

## CHARTER COMMISSION

**April 10, 2013**

**6:00 p.m.**

**Chairman Duval** called the meeting to order.

**Chairman Duval** called for the Pledge of Allegiance, this function being led by Dominic Girard.

The Clerk called the roll.

Present: Commissioners Duval, Girard, Martin, D'Allesandro, Lopez,  
Clayton, Ashooh, Infantine

Absent: Commissioner Pappas

**Chairman Duval** stated I would like to point out that our best wishes go out to the Nick Pappas family. Apparently his wife is expecting and that is the reason why he is not here this evening. He did inform me earlier this afternoon that his wife is in labor so we wish him a very smooth and healthy delivery for both mother and child, and father I suppose too.

3. Consideration of proposed revisions to the charter.

**Chairman Duval** stated commissioners, our clerk was very good about putting together this updated document with regard to the motions that were passed and also incorporated current and proposed changes to the charter. I guess tonight we will pick up where we left off last week if the clerk could refresh the commissioners' memories on where we left off. Do you remember which item it was, Clerk Leahy?

**Clerk Leahy** replied I believe we left off on what was item seven, that a person running for alderman or School Board must be a resident of that ward for one year and a person running for alderman or School Board member at-large must be a resident of the City for at least one year.

**Chairman Duval** stated thank you very much, Clerk Leahy. We will pick up on item seven if that is okay with you all and I'll ask commissioners to go ahead and weigh in on this one if there is any further discussion if we want to formalize the vote on that one. I think this one was proposed by Commissioner Infantine.

**Commissioner Martin** stated noting the language or assistance that we received from JoAnn Ferruolo from the Clerk's Office, she asked whether the language should be "running for or appointed to" just in case of those situations.

**Commissioner Infantine** stated in case of the situation recently in Ward 6 where that individual was appointed to the School Board. I'm fine with that.

**Commissioner Martin** stated in listening to the folks from the Clerk's Office just to make things cleaner for them, I would make that as a friendly amendment.

**Commissioner Infantine** stated that's fine.

*Commissioner Martin moved to amend the motion that a person running for or appointed to the Board of Mayor and Aldermen or the Board of School Committee must be a resident of the city for at least one year. The motion was duly seconded by Commissioner Infantine*

**Commissioner Lopez** stated Commissioner Infantine, could you go over the one year again because one of the subjects came up that an individual being a resident for 20 or 30 years and because he moves from Ward 1 to Ward 2... Would you give your justification for this?

**Commissioner Infantine** replied that is correct, Commissioner Lopez and Commissioner Martin. I think what we had agreed to when we were leaving the last meeting, was that it would be one year in the City and not in the particular ward. I apologize, I quickly looked at that and my brain said the amendment was done because I was thinking about it that way. The goal is to try to make it consistent with the mayor. I believe it is one year and I believe the charter says that it could be up to one year. I would like to make it consistent for aldermen and School Board members. As Commissioner Martin said, individuals are appointed as long as they live within the city for one year, not particularly of that ward.

**Chairman Duval** asked even for the ward seat?

**Commissioner Infantine** replied yes, but they don't have to live in that ward, they just have to live in the city.

**Chairman Duval** stated that changes it quite a bit for me. That is why I was opposed to it because I was more concerned with... I had asked for the two to be broken out. It was taken as one motion for the ward positions and the at-large positions. I was concerned with this whole notion of being in that domicile in one ward.

**Commissioner Infantine** stated if you recall briefly at the end of last meeting, I don't remember if it was the attorney who brought it up, but we were starting to discuss it but we were breaking up the meeting. I was supposed to get to our clerk my amendment prior to the agenda going out and just didn't get to it.

**Chairman Duval** stated that escaped me. That is important for me.

**Commissioner Ashooh** stated I just wanted to make sure that this also takes into consideration the effects of a redistricting, that it does not disenfranchise someone from running for office if their ward has been changed and they are now on the opposite side of a ward line.

**Chairman Duval** stated I think now, if we take away that requirement of living in a ward, I think we are okay.

**Commissioner Infantine** stated we are taking out any ward. It just must be a domicile of the city for one year so that would not affect redistricting or anyone moving from ward from ward.

**Chairman Duval** asked Clerk Leahy, is that included in the present motion or do we need another amended motion?

**Clerk Leahy** replied whatever way the commission wants to do it.

***Chairman Duval** called for a vote on the motion that a person running for or appointed to the Board of Mayor and Aldermen or the Board of School Committee must be a resident of the city for at least one year. There being none opposed, the motion carried.*

**Chairman Duval** stated thank you very much, Commissioner Infantine, for working that through.

**Chairman Duval** stated we are on number eight. There was some discussion relative to this during last week's session. We never took it to a formal vote. I will certainly open it up for discussion now relative to the stipend for aldermen and School Board members.

**Commissioner Ashooh** stated we have had discussion regarding the elimination of benefits and an adjustment to the stipend for School Board members and aldermen. Back in 2000 an effort was put forward to create a stipend of \$7,000 for the aldermen and \$5,000 for the School Board members and eliminate the benefits. We can discuss back and forth what the amounts should be, but had that gone through at that time and you calculate what the savings were to the City by capping the City's exposure, at that point in time and what has happened in the intervening 13 years, there was a significant net benefit to the City by capping the City's exposure. In that spirit, I would make a motion to cap or create a stipend of \$7,000 for the aldermen and \$5,000 for the School Board members and the elimination of any benefits.

***Commissioner Ashooh** moved that the stipend for aldermen shall be set at \$9,000 and school committee members shall be set at \$7,000. Neither shall be entitled to benefits extended to full time employees of the City. The motion was duly seconded by **Commissioner Infantine**.*

**Commissioner Lopez** stated I think there has been a lot of talk about the benefits. I'm for getting rid of the benefits, but let's be very clear. Some people think that an alderman doesn't work part time, but he does. I can assure you of that from

experience. I put in anywhere from 20 to 30 to 40 hours a week when I was an aldermen and during the budget process I put in more than that on the weekends. You are talking about someone who gets an average of 25 calls per week. You are talking about someone who has to go to meetings, sits on five separate committees. I know the argument, with all due respect, to try to compare it to a State rep, but I can't see a City official being compared to a State rep. The special meetings that they are going through with the budget process... I know very well that people say that he or she asked for the job. I belong to a lot of organizations and volunteering for organizations or volunteering for anything... Commissioner Girard points out low turnout. People don't want to get involved in most cases. They don't want to be chastised by the press, they don't want to be chastised by TV shows or chastised by other politicians. If you look around between who is elected and how many people stand up for the principle of the City of Manchester... You are talking about how much money we can save, that is what you are talking about. You are talking about saving half a million dollars. I think it ought to be just a little bit better than \$7,000 and \$5,000 when they have to buy their own medical insurance, which they should buy their own medical insurance. I understand that. There is no fairness the way the system is now. Secondly, a lot of this stuff shouldn't even be in the charter. It should be done by ordinance of the City of Manchester, but because the system that we have, which has been pointed out, the aldermen gave themselves the benefits. That happened years ago and now we can correct it and we can correct it the right way. If you go to other places around the country aldermen are getting more money than that. Of course this is New Hampshire. There is always that volunteer aspect of it. People are not getting involved because of the way the process works. It is something that I have given all my life and I didn't take the benefits, but other people did take the benefits because of other reasons so it is not fair. When you look at the plan, a single person makes out very well if he takes the plan. It costs the City \$8,163 and he pays \$1,632. A double is \$16,000 and the alderman taking that would be

\$32,000. A family is \$21,000. That is why it is not fair. Then there is the dental plan and if you want the numbers on that I can give it to you. I think that if you give someone a stipend, and that's all it is because I can tell you, once you become an alderman, you get 100 letters from people to donate. I think my good friend Skip Ashooh could indicate that to join the Chamber of Commerce you have to pay \$35. If you want to be involved in the community as an alderman and know what is going on, you have to go to these things. None of these things are free. All the money that an alderman gets, believe me, I have spent to serve this City. I would take a good look at this and ask if this is fair. The authority of the Board of Mayor and Aldermen has different decisions to make versus the School Board. The buck stops here. They have to make the tough one. I think it ought to be a little higher. I would appreciate very much if we would have more discussion on it before we finalize the vote.

