract which overruled the 2005 contract, you guys are responsible for paying 50% of the field improvements. Where is that language? Where is that document? Where is that actual discussion? Is the discussion a phone call by two people on the phone? Hey, by the way, can you help us out here, or is there actually some evidence of this being a negotiation if we don't pay them, are they taking us to court? Have we been threatened with litigation? Have you threatened us with litigation?

T. Fisher: No. Could I provide a little context on the payments, though? So, related to the stadium and the field and the team and everything, we have an annual rent payment as well as bond payments. So, this year Sharon, I don't want to put you on the spot, but just rough numbers here: we paid about \$800,000 in rent. Then there's an additional \$167,000

that is going towards the bond payment that you referenced. From my understanding, the bonds will be paid off in 2028. Our lease runs until 2035, but the city bonds will be paid off in 2028. And then in addition to that, we pay \$100,000 per year into a CapEx fund that is 100% our money. And then on top of that, we do fully maintain, fix, and upgrade everything around the ballpark day to day.

Alderman Levasseur: And that's all the stuff that you have to do per your contract. But in your contract, it doesn't say that Manchester City of Manchester taxpayers have to pay 50% of the field.

T. Fisher: The 50% comes in that if there's a large project, such as a field renovation or anything like that.

Alderman Levasseur: And it says that specifically in writing in a paragraph? It says field?

T. Fisher: I don't have the contract in front of me.

Alderman E. Sapienza: We don't know. Let's table it then until we get something more definitive.

Alderman Terrio: Why don't we approve it tonight contingent upon clarification of the contract? So, if we are incorrect, it goes through.

Mayor Ruais: My understanding is Director Clougherty had negotiated these. So, we can ask him for further clarification.

Alderman Long: That's where I was going. I believe it's facilities that determines what's a capital improvement. So, we have our side that's agreeing of a capital improvement. I believe it's DPW also that agrees to what a capital improvement is.

Mayor Ruais: I mean, my understanding is that this is a capital improvement. So, if it's just a matter of Tim writing the board and saying, yes, this is what was agreed upon, then I don't have an issue with that.

Alderman E. Sapienza: Well, no, but you just answered that. It's going to come down to whatever you just said.

Mayor Ruais: Well, no, I was talking about adding that amendment. So, you guys can get that confirmation to make sure that you see what Director Clougherty negotiated so that you know that it was included.

Alderman Levasseur: You just said that you agree that it is a capital improvement. They're voting on what you just said, that you agree that it's a capital improvement. We're going to come back later?

Mayor Ruais: We would pass it tonight, and then there would be the confirmation.

Alderman Long: The city agreed that this is a capital improvement. So, we're saying yes, the city agrees that it's a capital improvement, but you're asking us to vote no.

Alderman Levasseur: The city solicitor just said that it's a capital improvement.

S. Wickens: Alderman Levasseur. The 2005 contract defines a capital improvement as anything over \$5,000. It literally says that. Now, I don't know if the 2016 amendment says that, but the 2005 contract defines it as anything over \$5000.

Alderman Levasseur: Right. But there's actual language specific to the field.

S. Wickens: Anything over \$5,000. That's what it says.

***Mayor Ruais called for a vote. The motion carried, with Aldermen Levasseur and E. Sapienza being duly recorded in opposition.***

## **REGULAR BUSINESS**

- 22.** Communication from Harisi Juma regarding his resignation as a member of the Office of Youth Services Advisory Board.

*On motion of **Alderman T. Sapienza**, duly seconded by **Alderman Long**, it was voted to accept with regret.*

- 23.** Nominations:

Arts Commission

Grace Lachance to fill a vacancy as an alternate member, term to expire December 1, 2027

Angelo Mullen to fill a vacancy as a regular member, term to expire December 1, 2027

Office of Youth Services Advisory Board

Sethe Shea to fill a vacancy as a regular member, term to expire January 1, 2026

Vick Mahindru to fill a vacancy as a regular member, term to expire January 1, 2027

*(Note: Pursuant to Rule 23 of the Board of Mayor and Aldermen, these nominations will layover until the next meeting of the Board.)*

- 24.** Nomination of Victoria Prestejohn as the Human Resources Director.  
*(Note: Pursuant to Rule 23 of the Board of Mayor and Aldermen, this nomination will layover until the next meeting of the Board.)*

Mayor Ruais: I have the distinct honor and pleasure tonight to nominate Victoria Prestejohn as the Human Resources Director, and we have her here this evening, if she wouldn't mind standing. So, as the board will see in her resume, she has extensive background, both at Easter Seals, New Hampshire and Vermont, and the New Hampshire Judicial Branch in these types of roles with human resources. So, I'm deeply honored to make this nomination. Tonight, I have asked Alderman Vincent and Alderman Burkush, who were a part of the committee selection process, to help usher her through introductions on the board so that over the next month or so, you all will have the opportunity to meet and chat with her. And then we'll look to approve this nomination and confirm it in October. But thank you for for being here. We appreciate it and looking forward to working with you.

Alderman O'Neil: A quick question: when if all went well at the first meeting in October, when would she be starting?

Mayor Ruais: Right away. Although Solicitor Rice has been filling this dual role for the last couple of months, and I'm sure she would love to extend that for as long as she could. I think she's looking forward to shedding herself of these dual responsibilities.

**25. Confirmations:**

Board of Registrars

Marc Tremblay to succeed Claudia Carr as a regular member, term to expire May 1, 2028

Heritage Commission

Lisa Walsh to succeed herself as a regular member, term to expire July 1, 2028

Central Business Service District Board

Brian Lawrence to succeed Ed Baroody as a regular member, term to expire May 1, 2028

Manchester Development Corporation Board

Andrew Leach to succeed Roland Martin as a regular member, term to expire March 11, 2026

Amy Chhom to succeed herself as a regular member, term to expire March 11, 2028

Maria Mongan to succeed herself as a regular member, term to expire March 11, 2028

Arts Commission

Jessica Martin to fill a vacancy as a regular member, term to expire December 1, 2028

Zoning Board of Adjustment

Scott Godzyk to fill a vacancy as an alternate member, term to expire March 1, 2028

*On motion of **Alderman Long**, duly seconded by **Alderman O'Neil**, it was voted to confirm the nominations as presented.*

**26. Communication from Jeff Belanger, Planning and Community Development Director, requesting approval of an amended master development agreement between the City and Lansing Melbourne Group for construction of housing and a public parking garage on the Pearl Street Lot.**

*On motion of **Alderman Long**, duly seconded by **Alderman T. Sapienza**, it was voted to authorize the Mayor to execute the agreement and any further documents needed to effectuate the sale and begin construction of the project, with **Alderman O'Neil** being duly recorded as abstaining.*

**27.** Discussion regarding homestead food operations in the City of Manchester.

**Alderman Long** moved to refer the discussion to the Committee on Public Safety.

**Alderman Vincent** duly seconded the motion.

Mayor Ruais: The motion is to refer the discussion or any changes we wish to make to have it go through the committee process so we can spend the month talking about what the updates are that we would want to see proposed.

