

REVISED - BOARD OF MAYOR AND ALDERMEN

November 16, 2021 at 7:30 PM

Mayor Craig called the meeting to order.

The Clerk called the roll.

Present: Aldermen Cavanaugh, Stewart, Long, Roy, T. Sapienza, Sharonov,
O'Neil, Levasseur, Terrio, E. Sapienza, Shaw, Barry, Gamache,
Hirschmann

CONSENT AGENDA

Approve Under Supervision of the Department of Highways

1. Pole petitions:
 - 265/14, 265/23, 265/26, 265/27 Mammoth Road (4)

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

2. 50/50 Sidewalk Petitions

Residential:

- 66 Carpenter Street
- 191 Oak Street
- 335 High Street
- 375 N. Bend Drive

Commercial:

- 1260 Elm Street

Information to be Received and Filed

3. Communication from Comcast regarding their 2021 Comcast Pathways to Connection Program.
4. Communication from Peter Chiesa, Deputy City Solicitor, providing an update on pending lawsuits against the City.

REFERRALS TO COMMITTEES

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

5. Communication from Alderman Terrio requesting that the committee consider providing RSA 79-E tax abatements on a case-by-case basis instead of a blanket five-year period.

6. Communication from Alderman Terrio requesting that the committee look into creating Tax Increment Financing (TIF) to help attract more development.

REPORTS OF COMMITTEES

COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

7. Advising that the update on the Revolving Loan Fund has been accepted.
(Unanimous vote with the exception of Alderman Hirschmann who was absent)
8. Advising that the Finance Department reports:
 - Accounts receivable over 90 days
 - Aging report
 - Outstanding receivableshave been accepted.
(Unanimous vote with the exception of Alderman Hirschmann who was absent)
9. Advising that the Financial Report for the three months of fiscal year 2022 has been accepted.
(Unanimous vote with the exception of Alderman Hirschmann who was absent)
10. Recommending that the Finance Department be authorized to write-off the first quarter receivables identified in their report.
(Unanimous vote with the exception of Alderman Hirschmann who was absent)

COMMITTEE ON ADMINISTRATION/INFORMATION SYSTEMS

11. Advising that they have received and filed the item regarding stormwater utility funding.
(Unanimous vote with the exception of Alderman Gamache who was absent)

COMMITTEE ON LANDS AND BUILDINGS

12. Recommending that the two ordinance amendments related to changing the curfew hours in parks be approved and referred to the Committee on Bills on Second Reading for technical review.
(Aldermen Shaw, Cavanaugh, and Long voted yea, Alderman Sharonov voted nay, and Alderman Levasseur was absent)
13. Recommending that the request from the Water Works Director to dedicate and name the new distribution storage building located at 1881 Lake Shore Road in honor of Charles J. (Charlie) Smith be approved.
(Unanimous vote with the exception of Alderman Levasseur who was absent)
14. Recommending that the request from the Water Works Director to dedicate and name the Cohas Pump Station located at 567 Cohas Avenue in honor of John Thomas (J.T.) Fanning and to place a plaque on the residence wing in honor of Charles C. Cole be approved.
(Unanimous vote with the exception of Alderman Levasseur who was absent)

*HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL,
DULY SECONDED BY ALDERMAN ROY, IT WAS VOTED TO APPROVE.*

REGULAR BUSINESS

15. Nomination(s) to be presented by Mayor Craig, if available.

Mayor Craig stated there are no nominations this evening.

16. Confirmation to be presented by Mayor Craig:
Police Commission
-John Mercier as a regular member, term to expire September 15, 2024

*On motion of **Alderman T. Sapienza**, duly seconded by **Alderman O'Neil**, it was voted to confirm the nomination as presented.*

17. Report(of) of the Committee on Bills on Second Reading, if available.

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance Amendments:

“Amending Section 96.04 Park Operating Policy of the Code of Ordinances of the City of Manchester by changing the closure time.”

“Amending Section 130.39 Playgrounds; Hours for Use; Damaging Equipment of the Code of Ordinances of the City of Manchester by changing the hours of use.”

ought to pass and be referred to the Committee on Accounts, Enrollment and Revenue Administration.

Alderman Long moved to accept the report and adopt its recommendation. Alderman O'Neil duly seconded the motion. Mayor Craig called for a vote. The motion carried with Alderman Sharonov being duly recorded in opposition.

18. 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 Resolution and Budget Authorization providing for the acceptance and expenditure of funds in the amount of \$30,000 for CIP 412022 Domestic Violence Prosecutor be approved.

Alderman O'Neil moved to accept the report and adopt its recommendation.

Alderman T. Sapienza duly seconded the motion.

Alderman Terrio stated I am just seeing this now. So the city is going to hire a Domestic Violence Prosecutor.

Emily Rice, Solicitor, responded we already have two full-time. This is just a grant that pays a portion of one of the salaries.

Alderman Terrio asked so we already have them but this is money to help pay for them.

Ms. Rice answered yes.

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

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request to authorize the Planning and Community Development Director to execute a contract in the amount of \$75,300 to cover the demolition cost for the structure at 298-302 Front Street be approved.

Alderman Roy moved to accept the report and adopt its recommendation. **Alderman T. Sapienza** duly seconded the motion.

Alderman Hirschmann asked if we spend \$75,300 will we get a lien on the property for that amount.

Mayor Craig answered yes.

Alderman Hirschmann asked so it is not being sold or anything.

Mayor Craig replied no.

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

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the request to authorize the Public Works Director to execute the Municipal and Project Agreements with the State of NH and the Derryfield School for the construction of a roundabout at the intersection of River Road and Bicentennial Drive/Derryfield Drive be approved.

*On motion of **Alderman Cavanaugh**, duly seconded by **Alderman Roy**, it was voted to accept the report and adopt its recommendation.*

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Amending Resolution and Budget Authorizations providing for the transfer and expenditure of funds in the amount of \$214,992.53 for CIP 611022 1269 Café-459 Union Fire Escape Renovation and CIP 811421 CARES Act Support Fund – ESG-CV and ESG-CV2 Activities be approved.

Alderman Long moved to accept the report and adopt its recommendations. **Alderman O'Neil** duly seconded the motion.

Alderman Levasseur asked where is this money coming from.

Mayor Craig responded the CARES Act funds and the ESG-CV and ESG-CV2 federal funds.

Alderman Levasseur asked does this money get paid back by these people or is it free.

Mayor Craig replied it is federal funding to be used for things like this.

Alderman Levasseur asked who owns that building.

Mayor Craig answered 1269 Café.

Alderman Levasseur asked and they qualify for this money.

Mayor Craig responded I can say yes but Leon is the one who qualified them.

Alderman Levasseur stated we just heard about all of these things happening at FIT. How does anyone know that this money is available? Is there an application process? How does that work? Do other opportunities arise for other non-profits to apply for these funds?

Leon LaFreniere, Planning & Community Development Director, answered yes. In fact, we actually put out an RFP for projects a few months ago. Some of those projects have been before you. A number of the non-profit organizations have submitted proposals for these funds. This particular project is a result of some deficiencies with regard to life safety aspects of the building. They are being prohibited to be used as an overflow shelter and by providing the funding for the enhancement and repairs to the building that facility as I understand it will be available for use as an overflow shelter.

Alderman Levasseur asked is any of this money being used for smoke alarms or sprinklers or just the fire escapes.

Mr. LaFreniere replied in this specific case it is only for the fire escapes.

Alderman Levasseur asked where are they getting the money for the other things.

Mr. LaFreniere responded I believe they have already made most of those improvements but I am not aware of where they got those funds.

Alderman Levasseur asked how many more people are expected to be housed on the second floor. Is there more than one floor?

Mr. LaFreniere answered there is more than one floor and I believe it is up to 50.

Mayor Craig stated I think on the second floor there will be 24 transitional beds and the first floor will be a warming station.

Alderman Levasseur asked the first floor already has housing correct. This is just for 24 more spots?

Mr. LaFreniere stated in order to add any of the upper floor occupancy, these repairs need to be made. This is not due specifically to an occupancy load, however, my understanding is that they have agreed to provide that capacity within their facility.

Alderman Levasseur asked if somebody applies for this money do they have to present to you a bid and a prospectus and a design.

Mr. LaFreniere replied yes. We have a bid for the amount that is before you this evening. They have to meet the procurement code of the federal government as well as the city and that requires that they get at least two more bids to confirm that this number is the lowest reasonable price.

Alderman Levasseur asked so this amount of money will complete the project or will there be more money needed for other issues.

Mr. LaFreniere responded I wouldn't want to speak for 1269 Café but it is my understanding in speaking with the Fire Department that this specific issue is the one

that is causing them the most immediate problems as far as further occupancy in this structure.

Alderman Levasseur asked what is the timeline on opening if this gets approved.

Mr. LaFreniere replied I would have to defer to 1269 Café.

Mayor Craig stated the hope is December 1.

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

19. Report(s) of the Committee on Human Resources/Insurance, if available.

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that the request from the Deputy Public Works Director to change the class specification for the Drop Off Facility Supervisor to allow for a six-month period upon hiring to obtain required certifications and licenses be approved.