**Commissioner D'Allesandro** stated I support Commissioner Lopez's contention. If you are going to take something away, there is a fairness aspect that has to be brought into play and that is a reasonable compensation. If you are taking \$20,000 away from an individual and offering them \$7,000 in return, that is a negative \$13,000. We all seem to feel that the benefit package is problematic in that the benefit package maybe never should have been put together. There obviously was a reason for it. If you are going to withdraw it, people have had it for a long period of time, I think we have to be reasonable in the compensation. By withdrawing the benefits, you are going to save a significant amount of money, which again, leads me to believe that you should offer reasonable compensation, not a fortune, but reasonable compensation. If you contrast it to the State, we can't raise the salary of the State workers because it is in the constitution. It would take a constitutional amendment to raise it from the \$100 that was a lot of money 200 years ago and if you took it and you increased it by the rate of inflation over the last 200 years, it would be like a \$30,000 salary. Obviously we are not

going to do that at the State level. We have an opportunity to be fair and I think we ought to talk about fairness. If you are giving something up that has x value you shouldn't make the opportunity x versus y. It should be reasonable. You know you are going to be saving money, but there has to be a reasonable number put in there. I served on the School Board for five terms and I never took any benefits. There were times when I didn't take my salary. We are asking people to serve in a very difficult environment. It is difficult being an alderman, being a School Board member, and they have a lot of very difficult things to deal with and we ask them to do a lot with a lot of meetings and so forth and so on. We should be reasonable in terms of developing a compensation scheme for them, not to make them rich by any stretch of the imagination, but to be reasonable in terms of our compensation. The numbers that we were quoted from Commissioner Lopez, we would be, if you had \$500,000 out there, that is what you are saving by eliminating the benefits package. There ought to be something reasonable that goes to those individuals who are giving that up. If we are going to be fair, we want to be reasonable as we approach this. We also want to keep the good people involved in government and keep more people running for these offices.

**Commissioner Clayton** stated just to speak in support of Commissioner Ashooh's motion, the notion that aldermen serve because they are happy to volunteer is an antiquated one and I have had a lot of people come up to me and say that they have never been paid so why would you pay them now. They run on their own voluntary basis. It is something that a lot of people are addressing in a parallel line. The hospital board of trustees is a similar example. As healthcare has become more and more complex, to serve on a hospital board it requires a great deal of expertise or time so non-profit hospitals are considering now going to a paid model by which they would pay their trustees because of the demands that they place upon them to serve. Again, the notion of it being an honor to serve on a hospital board no longer is the fact of the matter. It is work; it is hard work and

they ask a lot of them. Just to those who think that this might be some outrageous proposal, to pay an alderman or a School Board member, I think it is a model that is evolving more and more as society becomes more complex we ask more and more of these people and the notion of them serving as volunteers is antiquated and quaint, but I think it is a thing whose time may have come and gone.

**Commissioner Girard** stated before I speak, may I ask Commissioner Lopez or D'Allesandro what they think a fair or reasonable compensation figure for the aldermen and School Board members would be if not \$7,000 and \$5,000 as proposed by Commissioner Ashooh?

**Commissioner D'Allesandro** replied I think the reasonable number brought forward by Commissioner Lopez was \$15,000 as a starting point. I think that is a reasonable salary in terms of what you are giving up. If you multiply the \$15,000 times the 14 people on the board and you have a number and you look at what you are saving, there is a dramatic savings even at \$15,000 so start there and have a discussion about it. Seven thousand is more than half of that. I think the number that is on the table for discussion was the \$15,000. It doesn't mean it has to stay locked there, but I think it should be reasonable and I think reasonable is in the mind of the beholder.

**Chairman Duval** stated Commissioner Girard, just a question if you don't mind so you could put it in your presentation because you have a good grasp of numbers, but I think you are the one who reminded us all that we are a self funded program so the number that was quoted by former Alderman Lopez I think is for premium charges only and that does not include the risk assumed when you take an employee on the health benefit program and you are paying off claims, potentially some pretty serious money. We are now eliminating that risk for each of those who participated in the current health program by making this change.

**Commissioner Girard** stated yes, and to answer that, Commissioner Lopez, I'm assuming that you are standing by your \$15,000 proposal?

**Commissioner Lopez** replied no, I'm not. I threw out the \$15,000 to see what interest there was out there. I can tell you that no one has come to me and said that is unreasonable for an alderman. I know \$15,000 will never pass this commission to get on the ballot. I think we all agree that the benefit package is the most important thing that has to go because it is not fair. What is that compromise number that we are going to be talking about? I can throw a number out at \$9,000 and \$5,000. I can tell you that at that the City would be saving \$432,000. In 2012 it cost the City \$145,000 in medical care just for the aldermen and then times that by the school department, which I could not get, but I'm sure that Commissioner Girard does have that number.

**Commissioner Girard** stated I do.

**Commissioner Lopez** stated I figured you would. Maybe you could throw some numbers at us for what it has cost the school department and go from there. I'm just saying that if we do nothing it stays the same, it is not going to change. I think the public has spoken out on the benefits and other people have spoken about the benefits so where is the middle ground compromise? If you give nothing... Where is that good volunteer? I belong to the American Legion with 1,300 strong and 12 to 14 people do all the work. I think I would like you to look at that to see if we can't come up with a reasonable \$9,000 and \$5,000 or \$6,000, whatever the case may be.

**Commissioner Girard** stated I have to admit to being intrigued by the whole conversation about fairness. Over the years I have spoken with several members of both the School Board and the Board of Mayor and Aldermen and many of the people who initially ran for office were quite honestly unaware that the City's benefit package would be available to them if elected. Some of them didn't even know that there was a stipend, but they ran anyway. I am not all together unsympathetic to the argument that if you are going to take something away, which this commission is discussing doing, that there should be something as a reasonable or just compensation for that. However, I am also reminded that these are benefits that the aldermen decided to give themselves and I think they decided to do so in a rather unfair way if you take a look at how they treat part time employees of the City because part time employees of the City are not eligible to get the health insurance benefits. Having been an alderman, I am certainly sympathetic to the amount of time that some aldermen spend to honor their duties. By law, they are considered part time. Were that not the case, they, like the mayor and welfare commissioner, would be required to participate in the City's retirement system, but they are specifically exempt. As the gentleman from the retirement system told us, they are specifically exempt because they are considered part time. I think, however long ago it happened, the aldermen, as part time employees, at least that is how they are treated by the law, elevated themselves over the part time employees who are not eligible for the benefits, the people who punch a clock and go and do the work for the City. If given the choice between Commissioner Ashooh's motion and Commissioner D'Allesandro's proposition of \$7,000 versus \$15,000, I am going to be with Commissioner Ashooh. I am amenable to something in between the two, but the idea that we are taking something away and as a result of that, those from whom it is being taken, the people who decided to give it to themselves, should somehow be compensated justly for that, I do have difficulty with that. I don't see the need to offset it. I know this isn't an easy job—I have done it. I respect the time that people put in.