Alderman Levasseur: I don't think it should be that complicated. I think we should just simply make a motion or we should approve it tonight that it is just going to be the same exemptions that are already allowed by 95% of the state under the homestead exemptions. And then it's a very simple thing. All you have to do is change our ordinance to say a food service establishment does not mean a homestead food operation as defined in New Hampshire Revised Statutes. I understand that's going to want to go to a committee, but the state of New Hampshire already has the exemptions. The exemptions are for baked goods and therefore pickling. It's really not that complicated. I don't know if Anna wants to say she's going to support us on this, or she's going to not support us, or she doesn't want us to take on the exemptions of the homestead law that's already in place. And if you're going to say no, I'd like to know why. And if you're going to say yes, it'd be nice to know that you're going to. We don't need to go into a big deal. We can change one line and we don't have to deal with it. We don't have to have any licensing. All go right through the state the way it is already done now. No burden on any of us. And it'll make your moms, your girlfriends, your wives, all your friends that make apple pies and brownies and cookies and like to give them to their friends and neighbors and use it for fundraisers very, very happy.

Mayor Ruais: I think the two points I would to make before the health department starts, I'm really thrilled. I'm glad we're having this conversation. As I think I've said you know, in a couple of quotes when I've been asked, this is an ordinance that is six decades old, I think 1969 was when it was ordained. Clearly, it needs to be updated. They have ordinances that they have to follow because they've been ordained. So, they have an SOP that they follow anytime that a complaint is made and they follow that. And I think if we need to update it, I'm more than happy to take a look at any of these ordinances going



forward and determine what needs to be updated and what shouldn't be updated. It's been six decades since it's been looked at. The one other thing I would add, and I'll turn it over to Alderman Vincent, is just to clear up any kind of confusion on this, because I've heard it mentioned before, but the Manchester Health Department does not hand out needles. They do not engage in needle exchange within the city and we do not have employees that hand out needles. I know there are other municipalities that do engage in that work, but we don't. And the Board of Aldermen actually took a vote to that effect in April, specifically saying that we are not engaging in that type of harm reduction service in the city of Manchester, and that we were shifting things from a harm reduction focus specifically to a recovery focus or recovery effort, getting people into treatment as opposed to doing the harm reduction.

Alderman Vincent: I support Alderman Long on this. There are many reasons this needs to be looked at. If it was that simple, it would have been fixed in the 69 year span. I understand the issue that's before us today. And I thank you for all that you do in the health department, following rules and doing what you're supposed to do. But I do think there are several aspects of this that need to be looked at on several fronts. And I think just making a quick flip into the cart tonight, I think that's great. But I don't think that truly solves what we want to achieve here, to help the people that we're trying to help with this ordinance change, so I do think it needs to be looked at. I chair that committee. I have no problem leading that, being the tip of the spear to work that with the departments so we can get something that's good for the people of the city of Manchester and kind of update a 60-year-old ordinance, and I don't know enough about it tonight to say, let's just make a change, because I think we'd be missing something. And that's what I don't want to do.

Alderman Long: I agree; every week the story changes: I'm giving them away, I'm selling them, I'm only asking for donations every week. The story is changing, so I don't know where this is at. I don't know if he's just giving them away. Last I heard, he was selling them to his family and friends. I don't know that. So, I'm not clear on what's going on with this. My understanding is they are on sale. I'm not prepared tonight to make a decision on this because I've heard different things that aren't the facts that I'm finding out now.

Alderman Goonan: I agree with Alderman Long. I really appreciate what you've done. I've known you a long time. I've worked with you. You're definitely 100% on the up and up. And I know you're following the rules. We've had some conversations, and I know that you're okay with taking a look at this. It is an old law, but to me, it's a bigger picture than just pickles. I mean, I know for a fact I've been to fires. Chief Burkush has been to fires that were caused by homesteading, that were very large, with a lot of damage. And people got hurt. So, it's a bigger picture than just pickles. You're doing a great job. I really support you 100%. And I think we can figure this out in committee. I think it's a problem for committee. And I think we can certainly get through it pretty easily without the drama and the politics. So, I'm sorry you're on the hot seat. I've been there a hundred times and it's not comfortable, but I do support you.

Alderman T. Sapienza: This can't be about one case. Whatever the case is, whether it's pickles or soup or whatever it is, it's going to be about how we're going to run the city. And I, for one, have an awful lot more faith in a professional sitting right here than anybody in Concord. So, I don't take a lot of comfort when people tell me, oh, it's okay in Concord, it's okay in the State of New Hampshire. Well, I like these professionals right here. These are the smartest people in the State of New Hampshire.

Alderman Barry: Thank you Anna, Phil and everyone in our health department for keeping our city safe and healthy. Anna, did you write this ordinance?

A. Thomas: No, I didn't, Alderman.

Alderman Barry: You enforce it, right?

A. Thomas: That's correct, Alderman.

Alderman Barry: So, if I called you or anyone called you, the complainant calls you, you're going to enforce it. It doesn't matter if the complainant is Democrat or Republican.

A. Thomas: That's absolutely true. So, we will take every complaint we receive, we follow up on it. We have to investigate it. And then if there is any action that needs to come from it, that's what we take. And we do it all of the time.

Alderman Barry: If someone called you and complained about something and you didn't enforce it, and something bad happened to that person or a person because of the lack of enforcement, would that be a good thing?

A. Thomas: That would be irresponsible, Alderman.

Alderman Kantor: I believe we should roll back the ordinance and align it with the state law. And for me, it is more than pickles. It's about real, true freedom and aligning ourselves with the state. And I guess my big thing, there's so many things that I have to share about this is the fact about the needles. We should be more concerned about the needles, the human feces, that all of these problems that are going on. This is the health crisis of our city. And I want to bring up the soup lady who was passing out soup and so forth. And I know her name, not because I was on the board. I think it's absolutely lovely feeding the homeless and feeding people in need. But I know her because she called me a thief on Facebook. She got her information from Rosanna McMahon, and Rosanna McMahon got her information that I stole a binder, from a sitting Alderman, a now sitting Alderman and a former department head. So, this runs deep with everything that's going on and how it is a political stunt. Anna, I can appreciate you and have a lot of respect, but we did mask our children for a long time and the Covid crisis lasted way longer in Manchester than it did throughout our state. So, are we talking about health or are we talking about control here? This is a control thing. I want to actually do a shout out to Ashley Poulin again. I'd like our city solicitor to discuss this. Look into it: the Good Samaritan food donation act, she should be protected under that. Because when I look this up, I'm like, free the pickles. My mom texted me the next morning when he was on the news, and he was vilified for passing out pickles. Whether he's charging or not charging, it really doesn't matter. My mom texted me and she's like, oh my God, I was illegal when I was giving away my pickles and my jams and my jellies and all of that, and I'm like, I know, isn't this crazy when other towns in the state, besides 15 other places, can give away their food or sell it, and you read through and it says you can give away pickles and you can actually sell them and

you can make money. So, I trust other people that are actually honest and straightforward. And it's very confusing what is going on. So, I'd like to ask a little bit about the Good Samaritan Food Donation Act. Would Ashley Poulin, which even though she vilified me and said I was a thief, I'm going to stick up for her and ask if she is protected under this. And how about my good friend Daniel Mowery? Is he protected? So, what is the truth here? What is the truth? Are we here to control people, or are we here to really, honestly help people? And do we really care about their food safety? Or are we just looking on Facebook to see who has something going on that we can catch someone. Because I do know another person that got his, his place of business was targeted because I shared that I was there and there was a special event. And even though this person has the right to give away food, apparently, he wasn't allowed to give it outside of his business. Shenanigans. Give me a break. I'd like to know what is the truth here? Rant. Truth. Freedom. Free the pickle, man.