*On motion of **Alderman Roy**, duly seconded by **Alderman Stewart**, it was voted to accept the report and adopt its recommendation.*

20. Budget projections to be submitted by Sharon Wickens, Finance Officer, if available.

Sharon Wickens, Finance Officer, stated the FY22 general fund expenditure and revenue forecast as of 11/16/21 based on department head estimates is as follows. The current projected general fund operating surplus is \$852,000. The operating surplus is comprised of an expenditure surplus of \$957,000, a revenue deficit of \$2,155,000 and the use of \$1,630,000 in ARPA revenue replacement funds. The revenue deficit is primarily due to interest income, parking revenue and motor vehicle registrations. If interest rates should increase, this will improve projected interest income revenue and decrease the amount needed from ARPA funds. Parking revenue remains flat when compared to this same timeframe in FY21. The downshift in parking demand due to the Covid-19 pandemic still appears to be lingering into FY22. Any gain in parking revenue made this fiscal year will also decrease the need for ARPA funds.

Motor vehicle registrations are significantly down through the first four months of the fiscal year due to a semi-conductor or “chip” shortage which is affecting the auto manufacturing industry worldwide. Overall demand for these chips has been reshaped by the pandemic and this shortage is expected to extend through at least 2022. The forecasted surplus includes \$420,000 from the contingency account. There were 17 retirements through October 31 compared with 15 retirements at this same time a year ago. Severance paid through October 31 amounts to \$640,465 compared to \$611,441 a year ago. The severance reserve account has a balance of...well that is wrong. The balance is \$1,223,421 as of October 31. I have also attached the overtime report and a breakdown by department of where severance has been paid for your reference. Are there any questions?

Alderman Hirschmann asked so the way I am reading your report, if we didn't have the ARPA money we would be the red by \$778,000. Is that correct?

Ms. Wickens answered if we weren't able to use the \$1.6 million you are right. We would be in the red by that amount.

Alderman Hirschmann stated so the federal government is pretty much supporting our budget this year. Thank you.

Alderman Long stated and they will be supporting our budget through 2026. That is awesome. This is just anticipated correct? This is what the picture looks like now when we are halfway through the year correct Sharon? These are your projected numbers?

Ms. Wickens responded well we are projecting revenues through the fiscal year until June 30. It changes the more we get time under our belt. Motor vehicle registrations could be a real problem. It could be \$2.5 million down by the end of the year if we don't pull the revenue down to try to make up for some of this. I am cautiously thinking about that \$1 million we will be down by the end of December. We will probably be down another \$500,000 before the end of the year. It could be worse. I am trying to be optimistic now but in a few months we may have to say that the deficit is going to be greater.

Alderman Long asked so your concern from what I am reading on the report is only with respect to vehicle registrations and parking is not...I mean parking is a little less than it was last year.

Ms. Wickens replied what we budgeted for parking is exactly what we actually collected in FY19. What the ARPA replacement fund guidelines say is that they will restore your level to FY19. So anything that parking would be short, the ARPA funds would cover. We don't have that luxury with motor vehicles because what we collected in FY19 is \$1.7 million lower than what we had originally budgeted for this year so those funds wouldn't even kick in until we were \$1.7 million down and then it would start helping.

Alderman Long stated with respect to the 17 retirements, it appears that the \$1.2 million in the severance account will get us through the next six months. Are there any more anticipated retirements?

Ms. Wickens answered yes there are. We are anticipating another almost \$900,000 before the end of the fiscal year. Those are numbers that the department heads have reported but the employees haven't retired yet.

Alderman Long asked so currently we know there will be another \$900,000 coming out of the account.

Ms. Wickens replied yes.

Alderman Levasseur stated I am curious as to how you came to the conclusion that the chip makers are at fault for Manchester not receiving enough registration funds. Is it possible that we are not renting any cars? Is that one of the bigger reasons?

Ms. Wickens responded that is true. I am not sure if Brenda is here but she and I have talked many times about this. I will let her speak to it.

Alderman Levasseur stated even though they are not buying new cars, they are still paying for the registration of the car they bought last year I would think. I know I am.

Brenda Masewic-Adams, Tax Collector, stated the chip shortages that are ongoing worldwide right now is affecting the production of new vehicles. Every year, for example from February onward, you start getting vehicles that are model year for the next year. Right now, 2022 vehicles would have been produced but the chip shortage is affecting that.

Alderman Levasseur asked and you think that is the tune of \$200,000/month.

Ms. Adams answered yes.

Alderman Levasseur asked strictly on the fact that there are no new cars being produced and registered in Manchester.

Ms. Adams replied yes and that is worldwide. The manufacturers of auto vehicles have cut down on their production worldwide. Without a new supply, the dealerships are not able to sell...

Alderman Levasseur interjected I understand but I am trying to figure it out as far as the revenue shortage.

Ms. Adams stated right now if you were to purchase a 2021 or 2022 vehicle, the tax rate for that vehicle is \$18/\$1,000. The registration is based on the MSRP, not what you pay at the dealership. So because of the shortage, newer vehicles or even used vehicles are being sold at a price above...some of them are above MSRP but we would not see that sale. If you went out and bought say a Toyota Tundra and the MSRP is \$34,000 but you paid \$38,000, we would only charge you based on that lower number as far as the \$18. That depreciates annually at \$3 per \$1,000 until it bottoms out at \$3. Without newer vehicles being registered, we are getting a lower tax rate. The more used vehicles that are sold, the fewer revenues we see.

Alderman Levasseur stated okay I get it. Is the number of registrations the same as it was a year ago?

Ms. Adams replied no.

Alderman Levasseur stated I am not talking about new cars. I am talking strictly the number of registrations.

Ms. Adams answered it is lower. We are approximately 2,000 vehicles less.

Alderman Levasseur asked per month.

Ms. Adams responded for the year so far. We also depend on fleet vehicles. Those companies purchase in bulk but they were not able to do that because of the chip shortage and Manchester receives a large portion of that. So that has also reduced the numbers that we register. Right now we have only registered 305 brand-new 2022 vehicles. Last year during the same period, we had 478 2021 vehicles that were registered. So we are down right now 173. That ripples...

Alderman Levasseur interjected is it possible that a lot of our rental companies have figured out that we are more expensive and have moved to surrounding towns.

Ms. Adams replied no. I have been in constant contact with them since the chip shortage issue has started and they have reassured me that once they have a supply they will send cars to be registered here. Actually, one of the rental agencies that usually replaces their fleet were not able to do so. Instead, they renewed their old fleet because there isn't an inventory of new ones to replace them.

Alderman Levasseur stated so we are 2,000 fewer registrations than this time a year ago.

Ms. Adams stated that is overall.

Alderman Levasseur stated but we haven't lost 2,000 people living here. Doesn't 2,000 fewer registrations mean 2,000 fewer people living here?

Ms. Adams answered not necessarily. It is a mixture. You have accidents that happen or people turning back leased vehicles. For example, 2018 vehicles right now are being turned back to dealerships because the leases have ended. In looking at the statistics that we have, I noticed that 2021 vehicle number is higher but that is because the replacement of leases isn't happening as it should because those should have been 2022 because now people are getting older vehicles to lease and those are 2021.

Alderman Levasseur stated you said this trend is going to go until 2022. What is your projected deficit by the time we get to June 30?

Ms. Adams responded the way it stands now I think it is going to be about \$1.5 to \$2 million. We may recoup some in the spring as new vehicles come online but it is hard to pinpoint because of that chip shortage.

Alderman Levasseur asked competitively how are we with other towns like Nashua and Concord as far as our rates.

Ms. Adams answered what do you mean rates.

Alderman Levasseur asked to register. Are we higher than other towns or are we similar?

Ms. Adams replied the tax rate for vehicles is standard throughout the state. Manchester has a few more dollars than a few cities because of the population. Typically, we are about \$10 or so higher.

- 21.** Tentative Agreement between the City and AFSCME Council 93, Local 298, Highway, Parks, and EPD.

Alderman O'Neil moved to ratify and layover. ***Alderman Cavanaugh*** duly seconded the motion.

Alderman O'Neil asked are we going to get the financials. We asked for those.

Matt Upton answered I do not have the total cost. I did run the numbers for you regarding the savings on the HSA plan which turned out to reduce claims by about 15% but I don't have the total cost.

Alderman O'Neil stated I thought when we met last time we talked about this. I thought somebody was putting together the costs.

Mr. Upton replied I am sorry. It just didn't happen.

Alderman O'Neil stated so we are being asked to approve contracts and we don't know how much they cost.

Mr. Upton responded it was certainly an oversight and I apologize.

Alderman O'Neil asked so we don't have a cost breakdown on any of these.

Mr. Upton answered no. In the past it has been coordinated with the departments directly.

Alderman Levasseur moved to table. ***Alderman Sharonov*** duly seconded the motion.

Alderman O'Neil asked can we get the numbers by our next meeting.

Mayor Craig stated we should have had them for this meeting. It is a non-debatable motion so we need to take the motion.

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

Alderman E. Sapienza asked when these numbers come out, are they going to be available to the public as well as us.

Mr. Upton answered absolutely. The only thing I would point out is that for all of the AFSCME agreements, I believe as well as the Fire agreement, the costs for steps and longevities were included in the current budget so there would be no additional costs other than possibly the fifth week of vacation for Fire. The other costs that are associated with these contracts are being covered by federal funds.