It is not easy. Commissioner Lopez is right; people who run for office today have to deal with any number of things that are unpleasant, but frankly, they really aren't much less unpleasant than they were before the days of television. I was around before television came to the chamber. It has never been easy. I would suspect, having done a little research on how elections have gone in this City since going non-partisan, the fact that in contested races you have a 5% turnover rate, meaning incumbents lose only 5% of the time, that might have something to do with why fewer people are stepping forward and fewer people are voting. The chances of winning have been dramatically altered. I don't think you can discount that. Commissioner Ashooh, I don't know if the numbers that you proposed are the high water mark for you. I don't know if you are amenable to something more along the lines of what Commissioner Lopez has suggested, \$9,000 and \$6,000 or something like that. That is hitting my upper limit. I was thinking around \$7,500 or \$8,000 for an alderman and about \$5,000 for a School Board member. I think that is the right number there. These are stipends that are not meant to be compensation. They are meant to be recognition so that if they want to join the Chamber of Commerce or they want to do this or do that, the City is providing them something to offset the expenses. I hate the thought of looking at this as a paycheck. With that, Mr. Chairman, I will conclude my remarks.

**Commissioner Martin** stated if there were a Board of School Committee member here they may have other thoughts to share about the role of a School Board member from their perspective, but they are not here. As much as I don't like the idea of having a set stipend for an alderman and a lesser stipend for a School Board member, in the spirit of compromise, looking at this middle number that we talked about, I would be interested in having a discussion about \$10,000 for the aldermen and \$8,000 for a School Board member, trying to get closer to that middle place. Commissioner Ashooh, did you say it was 2000 when you talked about \$7,000?

**Commissioner Ashooh** replied \$7,000 and \$5,000 in the year 2000.

**Commissioner Martin** stated so if you look at in the year 2013, perhaps \$10,000 and \$8,000 would be an inflationary piece.

**Chairman Duval** stated we are going ten years forward as well. We have to take that into consideration.

**Commissioner Martin** stated in the spirit of compromise as I said and it is a hard pill for me to swallow, I would be interested in looking at those numbers. I cannot support \$7,000 and \$5,000 however.

**Commissioner Infantine** stated unfortunately, Commissioner D'Allesandro, I could not disagree with you more. I apologize, but I cannot wrap my head around the fact that you are giving something or taking away because if I look at half of the School Board and half of the aldermen choosing to take the health benefits, while one group may be, on a net basis, losing a benefit, the other half who aren't taking the benefit aren't losing that benefit so I don't think there is a correlation between taking away and giving because this is not a salary. This is a stipend. No one makes a living off of being an alderman or a School Board member or a State representative as we all know and I like that. I don't like the fact that United States senators and congressmen and representatives in other states make a living... That is their living, what they get paid. What does that do? In my opinion, it creates a mechanism where people want to stay in their position to earn a living, not necessary for some, stay in that position to do their civic duty. I don't want to make... I think we have a situation right now and I think anyone who would look me in the eye would agree that we have a situation in this City where certain people will stay in the position, not because they necessary want to stay in

the position, but because of the benefit they derive from the position and individuals stay in there and you cannot deny that they may vote a certain way to stay in that position. I find that really wrong and I do not want to create a situation where we provide anyone a reason to stay. It is very effective on a State level. I know we are not going to compare it. I know it is constitutional. I know we tried to raise our salary and it didn't go over too well to \$200 and that didn't even go over well in the House, but I think we have created a position where people stay. I'm not making this stuff up. People have said that if it wasn't for really needing the benefits, I'm not sure I would stick around and deal with it. I would 100% be in favor of getting rid of the benefits and I am concerned that going any higher than what Commissioner Ashooh has suggested is detrimental. I don't know what parties you hang out with, but the parties I hang out with in my neighborhoods were aghast at this group for what we did with the mayor's salary, never mind what we are doing here. Obviously it is different strokes for different folks. I am very vehement in my opinion of what I just spoke about and not creating a situation where it behooves someone to continue to be in a position for financial gain. I will be supporting Commissioner Ashooh's position. Senator, it is just a disagreement that you and I have.

**Commissioner D'Allesandro** stated I appreciate the oratory and the disagreement. I think that is what makes a democracy a great place to be. I reiterate my position. If you give something to someone and then you take it away, there is a loss. Would you agree with that?

**Commissioner Infantine** replied yes, but we didn't give it. They gave it to themselves. To answer your question directly, yes.

**Commissioner D'Allesandro** stated regardless of that, if you give someone something and then withdraw it, one would expect that there would be some kind of a realization that you did that and a compensating factor.

**Commissioner Infantine** stated if everyone had it, Senator, I would say yes.

**Commissioner D'Allesandro** stated but it is offered to everyone. They make a choice of whether they accept it or not. I think that if you want to be reasonable and you want to be fair, regardless of how it all started, it exists and it has existed for a long period of time. What we do agree upon, I think, is that it is costly. That is something that has come across loud and clear and the cost has accelerated as time has gone on. Indeed, if that is something that you want to address, I think the reasonable nature is to provide something for them. It isn't equal to it and I'm not in any way suggesting that, but I'm saying that we ought to be reasonable in terms of what we think. That time spent in that particular position deserves some kind of compensation. We have to come up with a reasonable compensation or say don't compensate them at all—no benefits, no stipend, nothing. One can accept that premise.

**Commissioner Ashooh** stated to answer a couple question, first, Commissioner Lopez gave us a good starting point with his \$15,000 proposal. Commissioner Girard, you are correct; this was not my high water mark. I think there needs to be a recognition that this is an elected office, turnover is every two years, we are not giving them anything, they are not entitled to anything, but there should be some sort of compensation. As one who served seven years as the chairman of the Manchester Development Corporation, I put in more time than any alderman in the City at that point in time. Alderman Lopez, I think you can back me up. During the Verizon Wireless Arena, during the Residency at Manchester Place, I was in meeting after meeting after meeting as a self employed individual and the

only uncompensated person in that room, representing the City of Manchester, was me. The aldermen got compensated, our consultants got compensated, the mayor gets compensated, the investment broker got compensated, but I did not get compensated. There is a division between what is truly community service and that calling to a position where you run for office and then you are going to commit yourself and you should get some sort of a stipend. I don't disagree, but somewhere in between me getting nothing and all the other people on the board who served with me and the idea that there is an entitlement to a stipend, I think that is where you have to find the middle ground. I came in at \$7,000 because that is where the aldermen were in 2000. Commissioner Lopez I think has a reasonable argument to make for \$15,000, but I don't think he was nailed to that. I think somewhere in between there should be ground to compensate people for the unfortunate, extraordinary amount of time it takes for 14 aldermen and the mayor to make their jobs go by fast. I'm willing to go up on the \$7,000. I know Commissioner Lopez has agreed to come down on his. If we can find a middle ground I'm okay with it. What I am not okay with... There is no entitlement here. The number one thing we have to work on is capping the City's exposure to expense at this point. We have gone through, year after year after year of health care benefits and dental benefits that have no cap, just exposure so is it in the best interest of the City at large to at least limit the risk of the City at large to this kind of exposure? I think by coming up with a flat stipend number we can cap that risk. If the aldermen want to change it they know they have the power to change that. If not, the next Charter Commission in ten years can revisit it again. If we can agree on a number, eliminate the benefits, come up with a stipend that we think is fair, I'm okay with that. My number of \$7,000 is very movable.