Mayor Ruais: I can't speak to the Good Samaritan act. I'd have to look at what that entails.

A. Thomas: I'm not familiar with the act. I'd have to ask the city solicitor. Just so we're clear, there's a whole bunch of information that's being thrown around, and I just want to make sure we're all on the same page. So yes, we are one of 15 self-inspection communities, which is not a small number, by the way, that represents about 40% of the state's population. There is a reason why we have a comprehensive local health department in a city this size. This is what has been in place since 1839. We take a lot of pride in what we do, each one of us. By the way, this is Aaron Krycki. He's the the head of our environmental health division. And this is Phil Alexakos who's one of our deputies. We each of us have worked for the city for more than 30 years. So, we have done this for decades. We have been in probably every nook and cranny that you can imagine in the city of Manchester. Good, bad and ugly. So, at the end of the day, we have food safety for a reason. And it's really quite simple. It's really to protect the public health and it's not to take anyone's freedoms away. And at no time did we say we're taking it away. We're saying we just need you to do it safely, because we don't regulate someone's personal private kitchen. Where the line gets drawn, just so we're clear, if you're giving it to your family and friends and acquaintances, that is not our business. We have to step in first and foremost under RSA 147, when we receive a complaint, we're obligated to follow up

on it every single one, no matter what. But in addition to that, the reason why this becomes a sensitive issue is when we cross the line, when it goes into the public domain, that's not a friend-family acquaintance. That's where that regulation piece comes in. And again, it's the protection of all those that we serve, because we've had instances where people have prepared food in their homes, disseminated it to the public, and people got really sick. One of those instances involved a daycare in the city, and children were sent to the hospital because somebody prepared meals in their homes in the home and then brought it into the daycare. We had an instance where a resident of the city made pulled pork sandwiches, brought them to Bedford, tried to sell them, and 20 people had to go to the hospital from that. So, there are reasons why we have some form of regulation in the city. We are empowered as a local self-inspection community to create our own ordinances. We have always said, and not just for this case, but all kinds of cases, we're always open to amending the ordinances. It's one of the reasons why we're bringing you an updated food code for this very reason, because there's lots of ordinances in the city, not just in the health realm, that need to be updated. And we do this as these things come to our attention. So, we're absolutely open to looking at where we can find a compromise of food safety in the state's largest city north of Boston, which, by the way, this is why these state laws don't translate to all communities equally. So, in Manchester, if you're homesteading and let's say you have a fire in your kitchen because you're mass producing, you could potentially affect 20 people in a housing unit and they get displaced. If somebody is going to be exposed to potentially something that could have a foodborne illness associated with it, it won't just affect one person, it could affect a multitude of people in a city this size. Never mind the fact that we have thousands of people visiting the city every single day, which we take a lot of pride in. It's one of the reasons why we license and inspect over 700 food establishments in the city and temporary events. So, all these big events that we have in the city, we have to inspect every single food vendor there. We treat everybody equally. We try to be business friendly for everybody because we understand that that's an economic driver to Manchester. It's one of the reasons why people visit the city or one of the reasons why people live here. So, we take a lot of pride in the work. We enforce the laws that are on the books. We don't deviate from that. Everybody gets treated the same. And at the end of the day, we're always open to look at the flexibility of these ordinances because we want to adapt and find that compromise of how do we keep people safe, but then allow people to do baked goods or some sort of allowance for certain

items that don't have as high a risk as some of the items that involve temperature control. That's the sticking point. So, in the instance I think that you're referring to of Soup Lady, the difficulty with that is serving a temperature control food, which none of the homesteading laws allow. We have to find the middle ground of let's allow and support people who want to do this, especially if they want to do startup businesses, and we do that all the time. We say to people who we get a complaint about and we find out they're producing in their home. We say, we will work with you to find a licensed commercial kitchen to produce your goods. We will give you those connections. We will facilitate the process. So, we don't say, you can't do it. We just say we'll facilitate it with you. And that's that's at the end of the day, what we offer to everybody, everybody gets the same treatment.

Alderman Kantor: Which I think is wonderful. And that's why I think it's best if we follow the state law and roll back the ordinance. And because it's not about the soups and anything that's refrigerated. Anything that's different, I understand that, but things that aren't dangerous. And that's what it states on the website.

A. Thomas: Well, there's a difference of opinion of what's dangerous and what's not.

Mayor Ruais: I definitely think this is where the conversation can go from here when we get it into the public health committee and have that discussion.

Alderman O'Neil: You know, I'm just learning this through the speakers tonight and hearing there is this homesteading law for food.

A. Thomas: There's a state homesteading law, and then we have local ordinances. Correct.

Alderman O'Neil: Does that state law give us the power to have our local ordinance on this issue? Yes, it does. So, 15 communities, I'm going to guess it's 15 of the larger communities, that have public health departments, whether it's a one person or 50 or 60 person department.

A. Thomas: Yes.

Alderman O'Neil: Somebody said it earlier. When you stop in some of these small towns and they might be selling something, they might ask for a donation. So, it's the state law that gives us the power to have the self-inspect to be a self-inspecting community.

A. Thomas: Yes.

Alderman O'Neil: This has come up, I am not on social media, so I'm just going by conversations I've had, because he is selling the item or distributing it to the public.

A. Thomas: So, somebody rolling up with temperature control food and handing it out to the public. Not an acquaintance, family, friend, that kind of thing. That's where there's a need for regulation, because we have to protect the public and people who are visiting the city or people who are not familiar to that person. And a good example is, the block parties. So just by virtue of definition of block party implies that it's a public event. But unless you control for who attends that, we don't know who's showing up at your block party. And if you have hundreds of people showing up, to me, that's a public event. And anybody else who has those kinds of events in the city, we have great working relationships with plenty of groups who have block parties. They get all the proper permitting. They go through the proper channels. We know, for example, Rimmon Heights, West Side, we should give a shout out to. They never get enough credit. They have an amazing block party. They go through all the right channels they have. We know all the food that's going to be served. It's a collaborative effort and no problems. And we do it all the time. So that's where I think we just have concerns that we just can't go carte blanche and not be able to have at least some oversight. And certainly, having that compromise of offering the licensed commercial kitchen ensures us that it's at least within a safe environment. I can't control someone's home, no matter how clean it is. But when you move that operation to a licensed commercial kitchen, it is a more controlled environment. And again, we work with people all of the time throughout the city to do that.