Alderman E. Sapienza asked so at this point there is no confidentiality regarding these proceedings.

Mr. Upton replied correct.

Mayor Craig stated these are public documents.

Alderman Cavanaugh stated the ones that we are voting on tonight are nothing new that we haven't seen in non-public correct.

Mr. Upton responded these are the same agreements we talked about.

Alderman Cavanaugh asked so no numbers have changed.

Mayor Craig stated we asked for the numbers. Nothing has changed from a content perspective.

Mr. Upton stated my apologies for not bringing those numbers but where the numbers have already been incorporated in the current budget and the rest of the funds being covered by federal funds, I think in the urgency it was missed and I take responsibility for that.

Alderman Roy stated correct me if I am wrong but if we vote on these tonight, we are voting to lay them over for two weeks and we will have the opportunity to vote them down if the numbers aren't right in two weeks.

Mayor Craig responded correct.

Alderman Roy stated I don't see any reason to table these things. We are going to have the numbers before we have the final vote and we should keep this ball rolling. There is no need to table these. We will have the numbers before our final vote in two weeks. If we don't...

Alderman Roy moved to remove the tentative agreement from the table. Alderman Cavanaugh duly seconded the motion.

Alderman Terrio stated to Alderman Roy's comments, what is the harm in just tabling these for two weeks.

Mayor Craig stated you would be tabling it for a month actually because our next meeting is not until December.

Alderman Roy stated if we table it then we won't vote to have it layover for two weeks until two weeks from now and then it will be another two weeks after that before the final vote.

Alderman Terrio stated but they would still get their raises by the end of December.

Alderman Roy stated I am not worried about them getting the raises.

Mayor Craig stated there are no raises. It is a bonus.

Alderman Terrio stated well their one-time stipend or whatever you want to call it they are still going to get it at the same time.

Alderman Roy replied right but there is no need to table this because we will have all of the information we need before we take the final vote. It doesn't make any sense.

Alderman Terrio stated if we table it or not, they are still going to get the payment at the same time correct.

Mayor Craig responded possibly not and there is a motion to take it off the table.

Alderman O'Neil stated to Alderman Roy's point, I didn't give any thought when I supported the tabling motion that this is going to layover for two weeks. That is a very valid point and I will support him on that.

Mr. Upton stated and I will get the numbers to the BMA by the end of the week.

Alderman O'Neil stated there is an impact and Chief Parent talked about this in the budget process. He doesn't have the \$125,000 in his budget to cover the fifth week of vacation. I am not sure how we are going to find the money to fund that. I think I am right. Chief am I right on that number?

Andre Parent, Fire Chief, stated it is \$120,000.

Mayor Craig stated that is why we need to understand what the costs are.

Alderman Terrio stated so Mr. Upton the only thing they are really getting is a one-time \$1,500 stipend correct so it is not affecting their pay or pensions. They are just getting a \$1,500 one-time payment and there is nothing else in all of the agreements correct?

Mr. Upton answered the steps and longevities are funded in their current budget.

Alderman Terrio stated right and then the \$1,500 is coming from ARPA funds. So basically we are just agreeing to give them the \$1,500 from the federal government. Is that correct?

Mayor Craig answered yes.

Alderman E. Sapienza asked can we clarify that. Funding of the steps and longevities is not exactly the same thing as granting them correct? Just because they are funded doesn't necessarily mean that they are granted.

Mayor Craig stated they were in the budget approved by this Board.

Alderman E. Sapienza responded I understand that but lacking a successor agreement, those steps would not be granted correct.

Mayor Craig replied no that is not correct.

Alderman E. Sapienza stated sure it is.

Mr. Upton stated the legislative body, which is the Board of Mayor and Aldermen, approve cost items. The administration determines whether they are going to actually be paid.

Alderman E. Sapienza stated let's be very clear here.

Mayor Craig stated we have a motion on the floor and we are going to call for a vote.

Alderman Roy requested a roll call vote on the motion to remove the tentative agreement from the table. Aldermen Roy, T. Sapienza, O'Neil, Terrio, Shaw, Barry, Gamache, Cavanaugh, Stewart, and Long voted yea. Aldermen Sharonov, Levasseur, E. Sapienza and Hirschmann voted nay. The motion carried.

Alderman Roy moved to ratify and layover the tentative agreement between the City and AFSCME Council 93, Local 298, Highway, Parks and EPD. **Alderman Cavanaugh** duly seconded the motion.

Alderman Long stated with respect to Highway, first responders got a \$300 stipend and I am feeling that the \$1,500 for Highway...I mean this is recruitment and retention and I don't know what the \$1,500 is going to do for recruitment. I know they haven't been able to hire people. I am looking to increase the stipend for the Highway Department to \$2,500.

Mayor Craig stated that is a separate issue.

Alderman Long stated I am not going to vote to ratify this because I don't want to give them only \$1,500. It is ARPA funding.

Alderman E. Sapienza stated I would like some clarification on something before we move further. When a collective bargaining agreement ends and there is no successor agreement in place, the city has no obligation to pay steps or longevity raises correct?

Mr. Upton responded that is correct.

Alderman E. Sapienza asked and traditionally the city has not paid those.

Mayor Craig stated that is not accurate.

Mr. Upton replied that has not always been the case. In fact, there is a past practice that goes back to Mayor Wieczorek when there were times when the BMA paid steps to union employees once contracts ran out and there were times when the ordinance was suspended for non-union employees...

Alderman E. Sapienza interjected what ordinance is that.

Mayor Craig stated 33.048. I have a copy if you would like it.

Alderman E. Sapienza answered yes. Would you agree that status quo means the steps and longevity are not granted? That is status quo.

Mr. Upton responded generally without action of the parties, status quo would freeze wages but when you are talking about a legislative body, and you are the legislative body for the City of Manchester, when you approve a budget that includes raises the status quo at that point doesn't necessarily apply because you have approved the cost items.

Alderman E. Sapienza stated okay so it doesn't necessarily apply. We approve money in the budget for snow removal but that doesn't mean we are going to use it.

Mr. Upton replied that is correct.

Alderman E. Sapienza stated so absent legislative action, the steps and longevities are frozen.

Mayor Craig stated no that is not how it works in the City of Manchester.

Mr. Upton stated that has not been the past practice.

Alderman E. Sapienza stated okay then. So when a collective bargaining agreement ends and there is no successor agreement, the steps and longevities are granted?

Mr. Upton answered consistent with past practice, if the BMA does not take action to direct the Mayor and administration to freeze steps, those steps would be paid. That is past practice and I am not going to argue with you on whether that is a good idea or a bad idea. That is just past practice.

Alderman E. Sapienza asked and this is only done on the city side and not the school side.

Mr. Upton replied it would only be on the city side because the school board is not the legislative body for the school district, you are.

Alderman E. Sapienza stated I still don't believe it.

Alderman Roy stated I believe in the past when we have frozen the steps and longevities we made a motion to do that.

Mayor Craig stated right when it wasn't already covered in the budget.

Alderman Roy stated this time around when we did the budget, we didn't make that motion. At this time, I don't think it would be fair to the employees to stop it in the middle of the year because half have gotten it and the other half won't get it. It just wouldn't make any sense. I get what you are saying Alderman E. Sapienza but in the past what we have done is made a motion to stop those and we didn't this time if that helps clear it up for you.

Mayor Craig stated I think what Matt is talking about is when the Board did take that motion it was when the steps and longevities were not covered in the budget as presented by either the Mayor or approved by the BMA. They were this year.

Mr. Upton stated obviously if you didn't appropriate the money there would be no need to make that motion because the money wouldn't exist.

Alderman Long asked so for clarification, if we were to amend a portion of this tentative agreement it would need to go back for ratification.

Mr. Upton answered it would and that is why one of the options may be to approve this agreement and if it is the direction of the BMA to try to provide more money to the Public Works Department allow me to go and negotiate to reopen the agreement to provide additional funding.

Alderman Long stated I am not looking for a renegotiation. I am looking to bump them from \$1,500 to \$2,500. That is a one-time hit.

Mayor Craig asked is that across the board.

Alderman Long answered no just for the Highway Department. I believe there are 200+ employees. I want to give it to them because they weren't part of the state CARES Act funding. They worked in the midst of Covid just as much as the first responders did.

Mr. Upton stated I would respectfully request that if you want to move forward with these contracts we should do that and if the BMA wishes to provide additional funding to any department I would be more than pleased to go and negotiate any changes after the fact but allow these raises and provisions of the contracts to go into effect.

Alderman Long stated I wouldn't be looking to negotiate anything. I would be looking to bump them up another \$1,000. If that can be done after ratification, then I will support this.

Alderman E. Sapienza stated I would like the Solicitor to weigh in on the issue of steps and longevities when there is no successor agreement.

Solicitor Rice stated I don't have anything to add beyond what has already been said based on past practice.

Alderman Levasseur stated you gave us a different answer before. We are getting different answers from everybody.

Alderman E. Sapienza stated the impetus is to stop the raises from continuing on. The burden is on this body to stop it. In other words, if we don't take any action at all then the raises just keep right on going whether there is a successor agreement or not. Is that what I am to understand?