**Chairman Duval** stated I'm glad to hear that, commissioner. You give me hope. Along the lines of what has been said by several commissioners to support an increase in the stipend—and let's call it that—even if we raise it to \$10,000 and

\$8,000, which are numbers that I can live with as just one member of this voting panel, and I would ask commissioners to consider a \$10,000 and \$8,000 proposal. Quite honestly, I thought the \$15,000 for aldermen and School Board was a defensible position. I honestly believe that. I can face any resident of the City of Manchester and have an honest and candid discussion with them and defend that position perfectly well. As a former School Board member and as a former alderman, I echo the remarks made by former School Committee Member D'Allesandro and former Alderman Lopez and even former Alderman Girard. It is a lot of effort and a huge commitment on behalf of anyone who is willing to serve the City in those two positions. In the end, no matter what number we end up with, even if it is as high as \$15,000, it is still a stipend. This is hardly how anyone is looking to get rich. For that reason, I would strongly encourage commissioners to support no less than \$10,000 for aldermen and \$8,000 for School Committee members, eliminate the benefits. Let's stop with the ongoing debate and angst that providing benefits causes. Commissioner Infantine, you are correct that not every School Board member or aldermen takes benefits, but they have an opportunity to and the number can change every two years. It could be eight out of 14 or six the next. The opportunity is there and as Commissioner Ashooh points out, the risk is there. It is not just the premiums we pay, it is the risk that is there and the large inequity in the current stipend mechanism. I just think it is faulty and it is wrong and we need to correct it now. This corrects a problem going back and it also corrects it ten years going forward. If there is a proposal for \$10,000 and \$8,000 I will be happy to support that. I just think anything below those two numbers is deficient. I think that we should either keep things the way they are or let's be fair, as Commissioner D'Allesandro reminds us, and go to something that we can live with, but that is representative of the demands of those two very important positions.

**Commissioner Girard** stated I would not go that high. I might take Commissioner Lopez's suggestion at \$9,000 and \$6,000. I won't go that high for a couple of reasons. If you take a look at what the City is paying in premium costs right now, just for the aldermen on health and dental, it is \$121,000. While I am sympathetic to eliminating the risk, increasing the stipend to \$10,000 for an alderman means that in absolute dollars every year the City is going to be paying more in compensation than it is paying now for the benefits. I understand the whole eliminating the liability thing, but at some point this gets a little convoluted on the numbers. You asked about the number for the School Board. The School Board is roughly \$90,000 if I remember correctly. I don't have that sheet with me.

**Chairman Duval** asked in claims?

**Commissioner Girard** replied no, I'm not talking about claims, I'm just talking about premiums. The claims numbers that I have, frankly, are probably too old to be relevant to the conversation.

**Chairman Duval** stated they make the premium dollars look pale, the premiums compared to the claims paid.

**Commissioner Girard** stated if there are claims, yes.

**Chairman Duval** stated it is a risk that the City assumes currently.

**Commissioner Girard** stated I understand and I'm sympathetic to the liability. I would also like to note, just as a reminder, that the members of the public who spoke at our public hearing were unequivocally opposed to any increase in the stipend given to aldermen and School Board members. Just like people on this commission have said that they are okay with the Charter Commission and

therefore the public revisiting the salary of the mayor every ten years so it shouldn't be tied to an escalator, to say that we should have it high enough so that ten years from now it is still an appropriate stipend is contrary and inconsistent with that argument. I understand that it is not a stipend, but the theory, Commissioner D'Allesandro, is the same and that is that the idea that there should be some sort of escalator or it should be high enough so that ten years from now it may still be appropriate and another commission won't have to deal with it, I think applies here. With that, what I would like to do is call the question. There is a motion on the floor. It is \$7,000 for aldermen and \$5,000 for the School Board member with the elimination of the benefits. It was made and it was seconded.

**Commissioner Lopez** stated I would move to table it until we get through some other items.

*On motion of Commissioner Lopez, duly seconded by Commissioner D'Allesandro, it was voted to table the discussion regarding stipends for aldermen and School Board members.*

**Commissioner Lopez** stated I only want to table it until we go through some other items.

**Chairman Duval** stated I understand that. That is why I supported the motion.

*Commissioner Girard called for a roll call vote. Commissioners Girard, Ashooh and Infantine voted nay. Commissioners Martin, D'Allesandro, Lopez, Clayton and Duval voted yea. Commission Pappas was absent. The motion carried.*

**Chairman Duval** stated item number nine has to do with the change in the timeline of the budget, specifically relating to the School District budget.

**Commissioner Martin** stated when I ran for Charter Commission this is one of the things that I talked about that was important to me, largely because of what happened on the school side this past fall when we received our budget from the Board of Mayor and Aldermen around the 12<sup>th</sup> or 13<sup>th</sup> of June and then the Board of School Committee allocated appropriately, or not appropriately, depending on your opinion, on June 28<sup>th</sup>. That timeframe really created problems for school administration to get things in order, transfers and so forth and get school open in the fall in a clean and efficient manner. Having said that, as I do have an open mind and we have talked with an awful lot of people, Bill Sanders being someone who I have a great deal of faith in and I think is one of the least political people in this entire city and is very committed to doing the right thing financially and otherwise. After hearing Mr. Sanders' testimony, though I seconded this motion, my desire is to leave this issue alone and not change anything in the charter at this point in time. I guess I would make that in a form of a motion.

***Commissioner Martin** moved that the proposed changes in item nine, change the timeline of the budget as follows: the school budget shall be presented to the BMA by the 2nd Tuesday in February each year; on or before the 2nd Tuesday in March the mayor shall submit to the BMA a budget for the fiscal year with an accompanying message; the BMA shall adopt the budget on or before the 1st Tuesday of May of the current fiscal year, not be implemented. The motion was duly seconded by **Commissioner Ashooh**.*

**Commissioner Girard** stated one thing I would like to see changed though is the provision where if the mayor vetoes the budget then the timeline can be kicked to the end of June. Right now under the charter, it has to be by June 15<sup>th</sup>. Is it, Mike?

**Commissioner Lopez** replied the second Tuesday in June.

**Commissioner Girard** stated but if there is a veto of the budget anywhere along the line, the aldermen automatically have until June 30<sup>th</sup> to pass a budget. I don't want to add that to this motion, but I did want to raise it for discussion to see whether or not the commission would be amenable to at least removing that veto kickback so that the process is concluded by the second week in June.

**Commissioner Lopez** stated since Commissioner Martin wants to keep it the same, I have no objections to that. I think there was an outcry to change the budget timeline. I do agree that it could be changed, but if it is not changed to help the employees then I'm for leaving it alone also. My intent was to get it done before the 15<sup>th</sup> of May when the School Board has to make decisions if they are going to pink slip and how many pink slips they are going to give so that they have their budget. I have no problem with the way it is now and give them an opportunity and wait to June and hope from money from the sky and then make decisions. That's okay too. I'll go along with Christine Martin and the other issue from Commissioner Girard we can probably take up separately.

**Chairman Duval** called for a vote on the motion that the proposed changes in item nine, change the timeline of the budget as follows: the school budget shall be presented to the BMA by the 2nd Tuesday in February each year; on or before the 2nd Tuesday in March the mayor shall submit to the BMA a budget for the fiscal year with an accompanying message; the BMA shall adopt the budget on or before

*the 1st Tuesday of May of the current fiscal year, not be implemented. There being none opposed the motion carried.*

**Commissioner Girard** stated I would like to move that the provision in the charter that allows for the budget process to be extended to June 30<sup>th</sup> if a veto is issued by the mayor at any point in the process be removed from the charter.

**Commissioner Ashooh** stated I just want to understand what you are proposing, Commissioner Girard. If you are proposing to eliminate the mayor's veto automatically extending the aldermen to June 30<sup>th</sup>. What you are basically saying is that if the mayor vetoes the aldermen's proposed alternative budget the mayor's budget by default becomes the budget?

**Commissioner Girard** replied no. Right now the way the process works is that if the mayor vetoes the budget at any time, there is a provision in the charter that gives the Board of Mayor and Aldermen the option of extending the budget passage date to June 30<sup>th</sup> so it goes from the second Tuesday in June to June 30<sup>th</sup>. If no budget is passed by that point in time then the mayor's budget becomes the default budget. Mayor Gatsas I think indicated that he would like to see this happen. I would like to remove the provision that says that if the mayor vetoes the budget that it can go to the end of June which means that if the aldermen don't pass a budget by the second Tuesday in June then the mayor's budget, as is the case now, would become the default budget. That can happen right now by the way. If they don't pass anything but the mayor doesn't veto anything, the mayor's budget becomes the default budget on the second Tuesday in June anyway. We are just getting rid of that last two, two and a half weeks in June so that the budget is squared away a couple weeks before the end of the fiscal year.