Alderman Terrio: I'm not an expert in this, but I have studied chemistry and biology for many years to get my degree and a year of microbiology. I'm also interested in preserving

food as a kind of an interest, yogurt, sauerkraut, things like that. There is a spectrum. So, I would like to send this to committee and here's why. There's a spectrum. So pickling vegetables is actually, from a microbiology perspective is very safe. Canning meats, chicken and fish is dangerous from a microbial perspective because if you make a mistake in the canning process, that is much more dangerous than pickling vegetables. When I look at the the dangers of contamination pickling, I personally, although my family name is French Canadian, my grandmother was from Sweden. She used to pickle fish. She didn't know anything about microbiology and we never got sick. She would just take an old pickle jar, throw onions in it, cut up some raw fish and throw it in there. And so pickling is pretty safe. Does our ordinance the way it's written preclude bake sales? So, if people make a bake sale you know they make cookies, brownies, what have you. And then want to sell it for a charity for school are they not supposed to do that because they actually are selling to strangers? That was my first question.

Aaron Krycki, Environmental Health Supervisor: Bake sales in and of themselves are not something that we're chasing down. Certainly, home prepared foods for sale to the general public don't fall under our current ordinance. There's no permitting process that I can afford that to provide the individual folks the ability to sell those in mass. However, there are occasions when people do this stuff. We're just not certainly aware of it, nor do we chase them down for it.

Alderman Terrio: But just to clarify, you're not chasing them down. But does our ordinance preclude people from making baked goods and then selling them to strangers for charity or for schools? Does the ordinance stop that, even though we're not enforcing it and we're not chasing them down? Does the ordinance prevent that?

P. Alexakos: So as a matter of policy, we do not permit and regulate bake sales. We have been, as part of this discussion and we welcome it, looking at other ordinances and other communities because urban centers have unique needs. So, things like bake sales are actually up at Bills at Second Reading's last session. The committee approved our proposed Food Code regulations, which does codify an exemption specific to bake sales. So, the board has already acted in that way to codify that, even though we have a policy to not regulate bake sales, so that is part of the package that we put forth with our food



code revision. And I think I'm anticipating maybe your next question about lemonade stands, because that's also been something that's come up. There is a state law. There was a House bill in 2021 that exempted lemonade stands operated by minors. I believe it's under the age of 14. So that is very explicit in the state law, where it actually says that local communities cannot regulate them in any way: so that would be a business license, that would be a health permit. And keep in mind it's not just health permitting when you operate into the commercial space, there are business license considerations and zoning. So, while we're kind of talking about the health department aspects today, it's a much more complicated picture. And I think if we have the time in committee to talk about the nuances, and I totally admit there are fine lines between jarring potentially hazardous foods like meats and things of that nature. But there's also very specific acidity and things that need to be maintained with vegetables and fruits for things like botulism that do require some specialized training and oversight. So, there are fine lines, and I think it's important to talk through those at committee. And that's something that we'd be prepared to do to weigh what other communities like Manchester are doing in that space, and being supportive of what an acceptable risk is to the board, because ultimately, whatever becomes codified by the board is an acceptable risk. And that's something that we then will follow. But we want to make sure that we provide all of that information so that we can make a safe and informed decision. And that's what the public expects of us.

Alderman Terrio: All right. I just want to clarify the first question, Phil, just a simple yes or no answer. Right now, in our ordinance, there is an exemption for bake sales.

P. Alexakos: We have a standard operating procedure within our department that says that we are not inspecting and licensing bake sales.

Alderman Terrio: Yes or no?

P. Alexakos: Not the ordinance. A policy.

Alderman Terrio: Yes, or no? Is there an exemption in our ordinance for bake sales for charity? Yes, or no?

P. Alexakos: Not in the ordinance. It's a policy.

Alderman Terrio: So, it's your policy not to pursue them? This is going to lead into my second question. I would like that to go to committee because I want that exemption in there. The second question is what Alderman Kantor said. I would like there to be a humanitarian exemption to feed the poor where it would be at your own risk. But I think, giving food to poor people is a good thing. If they're getting sick or they're doing something really dangerous, I agree there should be some oversight, but I think we should be encouraging people to feed the homeless.

P. Alexakos: Thank you. And in our dive into what other communities are doing relative to nonprofit, benevolent, philanthropic food donations and giving, that's something that we've already started to look at what other communities are doing. And I'm not sure if it speaks exactly to the federal law that you were citing Alderman Kantor. But that's something that we're very welcome and open to do, and do it in a way that, even though we're doing something benevolent, we don't want to then cause harm to an already very vulnerable population. So, it is a balance. And we certainly want to find ways to meet all of those needs, but do it safely. So I welcome that.

Alderman E. Sapienza: We've determined that under the current ordinance, bake sales are not allowed. Right. Thank you for that long answer. You say you follow the ordinance. Under the ordinance, bake sales are not allowed. Which kind of illustrates how ridiculous this whole thing is. Bake sales, church fairs, they're not allowed. So that right there should tell you pretty much all you need to know. And the quicker we clear this up, the better. You mentioned complaint based, right? So, is it solely complaint based? In other words, if you observe violations going on, such as a bake sale, do you take action or do you wait for the phone to ring for someone to say, hey, I know of a bake sale at Memorial High School, and I'm not trying to be a comedian here, but I've heard complaint based several times, but I'm guessing it's not entirely complaint based.

A. Krycki: Thank you for that question. It is not entirely complaint based. If we come across information that shows that there is a violation going on, we will follow up with the individual or entity.

Alderman E. Sapienza: If you see a flyer advertising a bake sale?

A. Krycki: If I see a flyer advertising the public distribution of food to the public, then that's something I would follow up on.

Alderman Levasseur: Mr. Krycki, how long did you say you've been working at the city health department? Five years?

A. Krycki: About 28 years.

Alderman Levasseur: Wow. And so, we've heard that baked goods are kind of like a policy issue where you're not enforcing it because it's a policy in your own department. It's not an ordinance, but it's a policy. So, you guys let brownies and cakes go, right?

P. Alexakos: Generally speaking.

Alderman Levasseur: Generally speaking. Now where on the thermostat, do pickles fall as a danger to the city of Manchester, its residents, its people, that would generate a letter like this? Did you read this letter, by the way? Did anybody read this letter, mayor? Did you read this letter? If I received a letter like this, and I did receive a response to the letter that we put out, I thought I was doing the right thing, by the way, because I thought since there's a homestead law that would apply to the state, it would apply to us. I got schooled that that's not true, but I didn't see anything in there that said, hey, by the way, it's a good idea. Glad it got brought up. We could work on that until it became a massive public fiasco for us. Where on the thermostat of really dangerous foods does pickles fall that you would write a letter like this? And I would like to read it to you, because the way it was written is absolutely the most unprofessional letter I've ever seen. And it looked like it had a lot of emotion behind it. It wasn't written with, hey, guys, you got an issue here. We'd like to talk to you about it. You came right out and you accused this guy of something that is not true. And you stated our office has recently been made aware of food products being produced, advertised and distributed to the public by you. Specifically, canned or jarred pickled items through a social media post, dated August 4th, 2025. This activity appears to be taking place from a residential location in Manchester, New Hampshire, without the required

food service permit. In bold letters. As such, you are hereby directed to immediately cease all food production, distribution, advertising and sales activities within the City of Manchester until proper permitting is obtained and verified through our office. Continued operation without a valid permit may result in enforcement actions, including the issuance of a court summons and, God forbid, daily fines is allowed under city ordinance. If you think that's not going to scare people getting a letter like that, you have been in public office too long.