Solicitor Rice responded yes.

Alderman E. Sapienza asked why even have contract negotiations then if the raises keep being given whether there is a successor agreement or not. They won't have to give anything up on the other side. This is preposterous. I believe in the collective bargaining agreement process. That is my point here. There is a process in place.

You mentioned the Wieczorek administration back in the 1990's. That went to the NH Supreme Court, the Manchester Police Patrolmen's Association and they lost and the city won. It was determined that the city did not have to pay the step raises lacking a successor agreement. That is what happened in the mid-90's.

Mr. Upton stated all I am saying is that has been the past practice. Once the BMA appropriates the money to fund steps and longevities...

Alderman E. Sapienza interjected well if it has been the past practice it doesn't necessarily mean we have to do it.

Mr. Upton replied that is correct based on the Laconia case.

Alderman Barry stated not to muddy the waters but what are we going to do for the non-affiliated employees. Are they going to be included?

Mr. Upton stated I think that is a discussion for another day but I would anticipate that the non-affiliates would be treated the same.

Alderman Barry stated I just thought it was important to bring it up because I don't want them excluded.

Alderman Levasseur stated we have \$1 million in ARPA for the bonuses. Do the bonuses cover everyone on the city side including the non-affiliated employees?

Mayor Craig responded yes.

Alderman Levasseur stated okay so that answers Alderman Barry's question.

Mr. Upton stated I am not sure about the non-affiliated. I know we have the money in the budget to cover these contracts. You need to understand that it gets a little bit more complicated because not everybody is entitled to the premium pay under ARPA. There

are some funds that had to be segregated within the budget to cover those people who might not qualify but all of it is covered by ARPA funds.

Mayor Craig stated yes is the answer.

Alderman Levasseur stated so there is \$1 million and how many city employees do we have 1,200. So 1,200 divided into \$1 million I don't think comes out to \$1,500 each. I don't know where the extra money will come from. You are asking us to vote tonight for something we don't know the cost of and we don't know whether the non-affiliated employees would be involved in this or not. We are going to vote for this because I assume they will pass and then two weeks from now we will find out what the costs are. You are telling us that all of the ones that are on the table here can be covered within their budget but they don't have the \$1,500 so they are not covering that. That still has to be transferred from the ARPA funds to each department correct?

Mr. Upton answered yes I would say so and I would also...

Alderman Levasseur interjected the number that I would like to know is how much is going to be transferred out of ARPA for each particular contract.

Mayor Craig stated not all of the contracts are in front of us tonight.

Alderman Levasseur stated I know but I am just saying for the three...please let me finish and don't try to anticipate what I am thinking.

Mayor Craig stated I think you are raising a valid point.

Alderman Levasseur stated we have three here so I want to know how many \$1,500 payments are going to go out. I don't know how many employees are covered by these three contracts. I don't have an issue giving them the \$1,500. There are some contracts that are different as far as an additional holiday and an extra week of vacation. I am not as concerned with what we are doing right now but I am concerned because we are now going into 2022 and almost every department, including the ones we are

negotiating with now, are going to be out of contract. So those costs that we are adding above and beyond the \$1,500 is the number I am looking for and what those will be for next year's budget. I want to go back to your point as far as whether or not we should be paying these employees their steps and longevities as you say were budgeted for. Once we make our budget, we don't get to go back and add more money in so if we don't add that money in right now then we wouldn't be able to give any raises or steps or anything. When we negotiated our budget going forward for this year, you basically tied our hands because you allowed that to go forward. If you had told everyone on July 1 that those steps and longevities were not going to be paid, I am betting that the contracts would have been negotiated a lot quicker than they have been. We wouldn't be coming into December. They would have come to the table quicker and we would have had a lot more negotiating strength. You have taken away our strength and our ability. As far as the City Solicitor's Office, with all due respect to a very good organization with great lawyers, you cannot continue to give us answers on the internet or by email telling us exactly what Alderman E. Sapienza said and then come here and give us a different answer. It is just driving us crazy. I can't figure out...we are coming in here with strength which was brought up by the new alderman asking very good questions and that information was backed up by the Solicitor's Office and now we are here in public and getting wishy washy different answers. That speaks for itself. That is not an answer that we can accept. We need to negotiate from some sort of a position of strength. Our position of strength has been completely taken away from us because you came in here and told us without knowing...you come in six months later and say by the way I have all of these things negotiated and great job by the way Matt because you did it but at the same time we learn we have been paying them this whole time and people don't really remember from three years ago the contracts and whether we had a motion or we didn't have a motion. This should have been told to us during that time period between when we authorize the budget and the contracts expire and then we could have sat down as a group in non-public and said this is where we are going to go and this is what we are up against and these are all the departments that are out of contract. I think you assume that we know all of these things like when contracts are expiring and we don't. We are here once a month...we haven't been here for a month now. Prior to that we weren't even meeting in person. We were in our homes during the pandemic and none of us were talking to each other in the backroom or getting to know

what was going on. We don't feel like we are in a position of strength at all. I want to see Highway and all of these guys get something, especially Highway and I agree with Alderman Long that it would be nice to be able to give them an extra bonus but I don't know what we would be able to afford because we don't have the numbers in front of us.

Mr. Upton stated you will have those numbers in front of you and I can assure you that the payment of steps and longevities did nothing to take away any leverage during the negotiations and in fact had you not paid those steps and longevities we probably would not have agreements at this point.

Alderman Levasseur stated we have always given it to them retroactive. We have never not retroactively given them the money except for maybe Water Works. They always get it retroactively and people want their money quicker.

Mr. Upton stated actually for the last three contracts I negotiated it has been very clear that no retroactive payment was being given.

Alderman Levasseur stated we have always given the money retroactively.

Mr. Upton stated this goes up to Alderman Shea's position that he did not want to be paying them retroactively. Regardless, we are where we are at and these are very favorable agreements and we worked very hard under very difficult circumstances. Imagine trying to explain to employees that just worked through this pandemic exposing themselves and their families to extreme risk that we are not going to give them a COLA increase despite the fact that the city just received \$22 million in federal funds. That is a difficult circumstance in which to negotiate a contract that only provides for the raises that we could actually afford under the requirements of ARPA.

Alderman Levasseur asked you mean a COLA increase.

Mr. Upton responded there is no COLA. They are getting a one-time \$1,500 payment.

Alderman Levasseur stated but they are still getting their steps and COLA's from this year.

Mr. Upton responded no COLA.

Alderman Levasseur asked so all they are getting is their steps.

Mr. Upton answered steps, longevities and a \$1,500 payment which for most of these people...

Mayor Craig interjected that is separate. The \$1,500 is separate.

Mr. Upton stated that is separate under ARPA and by the way for many of your employees that is less than half of what the social security was for the current year.

Alderman O'Neil stated I want to follow-up on Alderman Long's point. Some of our employees got bonuses from state funding to continue servicing the city. Public Works never stopped. They picked up garbage and plowed streets and fixed roads and I think that was his point. They never missed a beat but there was never an opportunity for them to be recognized as others were. I am supportive of what he would like to do.

Alderman Cavanaugh stated I just want to be clear, Matt how many votes do you get.

Mr. Upton answered none.

Alderman Cavanaugh asked how many votes are there. Fourteen right?

Mr. Upton replied that is correct.

Alderman Cavanaugh stated what 14 people voted on the steps and longevities.

Mr. Upton responded I don't know what the tally was but I think...

Alderman Cavanaugh interjected these 14 on the Board correct. My point is that it is our job to do and not yours. Alderman Levasseur said when we were sitting at home in our Zoom meetings and doing this one thing we talked about in the budget process was the employees going to work every day. It would have been terrible for us to stop the steps and longevities when they are going through a pandemic and working every day for the residents of the city. It is an embarrassment. I have sat here long enough listening to this. If you want to do it differently going forward, get the votes. Don't live in the past. We already agreed on this. Let's go forward and take care of what is in front of us tonight. We have been talking about this since June.

Alderman T. Sapienza stated I sympathize with the new alderman's confusion because I went through it myself. Some of the things that happen on the city level with contracts is crazy but you are learning new things that are pretty confusing. After you have been here a while and you have been through it a couple of times, you pick up on things. If you pay attention in the meetings you will know what is going on. I know what is going on with the steps because I listened in the previous meetings. It has been characterized that we are approving stuff that we don't know the cost of. That is bologna. We are not approving anything. All we are doing is laying these over and we are going to get the costs. I don't appreciate people saying I am voting for stuff that I don't know the cost of. That is bologna. After you have been here for a few cycles and you see a few of these contracts, you have to pay attention so you can catch up. You shouldn't be confused after being here for years.

Alderman E. Sapienza stated I still don't think I am confused. I asked for an ordinance and I was told 33.048. I am looking at it right now. There is nothing here in front of me that addresses giving steps and longevities when a contract ends and there is no successor agreement. I see the whole table in front of me. This is if there is a successor agreement. I also have emails telling me, because they did research this, that there is no particular ordinance that says that. I still don't agree. I am not confused. I am looking at 33.048 and there is nothing in it that says step raises will be given when there is no successor agreement upon the completion of a collective bargaining agreement. I did my research and I have the emails saying there is no specific ordinance saying that steps and longevities will continue. I did my research and

actually I have been at this for a very long time given my background. I see the whole schedule here for after five years and after 15 years and so on but there is nothing that says this will be done if there is no successor agreement. That is my whole point.