**Commissioner Martin** stated I need to be educated on this one. If I recall various budget scenarios, it is in those last two weeks of June that the money seems to fall from the sky as Commission Lopez said. I would be interested in Commissioner Lopez's perspective on this motion. Does that give the aldermen enough time to revisit funding sources and so forth? His perspective is important to me.

**Commissioner Lopez** stated it is very complicated. When you look at what the State gives for education, that is in the law. Most of the numbers are there. Approving the budget the second Tuesday in June... Let's say that the mayor does veto it, then you have agony all over again. The only people who really suffer, to me, are the employees and the department heads. They don't know what to do. Everyone is planning their vacations and everyone is done with this. It is not a bad idea to eliminate the veto because if you haven't come up with a budget by the second Tuesday in June, I don't know what you do other than sit around and look at each other and hope that something happens. Could something happen? Yes, the State could give us some money, which I doubt, but maybe in the future that could happen. I understand that there is building aid. I think that is out now. Is that correct? Building aid is out so they try to get back in. If that was a final vote for the State to give it to us, anything the State does the last two weeks might give us an opportunity, but usually it is not going to give you anything in that year's budget. It is usually in the second year. I see no reason to prolong the agony after the budget is passed.

**Commissioner Infantine** stated I would like Commissioner Girard to go through a little scenario because I think the only thing I see in doing this is to allow a budget to be done quicker when there is an impasse. Would you give me the scenario of this one more time as to why this is going to make things better?

**Commissioner Girard** replied I would be glad to. In doing so I will also speak to Commissioner Martin's point. Right now, the only reason why a budget can be passed after the second Tuesday in June, but before the end of the fiscal year, is if the mayor vetoes the budget. If there is a veto of any sort on the budget or the adoption of a resolution or anything like that, the charter automatically allows for the extension of the process. As Alderman Lopez points out, that interjects some uncertainty for the next two weeks. If you remove that provision, the mayor is still going to be able to veto a budget. This would not take away the mayor's veto, but what it will say to the Board of Mayor and Aldermen is that they must pass something by the second Tuesday in June or the mayor's proposed budget becomes the default.

**Commissioner Infantine** stated understood. Thank you.

**Commissioner Martin** stated could you clarify the motion?

**Commissioner Girard** stated the motion is, the mayor's veto notwithstanding, the City of Manchester Board of Mayor and Aldermen shall adopt a budget by the second Tuesday in June or the mayor's proposed budget shall be enacted as the default. That is the specific motion that removed the language enabling a veto to kick the budget to the end of June.

***Commissioner Girard** moved that the provision in the charter that allows for the budget process to be extended to June 30<sup>th</sup> if a veto is issued by the mayor at any point in the process be removed from the charter. The motion was duly seconded by **Commissioner Ashooh**.*

**Commissioner Lopez** stated I just want to make sure that everyone is clear on it. Someone who has worked against the mayor and with the mayor, the budget is the budget. Everyone has that. They have the budget right now and they have until the second Tuesday in June to change it and if they get ten aldermen to do it, it is history and there is no waiting until June 30<sup>th</sup>. If the mayor vetoes the budget then you have to wait two more weeks.

**Commissioner Girard** stated call the question, Mr. Chairman.

**Commissioner Lopez** stated the only thing it does to the process is the second Tuesday in June the budget is there. It is either approved, amended or if it is vetoed that's it. If you have ten aldermen to override the veto then their budget becomes law. The only small difference is if the mayor vetoes the budget that the aldermen bring in and they don't have ten votes to override him... They might not do anything that night and wait until June 30<sup>th</sup>. If they can't come up with something by June 30<sup>th</sup> to override the mayor, the veto stands.

**Chairman Duval** stated my only concern is that it is putting something to the voters as a possible charter change that I don't know that does a whole lot in the end. I appreciate the explanation, but it puts another item as a charter revision and I just don't know if there is enough meat in it for me to support. In the end, I think it does matter.

**Commissioner Ashooh** stated maybe what we ought to do is get to those five or six items that we think are worthy of consideration to go onto the ballot and then perhaps at the next meeting... We may have to make another cut, is what I'm saying. I think this is something that is at least worth the debate and the vote because it is a key structural thing. We have had two or three public sessions and people have been talking about the budget timeline and I think this is a common

sense way to deal with some of the budget timeline issues that we can deal with that are not part of the collective bargaining unit between the City and the teachers, but gets to the meat of not getting to June 30<sup>th</sup> and having a concern about a budget.

*Chairman Duval called for a vote on the motion that the provision in the charter that allows for the budget process to be extended to June 30<sup>th</sup> if a veto is issued by the mayor at any point in the process be removed from the charter. The motion carried with Commissioners Clayton and Duval voting in opposition.*

**Commissioner Lopez** stated but that is not the end of it.

**Chairman Duval** stated it is for now. It is there and we can chose to bring it back if you go along the lines of what Commissioner Ashooh proposed.

**Chairman Duval** stated we are on item ten, that all candidates be placed on the primary ballot. This was proposed by Commissioner Lopez and seconded by Commissioner Martin and it did pass with a five to four vote.

**Commissioner Infantine** stated I would ask the same question that I asked the last time we ended up on this issue. By doing this in a non-partisan election, have we created a runoff system? I understand what Commissioner Lopez wanted to do because if we put everyone in the primary, I believe the way it works in Nashua with a non-partisan and you put everyone in the primary, if someone gets 51% or more that's it.

**Commissioner Girard** stated actually, in Nashua and in most of the towns that have everyone in the primary they have a runoff system where the top vote-getter is elected, even if they get less than 50% of the vote. I think City Clerk Normand asked the question, if you are going to put everyone on the primary ballot, but you are going to treat it as a primary with a general election, what do the votes cast in the primary mean.

**Commissioner Infantine** stated it just gives someone the ability to put in a write-in to be considered.

**Chairman Duval** stated you can write-in during the primary now though.

**Commissioner Girard** stated only if the race is on the ballot.

**Commissioner Infantine** stated that is my only question. I know what Commissioner Lopez wanted to do. We discussed it before because some people will say I didn't even know you were on the ballot, I didn't know there was a primary, you don't know what is going on and people going to the primary would like to know. If that is not the case and that is what is created by this then it basically becomes a run-off election and the highest vote-getter wins and I would be against that.

**Commissioner Martin** stated in thinking about what Commissioner Infantine said as well, I'm back to referencing the comments from JoAnn Ferruolo from the Clerk's Office. This is perhaps a bold idea, but isn't it interesting that municipal primary elections are not conducted in 11 out of 13 cities in New Hampshire and Laconia may be eliminating their primary, which will leave Manchester as the only city in the state that conducts a municipal primary. It is interesting. How valuable is our municipal primary?

**Commissioner Infantine** asked Commissioner Martin, what would happen if we had, and this has happened before, where there are three selectmen and you have six people running for that position? The general election just has the six names?

**Commissioner Martin** stated it has the six names and the three top vote-getters win.

**Chairman Duval** stated just like Charter Commission. That's the way it was, just one shot. I would rather we heed the advice of the clerk and from the information that was given to us by Commissioner Martin tonight, I think we should be heading in the direction of eliminating the primary and not expanding it. I certainly would be in favor of eliminating the municipal primary.