Mayor Ruais: This is a standard letter.

Alderman Levasseur: If it's standard, it better not be standard anymore.

Mayor Ruais: This is the standard cease and desist letter that individuals received as part of your standard operating procedure, correct?

A. Thomas: Same letter.

Alderman Levasseur: The judge didn't give you the floor yet, Mr. Defendant Lawyer. I'm the prosecuting lawyer on this for the people of the city and the people who pay the bills, the people who live in their homes.

Mayor Ruais: This is the standard letter.

Alderman Levasseur: This is a letter that was received by somebody who wasn't distributing food in the determination of distribution. He wasn't advertising food. He said look what I made. He wasn't advertising it for sale. You assumed it. Did you actually investigate this? Did you investigate this before you sent the letter? And if you did, what did you do?

A. Thomas: So, we're not supposed to be talking about any one investigation.

Alderman Levasseur: I'm talking about this specific example. This is why we're here.

Mayor Ruais: We don't comment on investigations that are ongoing.

Alderman Levasseur: Oh, you just stop it. Look, these guys are obviously professional ice hockey players. They can skate around these issues all day and all night. Did you investigate it or not?

Mayor Ruais: That's the conversation that we've always had before the board, that if there are investigations that are taking place, we don't comment on it.

Alderman Levasseur: You're not going to say whether or not you investigated it? A social media post is what I'm getting at. He put up something on social media. They didn't investigate it. And I'm sitting here watching the power of government beating on some little guy making pickles.

Mayor Ruais: This ordinance is six decades old. And there's obviously people here before the board that want to update the ordinance, which is what we're going to do over the next month.

Alderman Levasseur: Why do we not take on the exceptions of the state law? It was passed at the state level. Why did we not accept the exceptions?

Mayor Ruais: Because we have not updated the ordinance, which we can do over the next month as it comes before the committee.

Alderman Levasseur: Are you going to support the homestead laws that are on the books now? So you're not going to tell us whether you're going to agree with what the homestead laws are?

A. Thomas: We have to have a deeper conversation about the impacts to the city of Manchester.

Mayor Ruais: Because as multiple aldermen have stated, they're not familiar with the larger questions at hand, what the state law looks like, and what we can do going

forward. So, we're sending it to committee, and then we're going to come back next month, and we're going to go through it on committee, and then we'll bring it to the full board.

**Mayor Ruais** called for a vote. The motion passed with **Aldermen Kantor, E. Sapienza, and Levasseur** being duly recorded in opposition.

- 34. If the Board so desires, a motion would be in order to enter into non-public session pursuant to RSA 91-A:3, II(d) for consideration of property acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.**

**A roll call vote is required.**

Mayor Ruais: I am going to ask the Board to consider item 34 next, because it has impact on what comes following that.

*On motion of **Alderman Long**, duly seconded by **Alderman Burkush**, it was voted to enter into non-public session pursuant to RSA 91-A:3, II(d) for consideration of property acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community, with **Aldermen Kantor and Levasseur** being duly recorded in opposition.*

The Mayor called the meeting back to order.

*On motion of **Alderman Long**, duly seconded by **Alderman Burkush**, it was voted to approve the lease with 200 Elm Street, LLC regarding the property at 190 Elm Street, with **Aldermen Kantor, E. Sapienza, and Levasseur** being duly recorded in opposition.*

Mayor Ruais: This will be posted online as soon as they have the opportunity to do so this evening.

**28. Report(s) of the Committee on Community Improvement, if available.**

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Amending Resolutions and Budget Authorizations providing for the acceptance and expenditure of funds for:

- CIP 610325 Beech Street Programs in the amount of \$191,525.23;
- CIP C160060526 39 Beech Street Programs in the amount of \$25,000;
- CIP C160060726 Aged and Infirm Shelter Project in the amount of \$650,000;
- CIP C200021526 2025/26 Chronically Homeless Residential Living in the amount of \$50,000

be approved and referred to the Committee on Finance.

*On motion of **Alderman Long**, duly seconded by **Alderman Morgan**, it was voted to accept the report and adopt its recommendations, with **Aldermen Kantor and Levasseur** being duly recorded in opposition.*

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$125,000 for CIP 611225 447 Union Street Community Engagement Training Center be approved and referred to the Committee on Finance.

*On motion of **Alderman Long**, duly seconded by **Alderman Burkush**, it was voted to accept the report and adopt its recommendations.*

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Amending Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$232,851.57 for CIP 611325 231 Merrimack Street Affordable Housing Program be approved and referred to the Committee on Finance.

Alderman O'Neil: Those projects can't get done? They can't figure out a way to do them?  
So we are decreasing the funding?

Mayor Ruais: I'm happy to talk about that in non-public.

*On motion of **Alderman Long**, duly seconded by **Alderman Burkush**, it was voted to accept the report and adopt its recommendations.*

29. A motion is in order to recess the meeting to allow the Committee on Finance to meet.

*On motion of **Alderman Long**, duly seconded by **Alderman Burkush**, it was voted to recess the meeting.*

30. The Mayor called the meeting back to order.

31. Report(s) of the Committee on Finance, if available.

The Committee on Finance respectfully recommends, after due and careful consideration, that Resolutions:

“Amending the FY2024 Community Improvement Program authorizing and appropriating funds in the amount of Two Thousand Six Hundred Twelve Dollars (\$2,612) for the FY2024 CIP 212124 Oral Health Program.”

“Amending the FY2024 Community Improvement Program authorizing and appropriating funds in the amount of Thirty-Eight Thousand Twenty-Eight Dollars and Forty-Eight Cents (\$38,028.48) for the FY2024 CIP 610424 Dilapidated Buildings.”

“Amending the FY2022 Community Improvement Program authorizing and appropriating funds in the amount of Four Thousand Two Hundred Twenty-Seven Dollars (\$4,227) for the FY2022 CIP 811522 HUD HOME-ARP Planning and Administration Support.”

“Amending the FY2026 Community Improvement Program authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the FY2026 CIP C200021126 CBDO - Special Activities.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty-Six Thousand Five Hundred Dollars (\$36,500) for the FY2026 CIP C330040726 Domestic Violence Unit Overtime Program.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Thousand Dollars (\$80,000) for the FY2026 CIP C410021626 School Based Dental Program - Medicaid.”

“Amending the FY2022 and FY2025 Community Improvement Program, authorizing, appropriating and transferring funds in the amount of One Hundred Ninety-One Thousand Five Hundred Twenty-Five Dollars and Twenty-Three Cents (\$191,525.23) for the FY2025 CIP 610325 Beech Street Programs.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating



funds in the amount of Twenty-Five Thousand Dollars (\$25,000) for the FY2026 CIP C160060526 39 Beech Street Programs.”

“Amending the FY2025 and FY2026 Community Improvement Program, authorizing, appropriating and transferring funds in the amount of Six Hundred Fifty Thousand Dollars (\$650,000) for the FY2026 CIP C160060726 Aged and Infirm Shelter Project.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Thousand Dollars (\$50,000) for the FY2026 CIP C200021526 2025/2026 Chronically Homeless Residential Living.”