Mayor Craig stated if you want it, you can put it forward and have it go through committee.

Alderman E. Sapienza stated I shouldn't have to because it is already status quo. It is already status quo. There is not a single ordinance that says the city side...not the school side because that is completely and they don't get theirs which makes the whole thing more bizarre. There is not a single ordinance that says upon the completion of a collective bargaining agreement expiration date the steps and longevities will continue. There is no confusion on my part.

Alderman Levasseur stated the new alderman is the least confused new alderman that I have ever met.

Alderman Long asked can we move the question.

Mayor Craig called for a vote on the motion that the tentative agreement be ratified and layover. The motion carried with Alderman Hirschmann being duly recorded in opposition.

- 22.** Tentative Agreement between the City and AFSCME Council 93, Local 298, Health Department.

Alderman Long moved that the tentative agreement be ratified and layover. **Alderman Cavanaugh** duly seconded the motion. Mayor Craig called for a vote. The motion carried with Alderman Hirschmann being duly recorded in opposition.

- 23.** Tentative Agreement between the City and AFSCME Council 93, Local 298, Central Fleet.

Alderman O'Neil moved that the tentative agreement be ratified and layover.

Alderman Cavanaugh duly seconded the motion. Mayor Craig called for a vote. There being none opposed, the motion carried.

24. Tentative Agreement between the City and the Manchester Professional Firefighter's Association, Local 856.

Alderman Cavanaugh moved that the tentative agreement be ratified and layover.

Alderman Roy duly seconded the motion.

Alderman O'Neil stated we have to somehow identify the \$120,000 that they need.

Mr. Upton stated there is a \$120,000 shortfall that could come from contingency if that is your choice. It is going to have to come from the operating budget as an ongoing expense. I will get a full cost out to you by the next meeting and you can identify a funding source at that point.

Mayor Craig stated we expect to have the costs for all of these contracts by the end of this week.

Mr. Upton stated you will have them by Friday if not tomorrow.

Alderman Terrio stated this is the first I have heard about a shortfall. Is that for all of the contracts or just one?

Mr. Upton answered just the Fire contract and it has to do with the fifth week of vacation after 15 years which has been extended to every other employee in the city.

Alderman Levasseur stated the \$120,000 is a shortfall in this budget that we are in now and they can't make that up in their own budget.

Mr. Upton responded correct.

Alderman Levasseur asked so if we ratify this we are contractually obligated to pay it.

Mr. Upton answered correct.

Mayor Craig stated we are not ratifying it tonight.

Alderman Levasseur stated ratify means that you are voting for it. Layover means...if you took the word ratify out and you just said we are going to vote to layover that would be one thing but you are ratifying it.

Matthew Normand, City Clerk, technically you are correct but you are going to have another vote on this in two weeks.

Alderman Roy asked in two weeks we vote to approve correct.

Mayor Craig stated yes. We are just voting to lay it over.

Alderman Terrio just to clarify, if we find that we can't fund the cost are you saying that we can vote for it and ratify it and tell the union we are agreeing to it and in two weeks say we changed our mind and we are voting against it. You are saying that we can change our vote in two weeks and we won't be on the hook?

Alderman Roy stated if we find out that the numbers are too bad we can say no.

Alderman Terrio stated okay I will accept your explanation.

Mayor Craig called for a vote. *The motion carried with Aldermen Levasseur and Sharonov abstaining.*

- 25.** Tentative Agreement between the Manchester School District and the Manchester Educational Support Personnel Association.

Alderman Roy moved to ratify and layover. **Alderman T. Sapienza** duly seconded the motion.

Alderman Levasseur asked do they have the money in their budget for this.

Mr. Upton answered all of the funds needed to pay for this contract are in their current budget. I will point out that the payments are somewhat...I won't say equal but comparable to the other contracts on the city side. This one does provide for a \$.55/hour COLA but that is only because the school district has the money in their budget.

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

26. Communication from Jeff Belanger, Senior Planner, regarding proposed redistricting of aldermanic wards.

Alderman Long moved to refer this item to a public hearing to be scheduled at a later date by the City Clerk. **Alderman Barry** duly seconded the motion.

Alderman Terrio asked can I have Jeff come up. We had some discussions about Ward 7. For the Board's indulgence, I made some minor changes. I don't see that anywhere in the packet. Were you able to send that out?

Jeff Belanger, Senior Planner, responded yes. I think Matt is handing it out right now.

Alderman Terrio stated I was hoping to keep Ward 7 a little closer to what it was. I guess it is being passed out. Jeff was nice enough to make some minor changes and I would ask for the Board's indulgence on this. It is not a major change. One of the problems that we faced was that we didn't want to redistrict the state rep from Ward 3.

Alderman Shaw asked what are you talking about.

Mayor Craig asked can you explain why you are making a change.

Alderman Terrio stated if you look at the beginning numbers of Ward 7 and the ending numbers, I believe we only changed by 30 people but in the end we moved hundreds of people in and out of the ward. I was trying to keep the map close to what it was prior to the change.

Mr. Belanger stated the best thing for you to look at is you should have a packet of 12 individual ward maps. Let's find the Ward 7 map. It is a blown up version of the map you received in your packet. You will see that on this map on the left side, which is the western side there were 322 people taken from Ward 3 for Ward 7 and there would be 207 leaving Ward 7 and going to Ward 9. The reason that was initially proposed by staff is that Ward 3 got the second most population in the city and we needed someplace to put that population. This is still a very viable way to do it. That was one of our main priorities in proposing this map to all of you; to move the population out of Ward 3 because of the significant increase that they had. As Alderman Terrio mentioned, there is a state rep who lives just north of the border between Ward 9 and Ward 3 so there was a restraint there and we didn't want to move that rep out of the ward so we have only a few places where we could possibly have moved those 322 people. We did that initially with Ward 7. Alderman Terrio contacted me and asked if we could find a way to keep the Union Street boundary more consistent. As you can see from the map of Ward 7, there is a kind of step that occurs where some go out of Ward 7 and some go in. He wanted to keep that more consistent with what the ward lines are today. I and another staff member worked yesterday to try to come up with a solution and the solution that we have is in front of you on the exhibit that Matt just passed out. There are a few things to note as I stated on the exhibit. One is that it slightly increases the total deviation of population in the city to 1.56% over the 1.97% that we started with. In my opinion, that is not a particularly significant increase. You want to stay well below 10% and obviously 1.56% is still well below 10%. There is one thing to note which is we are using a railroad right-of-way as opposed to a street. We tried to avoid that sort of thing when we were making the map initially because we want ward boundaries to be pretty obvious to people who live in the community. Really, this is not a particularly significant change and we were happy to accommodate Alderman Terrio's request if that is the Board's pleasure or you can keep the map as was initially proposed. Either way is fine with staff.

Alderman Hirschmann stated the work done by the Planning Office is comprehensive in numbers. In reality and in living in the district, this is a whole new concept because if you are going to do what you are doing on paper, you really have to find a new voting precinct for the ward. You would have to move the voting precinct to maybe the

Manchester Community College if you want people to come out and vote. Right now, Ward 12 has become a city in itself and the people in the northern part of our ward are kind of reluctant to drive from those outlying areas in the Hackett Hill area to Northwest Elementary School. Sometimes it is a burden and sometimes it is just too far or they are too busy or whatever. The voting precinct as it has grown over the years is just not centrally located. It is a beautiful school and a beautiful place to go and vote but not for everybody. What happens is some people vote absentee or some people don't bother. They feel kind of disenfranchised. What this does is it takes longstanding people that have lived in these homes that are being redistricted...they are a walking community. A lot of people walk to the polling location. I don't think they even know where Gossler School is or where Ward 11 is in fact. You are taking Coolidge Avenue and some places that are near and dear to the...it is really a nice place. Ward 12 is a neighborhood in itself. People walk to the polls and everybody knows each other. We are taking 380+ people and saying coldly we are snapping a line because we have grown too much. Since I have been an alderman over the past 20 years, this has happened time and time again. My ward used to be on Kelley Street. I lost Kelley Street. You know what happened, those people stopped voting. It went to Bremer Street and those people stopped voting for a long time too. Sometimes they walk in the school forgetting that they don't vote there anymore and they are turned away. Some mothers come in with their children and say well my child goes to school here so why can't I vote here. It is confusing. In the past few calamities like ice storms or other events, the Kimball Street area where the MHRA has Kelley Falls apartments...there are a lot of buildings. The even buildings are in my ward and the odd buildings are in Alderman Gamache's ward but people from both sides of the street are calling me and asking how they get power back. Nobody knows that half of it is Ward 11 and you are leaving it split. Why don't you just make all of Kelley Falls Apartments Ward 12 or Ward 11? Enough with the division of the neighborhood. Moore Street, Morgan Street, Lafayette Street, Boutwell Street, and Bremer Street, those are all chopped up and gerrymandered very nicely so that some of it is in my ward and some of it is in Ward 11. How about fixing it so that you take all of those streets and put them in one ward. All I am asking is if the Planning Department is going to change Ward 7 at the drop of a hat, how about taking a look at Kimball Street, Upland Street, Moore Street, Morgan Street, Lafayette Street, Boutwell Street and Bremer Street – all of those streets that vote half

in Ward 12 and half of Ward 11 and once and for all fix them so they all vote in either one or the other. Leave all of the other people up near the school alone. If there has to be a public hearing, maybe I have to get all of those people out just like we did at the Zoning Board. I think a little bit of consideration should have been given to what actually happens in these wards because they are neighborhood community centers not just numbers on a census map. Thank you.