**Commissioner Martin** stated let me go a little bit further with that, if I might, Mr. Chairman. Think of the expense of a primary. If I remember Clerk Normand said something in the \$68,000 range. We do not conduct school on those days because we vote in many of our schools and it is a safety issue. That would be one less issue there. It is definitely a very interesting idea and it would not have come to me had this data of 11 out of 13 cities do not conduct primary elections. If I remember Clerk Normand mentioned that it was a trend across the country.

**Chairman Duval** stated the percentages in the primary are pitifully and woefully low for voter turnout. Just maybe that gives people an opportunity to focus on one election and it allows candidates to focus on one election and to work tirelessly to increase the voter turnout on one day and stop confusing the heck out of our voters.

**Commissioner Girard** asked what is the expense of a disengaged electorate compared to the expense of a primary? It would be nice... Let me back up for a second. When I brought data to this commission that showed that since moving to a non-partisan system that voter turnout in this city had collapsed and fallen by 40% while that same voter pool in the city, in state and federal elections, which are partisan, increased by 11% in non-presidential years and 15% in presidential years over the same period of time that City elections saw a 40% decrease in voter turnout... When I brought that data forward someone on this commission said that that is some data, but I'm sure there is other data out there. I would tell you, frankly, as someone who studied this academically for four years, urban government, urban politics, you cannot find in the United States of America, for all the trends, a non-partisan system where you see more people running for office and more people voting in elections. You will not find a non-partisan system that makes it easier for challengers to get rid of incumbents and increases overall participation. It doesn't exist. If the next step, which is a logical one if you want to stay non-partisan, is to go to a runoff then you are going to face two things. If the deputy city clerk in the City of Manchester wants to throw in her two cents about what other cities are doing, perhaps the data we should look at is the turnout number in those communities. Having participated in an election or two in the state, I can tell you that those communities have dismal turnout. You are talking 10% or 12% in a runoff system. That is exactly where Manchester is headed in this non-partisan election system. Elections that used to turnout 21,000 or 23,000 people or more are turning out 13,000, 14,000 and 15,000. That is bad for community. Our own city clerk, Matt Normand, sat here and said that non-partisan systems make it tougher for challengers to win. Do you know how tough it is? This isn't complete research, but since we went non-partisan in this city there have been eight election cycles and there are 30 races in each election cycle—14 for the School Board, 14 for the board of aldermen, one for welfare commissioner and one for mayor. There are 30. There have been 240 contests for

office and exactly 12 contested races in that period of time have seen the incumbents lose. That is a 5% turnover rate. This City has made it extraordinary hard for the average citizen to come out and run for office by going to a non-partisan system. If this commission wants to move and thinks it is a great idea, why don't we take a look at the data because it is there and you can go to Nashua and you can go to Laconia and you can go to Hooksett. I have the good fortune of covering a number of these races now that I am in the media business. A school board race in Hooksett just this last time out, where the winner, in an election that turned out at about 12% of the vote, got 43% of those votes cast. Is that what you want? A system where more people voted against the person who won than voted for him? That is where you go in a runoff system like this. Otherwise, if you are going to make it a runoff you are going to make it required for 51%, guess what, you have a primary anyway. In Nashua, the only race where there is a primary or a runoff system is for mayor. Every other race in the City of Nashua is on this system. The problems that our clerk expressed about finding candidates to run for the ward offices, about the aging of the population who is willing to be there, about the difficulty in finding folks, about the decrease in voter turnout, all of it, without question, can be tied back to the change to non-partisan elections. That is why the system is failing right now. To take another step in that direction is going to make it even worse.

**Chairman Duval** stated I want to come back to the question at hand.

**Commissioner Girard** stated that is part of the question at hand, with due respect, Mr. Chairman.

**Chairman Duval** stated I don't see it that way.

**Commissioner Lopez** stated I have a different perspective. I think the City of Manchester is unique in non-partisan. Do we want a government like Congress is now and do nothing? At least there is compromise and looking at what is good for the City, not what is good for the political party. There is too much. At the State level we always say, how many times, in comparison with the City, finding someone to run for State rep and then it turns out they move out of the City, they move out of the ward, they do this and people get elected to be a State rep of 400 and they don't even want to be there, but the parties get the individuals' names on the ballot. Twenty people run the State anyways out of 400. I think we have a unique system. I'm not going to involve myself with this motion because it could be complicated for the charter. The 51%, I don't think that we are ready for that, but the interesting idea, maybe the primary should go, but I don't know if you want to tackle that. Anything to do with placing their name in the primary, I am going to stick with the existing charter.

**Commissioner Infantine** stated though there were some interesting concepts that Commissioner Martin brought up and Commissioner Girard, but the motion here that we need to deal with that did pass was that all candidates be placed on the primary ballot. Someone needs to make a motion to withdraw that. I don't know if that is a motion, Commissioner Lopez, but that is what we should be talking about at this time, unless someone brings up.

**Chairman Duval** asked are you withdrawing it, Commissioner Lopez?

*On motion of Commissioner Lopez, duly seconded by Commission Infantine, it was voted to withdraw the motion that all candidates be placed on the primary ballot. There being none opposed, the motion carried.*

**Chairman Duval** stated Clerk Leahy, I think we are current on what had passed.

**Clerk Leahy** stated I believe so yes. I think you have gone through all the approved motions at this point. We did have the tabled item on the stipend for the aldermen and the School Board members if you wanted to cycle back.

*On motion of Commissioner Lopez, duly seconded by Commissioner Infantine, it was voted to remove the discussion regarding stipends for aldermen and School Board members from the table. There being none opposed, the motion carried.*

**Commissioner Lopez** stated when we originally talked about the \$7,000 and \$5,000. I think some people are willing to move. I would like to see what they want to move to. Ten thousand and \$8,000 has been thrown out there. I could support that. The maker of the motion of \$7,000 and \$5,000 I would like to ask if there is any movement on his part.

**Commissioner Ashooh** stated the \$7,000 and \$5,000 proposal was one that was based on what was happening in 2000. Some increase over that is fine. I'm still willing to argue that this is not an entitlement. This is something we are giving them in recognition of time served. Do we want to get into a bidding war here? If I go to \$8,000 and \$6,000 is someone going to go down to \$9,000 and \$7,000? I'll go \$9,000 and \$7,000 and I would like to ask for a vote on \$9,000 and \$7,000.

*Commissioner Ashooh moved that the stipend for aldermen be set at \$9,000 and school board members be set at \$7,000 with no benefits. The motion was duly seconded by Commissioner D'Allesandro.*

*Chairman Duval called for a vote on the motion. The motion carried with Commissioners Infantine and Girard voting in opposition.*

**Chairman Duval** stated will of the commissioners with regard to any other tabled items or items that failed or are there any new motions to be brought before the commission?

**Commissioner Infantine** stated I would only ask that if any commissioners who voted against any of the other motions who have had a change of heart or have compiled an amendment in their mind to bring it forth now. I don't think we should go through the exercise of going through all the opposed motions just to hear each other talk if no one is going to change their vote.

**Commissioner Martin** stated I want to go back to a motion that I had made one point in time that I believe was tabled and that was to eliminate the tax cap while maintaining the expenditure cap. It may be a pipe dream on my part to think that this commission would support that, but if I am going to sleep restfully after doing the work on this commission, I need to know that this was brought to a vote. I think it is important given the situation in this City at this time. Again, I go back to my friend Bill Sanders and his wisdom as the chief financial officer of the City and listening to him say, going forward, having both of these caps involved in our budget process is going to be very problematic—I'm not quoting him, but paraphrasing—that this is going to be very problematic for this City. We continue to see this happening. I would like to take that motion off the table.