“Amending the FY2025 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Twenty-Five Thousand Dollars (\$125,000) for the FY2025 CIP 611225 447 Union Street Community Engagement Training Center.”

“Amending the FY2025 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Thirty-Two Thousand Eight Hundred Fifty-One Dollars Fifty-Seven Cents (\$232,851.57) for the FY2025 CIP 611325 231Merrimack Street Affordable Housing Program.”

ought to pass and be Enrolled.

*On motion of **Alderman Long**, duly seconded by **Alderman Morgan**, it was voted to waive the readings by titles only.*

*On motion of **Alderman Long**, duly seconded by **Alderman Morgan**, it was voted to accept the report and adopt its recommendations, with **Aldermen Kantor and Levasseur** being duly recorded in opposition.*

**32.** Report(s) of this evening's remaining committees, if available.

There were no reports available.

**33.** Resolutions:

“Amending the FY2024 Community Improvement Program authorizing and appropriating funds in the amount of Two Thousand Six Hundred Twelve Dollars (\$2,612) for the FY2024 CIP 212124 Oral Health Program.”

“Amending the FY2024 Community Improvement Program authorizing and appropriating funds in the amount of Thirty-Eight Thousand Twenty-Eight Dollars and Forty-Eight Cents (\$38,028.48) for the FY2024 CIP 610424 Dilapidated Buildings.”

“Amending the FY2022 Community Improvement Program authorizing and appropriating funds in the amount of Four Thousand Two Hundred Twenty-Seven Dollars (\$4,227) for the FY2022 CIP 811522 HUD HOME-ARP Planning and Administration Support.”

“Amending the FY2026 Community Improvement Program authorizing and appropriating funds in the amount of Twenty Thousand Dollars (\$20,000) for the FY2026 CIP C200021126 CBDO - Special Activities.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty-Six Thousand Five Hundred Dollars (\$36,500) for the FY2026 CIP C330040726 Domestic Violence Unit Overtime Program.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Eighty Thousand Dollars (\$80,000) for the FY2026 CIP C410021626 School Based Dental Program - Medicaid.”

Amending the FY2022 and FY2025 Community Improvement Program, authorizing, appropriating and transferring funds in the amount of One Hundred Ninety-One Thousand Five Hundred Twenty-Five Dollars and Twenty-Three Cents (\$191,525.23) for the FY2025 CIP 610325 Beech Street Programs.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty-Five Thousand Dollars (\$25,000) for the FY2026 CIP C160060526 39 Beech Street Programs.”

“Amending the FY2025 and FY2026 Community Improvement Program, authorizing, appropriating and transferring funds in the amount of Six Hundred Fifty Thousand Dollars (\$650,000) for the FY2026 CIP C160060726 Aged and Infirm Shelter Project.”

“Amending the FY2026 Community Improvement Program, authorizing and appropriating funds in the amount of Fifty Thousand Dollars (\$50,000) for the FY2026 CIP C200021526 2025/2026 Chronically Homeless Residential Living.”

“Amending the FY2025 Community Improvement Program, authorizing and appropriating funds in the amount of One Hundred Twenty-Five Thousand Dollars (\$125,000) for the FY2025 CIP 611225 447 Union Street Community Engagement Training Center.”

“Amending the FY2025 Community Improvement Program, authorizing and appropriating funds in the amount of Two Hundred Thirty-Two Thousand Eight Hundred Fifty-One Dollars Fifty-Seven Cents (\$232,851.57) for the FY2025 CIP 611325 231Merrimack Street Affordable Housing Program.”

*On motion of **Alderman Long**, duly seconded by **Alderman O'Neil**, it was voted to waive the reading by titles only.*

*On motion of **Alderman Long**, duly seconded by **Alderman O'Neil**, it was voted that the Resolutions ought to pass and be Enrolled.*

### **NEW BUSINESS**

Alderman O'Neil: If the clerk could pass out my memo. There are three projects that kind of came up in discussion late spring in the budget process. But after talking to the Finance Director, Sharon asked that we put off any discussion on these until the fall. I've spoken with Sharon. I've also talked to the mayor and all this is, is a request to send these three projects to CIP Committee. The three projects are the Manchester skate park at Lally Sullivan Complex. An estimate from from the Public Works Parks Division for Al Lemire field lighting, which we've already spent money up there repairing lights, and then the Pony League field. Those lights, I don't even know if they work. We also did look at Hunt Pool, but it's just a pretty big price price tag. So, all this is, is to refer to the CIP Committee.

*On motion of **Alderman O'Neil**, duly seconded by **Alderman Long**, it was voted to refer the items to the Committee on Community Improvement.*

Alderman Kantor: I have a couple things. We had a successful chill fest down at Arms Park with Stark Brewery, Peter Telge, and Christine Telge. So that was amazing. And we have another one scheduled for September 12<sup>th</sup>, everyone is welcome. We did have an incident where there was a box of needles, and we had some great state reps and oh my gosh, state reps and senators with us. So, we addressed that, which is really important to keep our parks clean and safe, which is a priority for me. It will be from 6:30 to 8:30 September 12<sup>th</sup>. I would like to address the group of people that came up and spoke about Pine Street Cemetery and Valley Street. Maybe we can make a motion to shut it down between midnight and 9 a.m. to keep the problems out of the cemetery. Something has to be done.

Alderman T. Sapienza: We have volunteers that are working their hearts out, and they've been working their hearts out for years. I drive by there all the time. I see them, they need our support or else we might as well just bulldoze the place because it's being wrecked.

And I don't know, maybe the parks can come up with a plan and report back to us next month. Something's got to be done.

Mayor Ruais: So, this is exactly what we did last year when we were having those problems at Veteran's and Victory Park. We worked internally with police and parks to come up with a plan to both police the area, but also pick up in the area. I volunteered there last year and it was gorgeous what they do, so I couldn't agree with you more. And I feel that frustration because it is gorgeous. I have no problem working with the Chief of Police and Parks and coming up with a solution. I don't know what it would entail to close it, but I'm happy to do it if we can.

Alderman T. Sapienza: Well, can we get a presentation next month?

Mayor Ruais: I think we can put that as part of a plan going forward, certainly we can take some initial steps. We can come back with a presentation in October, but I don't think we want to wait three weeks. I think we can absolutely come back with a presentation on what we're doing. But but yes, we can take immediate action on this.

Alderman O'Neil: Are they going through the gate? The one I'm aware of is on Pine Street. Are there other gates that are open? I'm just curious.

Alderman Long: Pine Street.

Alderman O'Neil: There can't be that many people from the public that go in there. Couldn't we kind of lock it in? If you want to go in there for something, I know John Jordan used to do these historical walks and we would open it up, but I think it's going to become logistics. But we shouldn't allow unwelcome behavior.

Mayor Ruais: I drive by it every morning. There shouldn't be any reason why somebody can't on their way into work, pull off to the side to unlock it.

Alderman O'Neil: But they they might be in there during the day.

Mayor Ruais: Well, we can come up with that plan and report back.