Alderman Shaw stated I just would like clarification on the addendum map. So the very bottom of this map is Ward 9. It is not showing here. On the big proposed map, Ward 9 goes from Beech Street up to Silver Street and across to Willow and it includes Plummer and that area there and it is all coming to me correct?

Mr. Belanger responded let me just try to follow that.

Alderman Shaw stated up in the corner it looks like the tip of Texas and you have Clay, Plummer, Krakow, Warsaw, Union, and Silver Street. That is where the boundary is showing on the large map. So now on this map it looks as though that has been extended all the way to Valley.

Mr. Belanger replied correct.

Alderman Shaw stated so it goes from Pine Street to Elm Street all the way up to Valley and everything to the right. So that whole section in there?

Mr. Belanger answered correct.

Alderman Shaw stated I am just curious and I won't tell you that you have to change it but I am very upset about losing my constituents up on Kenberma and all of those small streets up there. They seem to be some of the most supportive and vocal people in my ward and I appreciate all their support and all that I have some for them. I was wondering why was that taken from me? Was it population numbers?

Mr. Belanger responded it was and I would be happy to go into detail on that.

Alderman Shaw stated you don't have to take time here but maybe you can send me an email and explain it because I have to explain to them that I am leaving them and I want them to know why.

Mr. Belanger stated a very quick answer is a lot of that came from Ward 6. There was a triangle as you will see on the map of Ward 6 that was created in 2019 by redistricting to incorporate a polling place and that needed to be smoothed out. That was a pretty gerrymandered result that happened as an emergency situation to redistrict them to get a polling place in Ward 6. That was a significant amount of population that got changed. There were 330 people who were given to Ward 6 from Ward 8 as a result of smoothing that and making the border on South Mammoth Road so we needed to bring some more people into Ward 8 to even out that swap. We felt that 293 made a pretty strong and sensible border between the two wards and that is why we chose that area. I guess I would like to add that this map is a starting point that was made by staff. The census numbers came out much later than typical because of issues at the federal level that have nothing to do with the city. Staff had to kind of as quickly as we could make a map and get it in front of you. We are very interested in your comments and we would be happy to accommodate whatever requests we can and try to keep this at a fairly low level of deviation so the wards are equal throughout. That was our goal in making this map first and foremost; population equality but there are other factors as well and we are happy to work with all of you to make this map the way that you want it.

Alderman Shaw stated I will send you an email because I know I have had requests in the past from Brown Avenue that goes from Elm to Queen City behind Bakersville School. That area used to be in Ward 9 and then it was changed and the people have to go all the way up to the Rines Center to vote. They asked me why they can't still be in Ward 9. I will just send you a note with those points.

Alderman T. Sapienza stated we just had an election so I am wondering if there is a deadline for this.

Mr. Belanger stated I think Matt can speak to that.

Matthew Normand, City Clerk, stated I would just say that we have been receiving increasingly aggressive letters from the State Legislature in terms of getting this process done. They are trying to get it done by 12/31. They want our ward lines. All of the cities and towns in the state are going through the same thing. Manchester is in a unique situation where we can do this by ordinance. There are many cities that have to have a special election to change their ward lines. This Board had the foresight to take those out of the charter and the voters voted for it in 2019. The deadline is 12/31. I think the state is anxious to get these so they can get the districts finalized.

Alderman T. Sapienza stated I find it hard to listen to the state when they are saying do it quickly.

City Clerk Normand stated I know there are communities that are holding special elections in December and they aren't going to be done for some time either. I would just say if there are changes that need to be done, really what should be done is table this because what should go to the public hearing is the final version.

Alderman T. Sapienza stated my initial reaction when I looked at Ward 5 is you moved approximately 500 people and the only difference is 5 people in the end so I was pretty taken aback by that and I looked at this closely. We hear about gerrymandering all over the place but when I look at these wards, they have a reasonable shape. It isn't like somebody went out of their way to do some crazy stuff. I decided that I wasn't going to challenge this but if people are going to start getting involved and challenging it, then I am going to change my mind. I am ready to pass this as it is but if we are going to hold it up and start making changes then I am going to look to make some changes to Ward 5. I would rather see this go through because I trust the Planning Department.

Alderman Long stated there were no politicians involved in creating these maps so there was no gerrymandering. I am accepting whatever...if I want to pick and choose my favorite neighborhoods then I am going to want to fix this. I am accepting what the staff brought us. The state is looking to redistrict so they need to know our numbers. It is not doing us any good because we deserve 34 state reps and we only have 33 today

and they want to give us 32 with their maps. That is a Manchester rip off in my opinion. However, with respect to the city staff, I think they did a great job and were fair. I am going to accept what they gave us.

Alderman Long moved to refer the redistricting ordinance amendment to a public hearing. **Alderman T. Sapienza** duly seconded the motion.

Alderman Terrio stated if it will speed up the process, I will withdraw my request and defer to what Aldermen T. Sapienza and Long have said and just live with it as presented. I don't want to hold up the process.

Alderman Shaw stated I feel the same way. That is what I was going to say too. In no way was I trying to hold up anything. I didn't realize that we had a deadline from the state. I know the state already has a geometric maze and they need the information we have. I am okay with it.

Alderman Hirschmann stated it just seems funny to advocate for something and then because there is some kind of a deadline to withdraw the support for your ward. I don't understand what you are trying to do Alderman Terrio but I am telling you that the people in Ward 12 deserve some consideration so if you are going to send this to a public hearing, I will send those people to the public hearing. He just said he is willing to work with all of us to change everything. It is not that important.

Alderman Terrio replied he said that but if Ward 9 and 5 are going to say Ward 7 changed so I want to change...to prevent that I am willing to drop...I like this map but I am willing to drop my request so that other people won't then open up a can of worms and want their wards to change. I would rather smooth out the process and make this move quickly because we have a state election coming up and this has to be done before that. If people don't request changes, I will drop my request to make this easier.

Alderman Hirschmann stated I am going to work with the Planning Department.

Alderman Sharonov stated the voters that are moved to a different ward, are they notified in any way.

City Clerk Normand replied yes they are notified by postcard.

Alderman Levasseur asked is that done prior to the public hearing.

Mayor Craig answered it won't be approved so that can't happen.

Alderman Levasseur stated so they don't get notified before the public hearing.

City Clerk Normand stated they aren't notified prior to or even before the ordinance is ordained which will be several months.

Mayor Craig called for a vote. The motion carried with Alderman Hirschmann duly recorded in opposition.

Mayor Craig stated before we go into non-public session, does anyone have any new business.

Alderman O'Neil stated I try not to single out departments but I happened to be out and about the night of the fire on Dutton Street. I was on Beech Street not long after the Fire Department arrived. At one point I stood on the corner of Maple and Amherst and saw Captain DesRuisseaux walk by it. I confirmed with the Chief that it was Captain DesRuisseaux that walked by to the ambulance after what he went through. I don't know the last time we had a fire as intense as that fire was and that is probably one of the densest sections of the city. The streets are narrow and because of the power lines and other things it didn't give the Fire Department an opportunity to use the millions of dollars of equipment that we have. It was all about their will and their manual effort. I think we have all seen the news stories where they brought down six or seven people with ground ladders. Captain DesRuisseaux was trying to rescue a woman who unfortunately lost her life and through the efforts of Lt. Broussard and Firefighter Charpentier they saved Captain DesRuisseaux. He has a long road ahead of him but I

later moved up and watched some of it from Amherst Street and I couldn't have been prouder of the men and women of the Manchester Fire Department. They put their lives on the line. They protected the properties around it. There was very little, if any, damage to the surrounding properties. The one thing I want to point out is there is no question in my mind that they need people. I saw firefighters doing efforts by themselves. I don't know how safe that is. When something is going on, I have never seen firefighters question what is going on. They just get it done. I saw a firefighter trying to move the supply hose by himself and another one cutting into a fence. I talked to the Chief about this and if that fence ever snapped at him...I don't know if anyone even knew he was there. He was trying to cut it to get around the back. They need people. I think when they get to a second alarm it brings every firefighter in the city just about but they need people and I hope the next Board can look at that. They performed heroically and did an outstanding job. There was a period when we had two district chiefs on duty. We have one. I don't know how long it took for another chief officer to get there. We are not a volunteer or on-call fire department. We have to have enough people on duty to do the job. They did it that night but they need some help folks. The SAFER grant has been around for almost 20 years. I don't know exactly when it was passed by the federal government but this Board has to consider and this city has to consider applying for the SAFER grants to get people. They are still out there and you read about communities getting them all the time. I think back to the early 90's with the Police Department, well before Chief Capano asked for 30 police officers...I am going to make a generalization but I think I am right that with the COPS grants that existed back in the 90's I think we increased the police complement over a long period of time by about 40 police officers. I think the number was 190 at one point and we got it up to 230 before Chief Capano came in and asked for 30 more and that was through federal grants. I hope it is something that the next Board can take a look at. They perform an outstanding job in a very difficult situation and they deserve a lot of credit for it. Our thoughts and prayers are with Captain DesRuisseaux and his family and with the woman who lost her life. They just had a situation yesterday on Peabody Avenue in east Manchester where there was a mayday call. We have to make sure they have enough people. From what I understand, the people got out on their own. The city, and I am talking as a taxpayer, has to get them enough people so they can safely do their job. I want to thank Chief Parent and his folks for the job they did that night. It was

unbelievable. You deserve a lot of credit. I know you are not looking to take a bow but you should. They performed an outstanding job that night and I just wanted to get that out there.