## **TABLED ITEMS**

4. Education Discussion:
  - Timeline of the school budget  
*(Note: Communication from William Sanders, Finance Officer, is attached)*
  
5. Proposed motions by commissioners:
  - Eliminate the tax cap, while maintaining the expenditure cap.  
*(Commissioner Martin)*

*On motion of Commissioner Martin, duly seconded by Commissioner D'Allesandro, it was voted to remove this item from the table. The motion carried with Commissioners Girard, Infantine and Pappas voting in opposition.*

**Commissioner Lopez** stated Commissioner Martin, it has been reported and I talked to him today that Alderman Osborne is going to bring up at the next Board of Mayor and Aldermen meeting to put that on the ballot. I think he is getting a legal opinion from the city attorney as to whether or not we can have a charter revision and put something else on the ballot. I would like to wait until we see what they do.

**Commissioner Martin** stated what you have been speaking of, the aldermen have, at any point in time, an opportunity to put an ordinance change on the ballot. Is that what you are speaking of?

**Commissioner Lopez** replied at any time the aldermen, by eight votes, without a veto, they can put something on the ballot. The question that Alderman Osborne had told me last night was that they are looking into, because we have a charter revision, whether or not you can do that in this year. At any time they can make any recommendation to the voters.

**Chairman Duval** asked to put it to a referendum.

**Commissioner Martin** stated commissioner, what you are asking is that we hold off until we hear more about that next week.

**Commissioner Lopez** stated would say that we should hold off and then we can always add it.

**Chairman Duval** stated I would be in favor of hearing that out first. I know Alderman Osborne has been committed to that. He was quoted in the paper. I did have a conversation with him. He feels very strongly about it and very passionate about it. If we can give him an opportunity to get the right answer and then if the commission still has the will to look at it then so be it.

**Commissioner Lopez** stated it goes along with Commissioner Infantine... It is a separate issue, which we could do like you said in the beginning, but we can't. Maybe that is some type of law that needs to be changed.

**Chairman Duval** stated if it could be handled as a separate referendum, I would prefer it be handled that way so the Charter revision doesn't get bogged down with that one item and it also gives fair notice to the voters on that one item as well which is significantly enough.

**Commissioner Martin** stated I'm fine with that.

*On motion of Commissioner Martin, duly seconded by Commissioner Lopez, it was voted to retable this item. There being none opposed the motion carried.*

- The restriction of using "one time funds" to balance an operating budget. (*Commissioner Ashooh*)
- A person running for mayor needs to be a resident of the City for at least 3 years. (*Commissioner Infantine*)

These items remained on the table.

**Commissioner Lopez** asked will there be an opportunity at the end, some of the items that we recommend to the Board of Mayor and Aldermen that maybe shouldn't be in the charter but in our notes we could give the final thing to the aldermen. This is just preliminary.

**Chairman Duval** asked you are talking at the end of our process?

**Commissioner Lopez** replied at the end of our process if there is something we don't want to do, but they should consider.

**Chairman Duval** stated sure, that's a good idea.

**Commissioner Clayton** stated forgive me if I am rehashing old ground here, but I have gone over both the approved motions and the failed motions and I don't see the motion that was raised by Commissioner D'Allesandro relative to the mayor's role on the School Board. Last time it came up we got caught in a parliamentary kerfluful and it seems like that motion could have been reintroduced when in fact we did not know the particular rules of the board.

**Chairman Duval** stated it certainly can be, Commissioner Clayton.

**Commissioner Clayton** stated I would recommend that we bring that up, if the Senator is willing.

**Commissioner D'Allesandro** stated I thought that we would have some further discussion about a way to work that premise so that it was acceptable to the board, either an ex officio, non-voting member, not the chair, something of that nature. I thought there was some discussion around that and maybe that would be met with some positive reaction. For the sake of conversation, I have looked at different boards around the state and I think we are unique in the fact that the mayor is the chairman of the board. In other situations a) the mayor is not a member of the board, per se b) the mayor is ex-officio as he is of almost every committee. Would that be an acceptable situation? I offer that as a point of discussion. I think we did have ample testimony and again, we want to reference the fact that it is not just this mayor, but it is any mayor. There has been a real inconsistency in how the mayor participates. He is either proactive or a non-player so to speak. The board elects a vice-chair and he serves as the chair when the mayor doesn't participate. Would it be advantageous to have it at least set so that the board elects its own chair and if indeed we wanted to put the mayor as part of it, the ex-officio aspect of it might make sense?

**Chairman Duval** asked Commissioner Clayton, did you have something in mind with regard to a motion?

**Commissioner Clayton** stated I'll put it in the form of a motion if you would like. I think we talked about it quite a bit and there was some serious opinions by people who spoke with us.

**Commissioner Clayton** moved that the mayor's role on the School Board be reduced to that of an ex-officio member. The motion was duly seconded by **Commissioner D'Allesandro**.

**Commissioner Infantine** stated I don't know what that means. I think we need to be specific. The biggest concern we have and I think we all need to be honest about what has gone on in the last ten or 12 years. You have certain personalities as mayor who are more aggressive than others. There didn't seem to be a problem with the way Mayors Baines and Guinta handled things and now there seems to be this issue. One of the things that I can agree on that doesn't make sense is to why the mayor would have a vote on the School Board budget when the mayor is the one who presents the budget on the aldermen's side. Why does he get two votes? At this point, they decide here how much the schools are going to get based on whatever and it just seems to be a ridiculous vote to have the mayor participate in. My offer had been if you want the mayor not to participate in a vote on the budget and the only thing he can do is break a tie, but you would really have to explain to me... I know what the language means because it is written in a lot of pieces of legislation, but when it really comes down to Manchester, if ex-officio is basically just running the meeting and not participating in a vote, is that what ex-officio means to you?

**Commissioner Clayton** replied ex-officio could mean that or it just means a spectator—you are invited, you are welcome, but you don't get a vote.

**Commissioner Infantine** stated I just need to know what your motion is because I don't understand it so I can't vote on it. What I am willing to offer up is that, even if you want to say that the mayor can't vote on budgetary items, I don't know if I want to go that far, but at least in the final budget... I have to be honest here; you have 12 people from one group all with the same comments. That's okay. They

got their people out and they have their comments. Let's narrow it down. What is the problem at hand that we want to solve? There is an overall opinion by some that there is a problem. What is, exactly, the problem? Then I guess I would be willing to vote on a motion to solve that problem.

**Commissioner D'Allesandro** stated I think you articulated the problem. You specific the problem and I think you did it marvelously.

**Commissioner Infantine** asked personality?

**Commissioner D'Allesandro** stated no, when you said here is the person who votes on the budget, he creates the budget and then votes on the budget and has an opportunity to negate the budget.

**Commissioner Infantine** stated I'm willing to make that... That is something that I have no problem with that the mayor should not vote on a budget on the School Board, however he can break a tie. Other than that, I don't know what this ex-officio... That is one thing. That's solved. That is simple.

**Chairman Duval** stated I think it would be prudent at this time, given the opportunity that we have before us, to limit his role if you are going to do that, to that of any other School Board member and he is not to serve as chairman of the School Board, that the School Board members elect ac chairman of the board. I think they should have that authority and that responsibility and let them conduct their business. I certainly think that Commissioner Lopez has made a pretty valid argument that he thinks it is better that the mayor have some opportunity to be engaged in the process to make sure that the School District doesn't slam the door in the mayor's face so to speak and that he be given some role on the School Board. I think there is some validity to that and I would go along with giving him

some role, less of a role than he has now, but not so much to completely remove him from the process. That is where I would like it to end up. Maybe a little bit more than what you are proposing, Commissioner Infantine.

**Commissioner Infantine** asked would you counter that he can be a voting member, but not the chairman? I would rather we have a chairman who had a little more control to run the meeting and has a vote, but he doesn't have to be the chairman. I don't have any problem with that.