Alderman Fajardo: As Parks and Rec and Police are considering a plan to put together, I'd like to put in a plug for a park ranger program. It seemed like that was pretty effective back in the day.

Alderman Long: I know about eight years ago, we addressed this. It was exactly what they were saying. I've been there on a couple of Sundays. I did see a couple of homeless. Not as bad as it used to be. The issue with closing the gates is getting emergency vehicles in there when something happens. If the police have to go in there because there's somebody shooting up people, they have to get out of their car, unlock the door, drive their car in. That has been an issue.

Mayor Ruais: So, what happens normally when we do board meetings like this and somebody asks for action to be taken, the first thing I do and the next morning is I call the relevant department heads. I say, what's the advice? What are the suggestions? How can we get after this quickly? We work through those kinds of concerns to make sure that we're not ending up with those scenarios, but also meeting the will of the board by taking action on it. So, we can definitely do that tomorrow morning. I'll call Chief Marr; I'll call parks and we'll get on it.

Alderman Kantor: Panhandling has been a problem for years now, and I really appreciate Troy Micklon. With his proposal, can we send his proposal to committee?

***Alderman Kantor moved to refer the draft ordinance amendment regarding traffic medians to the Committee on Public Safety, Health & Traffic. Alderman Terrio duly seconded the motion.***

Alderman Long: So first of all, the \$89,000 was wrong. It was way over \$89,000 because we had to pay the ACLU's attorney also. And secondly, what I'm reading on what was handed out is what we litigated. I don't know if Attorney Rice could respond to it, but this is all that we litigated that we weren't allowed to do.

Alderman Terrio: Well, that's what committee is for, right? The solicitor can take a look at it through this.

Alderman Kantor: I think we should send it to committee and talk about this.

Alderman Long: We were going to put up poles. We're going to put up pointed rocks in the median. We were told that we can't do that. It wasn't stopping people.

E. Rice: So, there's a permanent injunction against the city of Manchester. I just saw this tonight, so I have not had an opportunity to look at the extent to which this might violate that injunction, but I'm more than happy to do so.

Mayor Ruais: I'm a firm believer of running through a regular order process where the committees look through things, and then we kick it up to the board for recommendations. We do some study on it. If it works, we consider it. If it doesn't work, we don't consider it.

Alderman Kantor: If we can send it to Public Safety because it is a safety concern. I mean, there have been homeless people panhandling and people fall in the streets. And I had a friend that almost ran over the gentleman, and his pants actually fell down. So, he indecently exposed himself. So, this is a problem. This is a big problem. I think I'd appreciate it to go to the Public Safety Committee.

Alderman O'Neil: I don't think they're all homeless. I think there are some professional panhandlers.

Mayor Ruais: I think we go to committee with this. So, I think we refer it to Public Health, Safety & Traffic, and Bills on Second Reading ultimately will be a recipient of that. And then it would come back up through that ordinance process. So there was a handout with a proposed ordinance amendment.

**Mayor Ruais** *called for a vote. There being none opposed, the motion carried.*

Alderman T. Sapienza: We had another issue tonight at public comment that I think is pretty serious. The tunnel project that's going on through the city. We need to get that

built. We need local contractors that are reliable contractors. We learned our lesson on the ballfield. We built that ballfield three times now. And you know, the second time we built it was because we didn't build it right. The first time it was not enough oversight. So, we need reliable contractors in that tunnel or we're going to be rebuilding it ten years from now. I mean, if we put the right contractors in there that know how to build tunnels, that will last 100 years, if we don't, we're going to be rebuilding them in 20 years.

Mayor Ruais: I met with him this morning. They came into my office and we had a great conversation. And I said that I'm more than happy to make a connection to DPW and the individuals that bid on it to talk about subcontractors.

Alderman T. Sapienza: We came up with an ordinance about fly by night contractors in the city last year or two years ago. So, we need to take a look at that and see if that gives us some leverage.

Mayor Ruais: We ultimately rework that a little bit. But yes, absolutely. We can look into that and see what rules apply.

Alderman T. Sapieza: We can explain to the general contractor that we're not going to harass the subcontractors looking for documentation if we have reliable contractors. That's where the leverage comes in. Because they're trying to cut back so they can put the general contractor and put more money in his pocket. They're going to still cost the residents the same amount of money, and we're going to get a subpar project. That's what I'm worried about. I have a happy note. The friends of Italian-Americans are inviting everyone to a complimentary breakfast on Monday, October 13th, 2025 from 8 to 10:30 at the DoubleTree Hotel on Elm Street. It's to celebrate Italian-Americans. And this particular year, we're celebrating Lou D'Allesandro and his 50 years of service to New Hampshire. Seating is limited. Just inquire at [info@friendsofia.org](mailto:info@friendsofia.org). That's the friends of Italian Americans Columbus Day breakfast. It's a complimentary breakfast. You're all welcome. And every alderman has an invitation in front of him. So, thank you very much.

Alderman Fajardo: Going back to the topic of 39 Beech Street, I wanted to just confirm that I was made aware over the weekend that there was a notice that went out that

beginning September 1st, the engagement center will be closed Mondays and Tuesdays. And I was wondering if you could just speak to that.

Mayor Ruais: The initial conversation that we had back in July was I was trying to make any cost reductions that I could. So, the initial proposal that we brought forth included a reduction in hours. I heard from aldermen that they were concerned about closing the facility on Mondays and Tuesdays, so I added in additional funding. So that's what was in my letter to the CIP committee, was that we would not need to close it. So, it wasn't closed.

Alderman Fajardo: When did the conversation about cost cutting come into play?

Mayor Ruais: In my PowerPoint in the non-public session, there was an asterisk in that in the slide. And it said reduction in hours. And that's the conversation that I brought to the board.

Alderman Fajardo: I didn't recall that it said reduction in hours equals closing two days.

Mayor Ruais: What has been passed now by the board is not going to require any reduction in hours. But that's what the the non-public comment or the conversation that we had had regarding the reduction in hours.

Alderman Fajardo: Forgive me, but the the reduction in hours equaling closing two days a week was lost on me. So, thank you for clarifying. I'm glad to hear that it's going to stay open.

Alderman Long: I'm back on the CSO tunnel. The general contractor that got awarded the job used numbers that contractors gave him. And when he got the job, he called those contractors and said one is with the rebar \$1,800 a ton. He called them up, and he said it's \$1,100 a ton, and you're not getting the job. The City of Manchester doesn't get those cost savings. The contractor does. The City of Manchester is paying for this \$360 million project. The residents of Manchester are paying double for their water to pay for this project. And we got a general contractor out of Massachusetts that's going to reap the



savings. That's what we want to know, we want to be careful. The guy talked about a community benefit agreement. I think that's something we could discuss.

Alderman E. Sapienza: I wanted to ask about the the tunnel project and the speakers this evening. What are the legalities? I understand local folks want to get hired to do a local job, but you know what? What kind of freedom does the city have to do something like that? I mean, I understand it's something like lowest responsible bidder, right? They have to be a responsible bidder. It can't just be the lowest bidder. But I mean, we already have a general contractor.