Mayor Craig asked Anna Thomas to come forward with a Covid update.

Anna Thomas, Public Health Director, stated I am not sure I want to follow that. I hate to be the bearer of bad news but I am the buzzkill when it comes to what is happening right now with Covid unfortunately. The next couple of months are going to be rough and unfortunately the rate of transmission in the community is at 782.6 per 100,000 in population over the last 14 days. We have to be under 100 per 100,000 to be below substantial. So we are seven times the substantial rate and we are just under the highest peak of the surge last year and that occurred in December and January. I am trying to encourage everyone to remain vigilant. We are coming into the holidays and we want everyone to enjoy the holidays safely. The greatest number of cases that we have seen increase are among our school children in particular. We are finally able to start vaccinating children ages 5-11 and we will be doing a few school-based clinics this week and then one next week. We still have a way to go and our test positivity rate for the first time is over 10%, which again once you hit 10% and above you are at substantial. That is statewide, not just the city of Manchester. It is the three bigger cities and the statewide rate. I am coming to you to let you know that it is going to be a tough couple of months. We have to stay vigilant. We want to encourage everyone to be safe. The hospitalization numbers are off the charts. Today we started the day with 59 beds that are taken up with Covid positive patients between the two hospitals. That is also happening in other hospitals so if we have to divert patients to other hospitals they are also being filled and it impacts our ability to then have beds available for people who are not Covid positive and for other emergency and chronic conditions. I am concerned. I am coming to you to let you know that the next couple of months are going to be very telling and it is all hands on deck. We are dealing with a lot of cases. Our staff is working their hearts out. They are out straight. I do want to remind everyone that we do have a testing location at Hunt Pool and that is open seven days a week from 9 AM until 3 PM. You can just walk up and get tested. We are also offering vaccination at the Health Department as well as boosters. Our clinics are from 9 AM

until 11 AM on Mondays and 2 PM until 4 PM on Wednesdays. We certainly want to include our city employees. If they need to be tested or vaccinated, we are doing rapid testing for symptomatic city employees at the Health Department only. Again, we are out in the community as much as we can be. We are trying to get these mobile clinics up and running again now that the state funding has been passed. We are going to keep pushing hard. Please take care of your loved ones and encourage them to get vaccinated if they so choose to and to protect yourselves. I don't know if there are any questions but I wanted to give you the latest.

Alderman Terrio stated it goes without saying that the Covid vaccines are free and it doesn't matter if you have insurance. There is no charge to the public.

Ms. Thomas responded exactly. That is a good point.

Alderman Cavanaugh asked do you have the numbers for vaccinated versus unvaccinated for the positivity rate.

Ms. Thomas asked as far as hospitalizations go or just in general. The majority of the cases that we are seeing, especially the ones in the hospital are unvaccinated. I don't have the exact breakdown but that is what they are tracking, especially in the hospitalizations. Unfortunately, we are also experiencing those who have been vaccinated, if they haven't received that booster, some waning happening and some immunity waning a bit and that is another concern of ours. We have to get people in for boosters now which is now a whole other wave.

Alderman O'Neil stated you mentioned getting the booster or children getting vaccinated at the Health Department as well.

Ms. Thomas stated we haven't started it at the Health Department for clinics. We are going to start at the schools first.

Alderman O'Neil asked but people can get the booster at the Health Department.

Ms. Thomas answered yes.

Alderman O'Neil asked is there a charge for that.

Ms. Thomas replied no. All three are available and as a reminder, if you had Pfizer or Moderna, it has to be six months after your second dose from full vaccination. J&J is two months.

Alderman O'Neil asked regarding the vaccination programs that you are starting in the schools, is the school district...I know you have some people that are bilingual but are we making an effort to get out to some of the parents who don't speak English.

Ms. Thomas answered absolutely.

Alderman O'Neil stated so that is going on between the Health Department and the school district.

Ms. Thomas responded we do have community health workers on staff that we already had prior to the ARPA money and we are hiring more. That complement will speak an additional 10 languages. That is another group of resident liaisons that are on the frontline.

Alderman O'Neil asked do you know how many languages are spoken within the Health Department right now.

Ms. Thomas replied it will be up to 10 through the community health workers.

Alderman O'Neil asked on the testing and the 48-hour turnaround, is that for PCR testing.

Ms. Thomas answered the Hunt Pool turnaround is 1-2 days.

Alderman O'Neil stated it hasn't really sped up from a year ago. Do those go to the state lab?

Ms. Thomas responded it goes to a private company, ClearChoice.

Alderman O'Neil asked has there been any movement to speed up the results.

Ms. Thomas answered not on the PCR test. That takes time. It is really the rapid test where you can get the result within 15 minutes.

Alderman O'Neil asked so even with all the staff in the world, the turnaround for the PCR test won't change because that is how long it takes to do that test.

Ms. Thomas replied correct.

Alderman Levasseur asked do we have a number of how many children in Manchester have tested positive for Covid.

Ms. Thomas answered I can get you that number. I don't have it with me right now.

Alderman Levasseur asked so there is a number and does it include parochial and charter schools.

Ms. Thomas replied yes. It would be anybody who is a Manchester resident if you want it broken down that way.

Alderman Levasseur asked by age.

Ms. Thomas answered yes.

Alderman Levasseur asked have there been any deaths in children.

Ms. Thomas replied for Manchester residents, no not that I am aware of.

Alderman Levasseur stated I am not sure if you can answer this but as far as antibodies from getting Covid, the CDC just came out and kind of acknowledged that it does help and I ask this question because obviously the toughest thing we are going to do as parents is decide whether we want to vaccinate our children and anyone who has concerns they are genuine so if you have had Covid is there any feeling leaning towards whether vaccination should be given to the children since there haven't been any serious issues with death.

Ms. Thomas responded it is an absolute genuine concern and what we try to do is encourage everyone to speak to their own healthcare provider to make these decisions. It is absolutely legitimate. There are some families who just do not want to immunize their children and that is absolutely their choice. We are just trying to encourage the ones that are ready for that and want to do that. If they have had Covid, we are still in this gray area of how long those antibodies will protect you. They are saying it could be three months or it might be a year but there is nothing definitive yet so I don't use that as my 100% go to. It is the same thing with vaccination. Vaccination is still not 100% but it is another layer of protection you can add to your family. I will tell you personally that I have 12 and 17-year-old boys and as soon as I was able to vaccinate them we made that choice as a family but we did speak to our pediatrician. They were absolutely fine and I am thankful that they are in the schools and they have that in their toolbox if you will.

Alderman Levasseur asked did they get a two shot or a one shot.

Ms. Thomas answered two shot.

Alderman Levasseur asked so regarding the testing at Hunt Pool, you can walk up with no appointment needed but do you still have to qualify and have a fever or other symptoms.

Ms. Thomas replied no. It is PCR testing so anybody can go and get tested but it is still going to be a 1-2 day turnaround for results.

Alderman Levasseur stated but prior to this you had to have a symptom in order to get a test or two symptoms or something. That isn't required anymore?

Ms. Thomas responded right. In the early days that was required but we no longer have that requirement. The only difference is for the rapid test, that is when you have to be symptomatic in order to get that.

Alderman Levasseur asked regarding the booster shots for those of us who have had the two shots, are those available now or are we still waiting.

Ms. Thomas answered you can go right to the Health Department and a lot of the pharmacies are doing them as well. We actually have a listing on the state's website. We have a link to the state's website on the city website for those sites.

Alderman Levasseur asked have the qualifications for that changed or is it anybody who has already had two shots can go in.

Ms. Thomas stated on the Health Department homepage, we have a guide as to what the criteria are. For the most part they are pretty much giving boosters to just about everybody.

Alderman Levasseur asked do you have walk-ins for the third Pfizer shot.

Ms. Thomas replied yes.

Alderman Levasseur asked at the Health Department.

Ms. Thomas answered yes.

Alderman Levasseur asked what about the regular flu shot. Are you still doing those?

Ms. Thomas responded yes. We would be happy to provide those as well.

Alderman Levasseur asked and that is walk-in also.

Ms. Thomas replied yes but there is a charge for that if you are not a city employee or alderman.

Alderman Levasseur asked what is the charge for the flu shot.

Ms. Thomas responded \$20.