Alderman Long: The general contractor was awarded. Somebody from California could work in Manchester. That's federal law. So, the city can't say we want Manchester residents. The city can suggest that or we can prefer that, but there's only one way you're going to be guaranteeing that Manchester residents get the job.

Alderman E. Sapienza: And what is that?

Alderman Long: Through the union, through the unions. Because as a union ironworker working somewhere and as a Manchester job, I call my BA and I say, hey, wait a minute, I'm going to Boston, but I want to walk to work. And they put the local people on the job. And not only that, this job in particular, they're trained in tunnel work. They're trained in tunnel work. And they'll train specific, think first responders, job specific internal work.

Alderman E. Sapienza: Right. I understand that, but my question is, what kind of legal authority does the city have at this point to do that?

Alderman Long: We can tell them this is our job. There's an overseer that's representing the city. You could tell them, no, you're not cutting these subcontractors. You can tell them that they have to agree to these subcontractors.

Mayor Ruais: I can make a note of this conversation, and I can have that conversation with Director Clougherty and the department tomorrow, and we can report back to you all with what we have.

Alderman O'Neil: I'm bothered by the comments that they were awarded a certain price, and now they're saying to the subs we want you to do it for less, because the ratepayers of Manchester aren't reaping those benefits. They're putting it in their pocket. And that bothers me.

Alderman Kantor: Someone came to me and shared that the school department gave the lighting project to the same company; Hillside got same the lighting package as McLaughlin. Even though Longchamps came in \$100,000 less for the same thing. Shouldn't everything go out to bid? And if they're saying it has to be exactly the same, I guess I'm a little confused on how you can just pick the same contractor for every school, even if someone else is in a licensed union and they're coming in at like \$100,000 less. So, it's not my forte. I'm just bringing it to light.

Mayor Ruais: I know the Joint Committee on School Buildings meets where they go over these contracts, the Joint Board that we have on the facilities project. But I can get specifics from the superintendent.

Alderman O'Neil: Make a motion on this so that they have to give us an answer. Can you make a motion? I'll second. I think just a vote would give it a little more clout, to be honest, because we don't get that info on the joint committee.

Mayor Ruais: I mean, is this a motion for the joint committee?

Alderman O'Neil: I think a vote of this board would get us an answer and get some answers on who the subs are.

Alderman Long: I thought you already had that purview.

Alderman O'Neil: No, we don't get any of that info.

Alderman Long: I looked through the LeftField report and there were contract awards. They were already awarded. But you have that authority to ask about those questions.

Mayor Ruais: I'll send an email to the superintendent with you all on it and say this question was brought up last night about getting access to these contracts on the Joint Committee on School Buildings, and I would like to see them as well. You have a lot of power on that joint committee.

Alderman Long: If you have an example, I would ask a specific question about that example. Otherwise, you're just going to get a whole list of contracts.

A. Thomas: We're going to make it quick. You may hopefully be aware that we've had some positive mosquito pools for West Nile virus. This happens every so often in Manchester and as hopefully you all know, we do arboviral surveillance, which means we set up traps to catch mosquitoes. They get sorted by species brought up to the state, and we're looking for things like West Nile virus and Jamestown Canyon. So, we've had some consistent pools coming up positive for West Nile virus. So, what we'd like to do is just proactively come to you and say, right now it's kind of quiet, which is good, we're almost past the season, but we wanted to proactively come to you and request contingency for spraying in the event we do get the news that something serious has been coming up in the pools. And then we would then deploy the plan. And we've done this in previous years and you all have approved.

Mayor Ruais: Can you remind me last year you did request the \$25,000, but you didn't spend it, correct?

A. Thomas: Correct.

Mayor Ruais: This is a similar proactive step to say look, we may need this. But just like last year, you didn't spend the money, but it's the authority so that you don't have to come back because we want to spray for these things as quickly as possible.

A. Thomas: Correct. And you're not meeting again, unfortunately, until probably the end of the season.

Alderman O'Neil: You know, if I recall, in the past, you were given green light to go off the sites a little bit. I'm thinking like Derryfield Park between McDonough and Hillside is an example that's included in what you want to do.

P. Alexakos: So, the last time we sprayed was in 2022. That's when our risk profile was designated as high. And we have an approved permit with the New Hampshire Department of Agriculture. It's called a special permit. So, if the risk of mosquito borne illness is designated as high, it allows us to expedite our spraying. So, we still post at all of the parks. We notify beekeepers that are registered with the state. We have a contractor in place so that they can turn that around very quickly. But because the board doesn't meet until October 7th, we want to make that ask from contingency; \$25,000 would cover two rounds of spraying if necessary. That includes materials and our labor. We've only sprayed two rounds once in the last 25 years, but we want to do that so we can turn that around very quickly. And we would spray parks as long as there aren't any restrictions with bodies of water or any designated protected species. And there would be plenty of notification on our staff around schools, ball fields, city owned property only. That's what we're allowed to do with our permit.

Alderman Long: So, I read in CIP today that there was ARPA funding, \$25,000 or \$26,000 with all the re-adjustments. I read in CIP that there's \$26,000 to \$27,000 left. Instead of taking it out of contingency, could we take it from ARPA funds, would that be available to use that for this?

Mayor Ruais: I think what we could do here is we can say contingency, but if ARPA dollars are available, I can talk to Todd and say, is this an appropriate use? And do we have the dollars? If it is, we will use ARPA. If it's not, we'll draw from contingency.

Alderman O'Neil: But this will get done either way.

*On motion of **Alderman T. Sapienza**, duly seconded by **Alderman O'Neil**, it was voted to authorize the Health Department to draw \$25,000 from ARPA or contingency funds for mosquito spraying.*

Mayor Ruais: I have two quick things. First, I want to thank DPW. I want to thank our downtown cleaning crew and all of our departments that had or that worked on cruising downtown. That was amazing this weekend to have 20,000 people here in the city alone, nearly a thousand registered to come and show their automobiles. And Jeff Hastings of Manchester Information posted the pictures right afterwards. It looked like nobody had been here. It was an incredible job from the city all the way around: Police, Fire, DPW, Clerk's Office on the permitting side, the Health Department as well. But through and through, the city did an amazing job to make this happen. And it was like they weren't here 15 minutes after they closed up shop. So, thank you to all of our city for the work that was done.

### **TABLED ITEMS**

- 35.** Report from the Committee on Community Improvement recommending that the Amending Resolution and Budget Authorizations providing for the transfer and expenditure of funds in the amount of \$400,000 for CIP 610625 80 Merrimack Street (Residence at Chestnut Phase II) be approved.  
*(Unanimous vote)*  
*(Note: Tabled on September 4, 2024.)*

This item remained on the table.

- 36.** Report from the Committee on Lands & Buildings recommending that the request from Alderman Morgan to name the soccer field at Sheridan-Emmett Park after Thamba Mbungu be approved.  
*(Unanimous vote with the exception of Alderman Long who abstained)*  
*(Note: Tabled on November 19, 2024.)*

This item remained on the table.

*There being no further business, on motion of **Alderman Long**, duly seconded by **Alderman Morgan**, 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.

Clerk of Committee

*Meeting Start Time: 7:00PM  
Meeting End Time: 9:57PM  
Minutes Prepared By: Michael Intranuovo*