Alderman Levasseur asked and no charge for the booster shot.

Ms. Thomas replied correct.

Alderman T. Sapienza stated that Covid testing clinic is a Godsend. I was supposed to have a meeting with a woman yesterday and she called to cancel because she was sick and needed to get a Covid test. She was in distress because she thought she had to go to Concord or Newington because she was looking at the pharmacy and state website. I told her to check the Health Department website before she goes anywhere. Three hours later she called and thanked me. That is a Godsend to people in Manchester.

Ms. Thomas stated I thank the NH Department of Health & Human Services for that partnership as well. They made that happen for both Nashua and Manchester. That is a huge plus for us.

Alderman T. Sapienza stated when they went to the website they were delighted because it was easy to navigate. One in a while, we get things right. That is one of them.

Mayor Craig stated to give specifics on the Manchester school district Covid vaccination clinics, for kids age 5-11, a parent or guardian must accompany the student and they are happening on Thursday, 11/18 from 3:30 PM to 7:30 PM at Beech Street School;

Friday, 11/19 from 3:30 PM to 7:30 PM at Gossler Park; Monday, 11/22 from 3:30 PM to 7:30 PM at Bakersville and they can sign up at msd2021.setmoore.com.

Alderman O'Neil asked if transportation becomes an issue for people is there any way to get people to Hunt Pool. I am not sure if Maple Street is on a bus route.

Ms. Thomas answered if there is somebody having difficulty getting there, they can call the Health Department and we have the community health workers who can troubleshoot. If we really had to get somebody over there, we could probably make some arrangements.

Alderman O'Neil asked could that be the same if they want to get their children vaccinated but they can't get to that site at that time on that day.

Ms. Thomas replied it is going to be tougher with the children because we are just getting our first round of those doses. As we open it up just like we are doing now with all immunizations, I think when we can get through the schools we will start standing up regular clinics for children.

Alderman O'Neil stated so for any of this they can always call 603-624-6466 right.

Ms. Thomas responded yes.

Alderman Terrio stated at our last meeting we heard that we didn't have any plan yet for emergency shelter beds for the homeless. Winter is coming fast. Do we have any emergency shelter beds like we did last year?

Mayor Craig replied yes and asked representatives from the Fire Department to come forward.

Andre Parent, Fire Chief, stated Deputy Chief Cashin has been working with Schonna in regards to the emergency shelter and I will let him take it from here.

Ryan Cashin, Deputy Fire Chief, stated currently 1269 Café works under emergency sheltering guidelines so at night they are sheltering people on the bottom floor and in the basement. There is a limited amount of people they can put in there based on the emergency sheltering guidelines. With the money allocated to redo the fire escapes, it will allow us to move those emergency shelter people to the third floor and the lower floor will be used as a warming station. That warming station will accommodate as many people as we need it to.

Mayor Craig stated and that is in partnership with FIT as well. They have 138 beds.

Alderman Terrio stated last year we had a large number of emergency shelter beds at the old police station. How many beds are we talking about in this plan?

Deputy Chief Cashin answered enough to house anybody that needs a bed this winter. I shouldn't use the word bed because it is going to be a warming station. There are different guidelines for warming stations versus sheltering. The warming station will be open from 11 PM until 7 AM. If someone goes to FIT and they are full, they will then go to 1269 to the warming station where there will not be beds but they will be able to get warm.

Alderman Terrio asked so they will be able to sit and get out of the cold.

Deputy Chief Cashin replied yes.

Mayor Craig stated there are 24 beds at 1269 Café and 138 at FIT and then the warming station on the first floor.

Alderman Terrio asked aren't the 138 beds already being used outside the emergency plan.

Mayor Craig responded you asked how many total beds.

Alderman Terrio stated what I am trying to figure out is how many emergency beds we had available last year and if we are going to have enough this year.

Mayor Craig stated we had a lot that were available last year that weren't used and that is something to keep in mind.

Alderman Terrio asked so last year all of the emergency beds we had to get the homeless people out of the cold weren't being used.

Mayor Craig answered correct.

Alderman Terrio asked so you believe that we have enough capacity.

Mayor Craig replied yes with the current population that is in Manchester right now and I think it is important to note that all of the shelters in NH are full right now. I don't think Concord is open yet but they will be opening soon. I had a call with all of the mayors recently and they are running into the same situations. I think Dover just recently opened up a warming center as well.

Alderman Terrio stated I know that the Fire Department will look at a location and say you can only have so many people in this people, how many...because these people aren't going to be sleeping but sitting in chairs or whatever warming up how many can physically fit in that building to get warm.

Deputy Chief Cashin responded they can hold what their current permit of assembly allows them to hold which is enough to house as many people as we will need to.

Alderman Terrio asked is it 200 or 300 or what is the number that could fit in there safely.

Chief Parent stated it is up to 150 but there is no way we would allow that because it would be too congested in there. We will have to evaluate it as we go forward.

Alderman Terrio stated so somewhat less than 150.

Chief Parent replied way less than 150.

Alderman Barry stated I want to welcome our four newly elected alderwomen – Christine Fajardo, Erin Kelly, Mary Heath and June Trisciani.

Alderman Sharonov stated I read an article on Manchester Ink Link and in the *Union Leader* that School Committee Member Jeremy Dobson is going to be moving out of Manchester. I anticipate that there will be a vacancy coming up pretty soon and for the record I requested that Jeremy Dobson be present here at our meeting because there are going to be some questions about the timeline. If he resigns after he is sworn into office, we will have to appoint a new member for basically two years per the Charter. I would prefer to have a special election because I don't think it is fair to the voters to re-elect someone who is going to move out of Manchester and barely serve the term. Since School Committee Member Dobson is not present here I will have to get the information after the meeting.

Alderman Levasseur asked do we know what the charter says about that issue as far as if there is not a sitting alderman when we get sworn in on January 4 because it is vacated earlier.

City Clerk Normand asked an alderman or school committee member.

Alderman Levasseur answered school committee member. Does the alderman from the ward still get to appoint someone?

City Clerk Normand replied as far as it being the alderman of the ward, that is a policy of this Board. What the charter says is that a vacancy shall be filled by this Board whether it is before the 4th of January or after.

Alderman Barry asked so is this kind of a moot point since nobody has resigned yet. He is living where he is living. If someone wants to do their own investigation as to where someone is living, go ahead but do it for everyone.

Alderman Sharonov stated I just had a question about the timeline. I just want to know the timeline. It is not really an investigation.

Alderman Barry replied then ask him. You don't need to write a request to have him come before us. Nothing gives you the authority to do that.

Alderman Sharonov stated I know that I don't have the authority to summon anyone but I can request if I want to.

Mayor Craig asked Matt who has authority over situations like this. Is it the Board of Registrars?

City Clerk Normand answered domicile issues are determined by the Board of Registrars.

Alderman T. Sapienza asked has somebody resigned.

Mayor Craig answered no not that I know of.

Alderman Levasseur stated let's all pretend that nothing is going on.

Alderman E. Sapienza stated just a passing observation. Alderman O'Neil gave a very eloquent speech about the bravery about the firefighters. I thought it was a great speech and he mentioned the dangers they face and that maybe we need more firefighters. I agree with him but we just had a presentation from a couple of firefighters regarding caring for the homeless and what not. Maybe if we could have them devote more resources to firefighting and not have them watching over the homeless that would go a long way to the point that Alderman O'Neil was making.

Mayor Craig stated Saturday, November 27 is Small Business Saturday in the City of Manchester. The Chamber is organizing it and if there are any businesses that want to participate, they should reach out to the Chamber. Winter parking starts on December 1 and lasts through April 15. It is odd/even parking from 1 AM to 6 AM on the odd side on odd months. Snow emergencies mean that all cars must be off the streets typically from 10 PM until 6 AM. Parking is available during snow emergencies in the Victory Parking Garage, the Peal Street parking lot and behind the West Side Arena.

Alderman O'Neil asked might the Director be considering some relief around the holidays as he has in the past.

Mayor Craig answered he typically does.

Alderman T. Sapienza stated I want to wish everybody a Happy Thanksgiving next week and on the day after I want to wish them a Happy Indigenous People's Day. Many jurisdictions celebrate that day for Indigenous People.

Alderman Cavanaugh moved to enter into non-public session pursuant to RSA 91-A:3, II(d) for consideration of the 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. **Alderman O'Neil** duly seconded the motion. A roll call vote was taken. Aldermen Cavanaugh, Stewart, Long, T. Sapienza, Sharonov, O'Neil, Levasseur, Terrio, E. Sapienza, Shaw, Barry, and Gamache voted yea. Aldermen Roy and Hirschmann were absent. The motion carried.

Mayor Craig called the meeting back to order.

TABLED ITEMS

- 29.** Advising that the request from the property owners of 426 E. High Street requesting subordination of a city lien in the amount of \$20,000 was received and filed.
(Aldermen T. Sapienza, Roy and E. Sapienza voted yea, Alderman Cavanaugh voted nay, and Alderman O'Neil was absent.)
(Note: Tabled at the 10/19/21 BMA meeting for further information from property owners which was sent under separate cover.)

This item remained on the table.

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

A True Record. Attest.

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

City Clerk