**Chairman Duval** stated I can live with that.

**Commissioner Ashooh** stated I would actually go the other way. I think the mayor's role as chairman on the School Board is ultimate, just like before the BMA he doesn't get a vote. He gets a veto, but he doesn't participate in the discussion. He runs the meeting. In taking a vice chairman out of the 14 and giving that chairman the powers that we are now debating about whether the mayor should have doesn't seem right either. If you are going to have a School Board of 14 members and take one and making him chairman, that chairman shouldn't have a vote either, same way the mayor shouldn't have a vote. Really what you are talking about is creating a mayor's role as the convener of the meeting, the one who presides over the meeting, but one who doesn't have a final vote. Perhaps they could have a procedural veto, to break a tie as Commissioner Infantine said. He could have a tie breaking vote only, but the mayor should preside as chairman.

**Chairman Duval** stated if he so chooses. Historically we know that some have chosen not to.

**Commissioner Ashooh** stated we can change that as well and make it mandatory. We have that power. We can just eliminate the ex-officio phrase.

**Chairman Duval** asked you don't think there is enough work for the mayor to be conducting on the City side?

**Commissioner Ashooh** stated I think it has been demonstrated by the last two or three mayors that they like being there.

**Commissioner Girard** stated just a point of order, I had the privilege of working for a mayor who decided not to chair the School Board. Ray Wieczorek was perfectly content to let Carol Resch, vice chairman of the School Board, to preside over the meetings and he participated in the debate. I would ask Commissioner Clayton before I conclude my comments whether or not, or even you, Mr. Chairman, what if the School Board wanted to elect the mayor as chairman? You seem to not want him to be chairman, but what if the School Board wanted him to be the chairman?

**Commissioner Clayton** stated I would find that to be a fascinating circumstance if it ever were to come to pass.

**Commissioner Girard** stated having seen to both ways, having worked for the mayor who most recently chose not to chair the School Board and seeing successors who did chair the School Board, I would say that whether they chair it or not, the mayor of this city, whoever it has been, has been engaged during elections and in between in conversation about schools. Say what you will about Ted Gatsas or Bob Baines or any of them, their campaigns, their mayoralities, had as cornerstones education. When I ran for mayor in 2001 one of my primary proposals had to do with the Manchester School of Technology. It elevates the

discussion in the population over education. The mayor, whether we like it or not, is a central focus for the voters in the city and the idea that somehow the mayor should be separated from or weakened within the School Board removed that focus, removed that instigation for conversation over the direction of schools, the way things should be handled. Whether one agrees with Ted Gatsas or not or Ray Wieczorek or not or Bob Baines or not or Frank Guinta or not, what those mayors did with respect to their time on the School Board was a catalyst for conversation in the community. I can see an argument about whether or not there is a conflict of interest on the budget as Commissioner Infantine has suggested, but I will be blunt. If Bob Baines were the mayor right now or maybe even Ray Wieczorek, we wouldn't be having this conversation. Mayor Gatsas is a forceful person with clear opinions and he fights hard for them. There are many on the School Board and many in the so called pro-school movement in this city who don't care for that and it is not lost on me that the ones campaigning before this board for his relegation to the ash heap of uselessness on the School Board have been those who have been vocal critics of his repeatedly. Let's not dismiss the politics from this because that is what this is. I think for the benefit of the dialogue to our City, out of respect for the role of mayor, out of the singular ability of that one position in the city to focus a conversation on education or anything else, it ought to stay on the School Board and it ought to remain as the ex-officio chairman. If they choose to exercise it as recent mayors have, terrific; if they choose not to as Mayor Beaulieu and Mayor Wieczorek chose not to, fine. Let's not take away from our community that focal point because that is what we are doing if we take away the role of the mayor on the School Board.

**Commissioner Martin** stated Commissioner Girard, maybe I am taking the bait and I shouldn't. I think it is important... I'm just going to say this. I have disagreed with Mayor Gatsas on some of his positions relative to schools. That is clear. I have never questioned his desire to do the right thing on behalf of the

citizens of Manchester. I truly believe that his heart is in the right place in wanting to do the right thing on behalf of our children and our community at large. It is very clear to me when Carol Resch was chairing the Board of School Committee what a functional group of individuals and function School District we had from a governing standpoint.

**Commissioner Girard** stated I don't think so, but that's okay.

**Commissioner Martin** stated you can disagree with me. That's healthy.

**Commissioner Girard** stated they certainly had their disagreements and Ray Wieczorek... I don't want that to go unchallenged. My apologies, commissioner, go ahead.

**Commissioner Martin** stated no worries. My intention was and I think I made a motion at some point in time to remove him as chair from the Board of School Committee and it was not directed at this mayor. The idea in my mind, in looking at School District's around the country, and looking at how governments functions is trying to find a more efficient way from a governing standpoint for us to conduct business. We bring lots of City politics onto the Board of School Committee and in my view we should be discussing the politics of education. There are a lot of politics involved in education and positions to discuss that don't have anything to do with City politics. In any case, the compromise position of having the mayor serve on the Board of School Committee I think his institutional knowledge of the City side is extremely important. God knows that school administration does not want to have to keep him posted at what is going on at Board of School Committee meetings. He or she is an essential. It is an essential position so the idea of having this individual serve with an equal vote to other individuals on the Board of School Committee is very enticing to me and I think

eliminates this conflict that I see with that individual or that position as chair. I just wanted to address that.

**Commissioner D'Allesandro** stated I thought that was very well stated. If you go back to the people who came here and spoke about this particular situation, we are not referencing ten years ago, we are referencing now. I thought this commission was to deal with the present and not the past. We did hear ample testimony from administrators as well as individuals from the public concerning this subject and that is why we are discussing it. You heard the testimony I'm sure and paid strict attention to the testimony, which I'm also sure of. As a result, I've come to the conclusion that we should do something. I said it was open for discussion. We talked about ex-officio, etc. but I think it was clear in the testimony that we had that the fact that whoever is mayor, the fact that the mayor, by virtue of being elected, is the chairman of the board has caused problems with this entity as it moves forward. We are in the present. We are looking at schools today and what is going to happen with the schools going forward. It is clear or it should be clear to each one that we have a very definite problem in the schools today. We have 152 classrooms that are overcrowded, that don't meet the State standard. I think that is why people came and spoke to us. Education is an important issue. I think it is the most significant issue. It is the driving force that keeps us going. If we paid attention to the testimony and it seems to me that those people made an initiative to come out and speak to us. We asked the superintendent to come, we invited him here to talk about the situation and the superintendent is leaving us at this point in time. I think all of those things taken into consideration gave rise to this conversation that is taking place right now. That was the catalytic agent that gave rise to this conversation, not what happened ten years ago or 20 years ago, but what is happening now.

**Commissioner Ashooh** stated just take a little bit of umbrage with some of the statements of Commissioner D'Allesandro as far as what we are dealing with. I don't think there is a mayor who has presided over the school system and the City of Manchester's history who has ever been in a competitive process and we are. We had Bedford opening up high schools, Hooksett going out for bid, Candia going out for bid, Pinkerton Academy looking to take students from everyone. For the first time and not just this school district, but school districts all over the state are now being put in a position where they have to bid for students and look for where they are going to get the best deal, where are they going to get the cheapest deal and that is something that I don't think that this School Board has dealt with appropriately. I don't think it is something that the City of Manchester has dealt with appropriately. It is a new world. We are now in a position where 15,000 students... If someone gives some our students who are clients now a better bid they are going to go somewhere else. When you have numbers like that and that kind of displacement, yes, you are going to have 152 classrooms that are overcrowded because suddenly you have 2,000 students that have disappeared in the last two years and probably about 1,000 students who are going to disappear in the next year. There has been no discussion on how you deal with a competitive society in education now. That is not the mayor. That is all I have to say on that. It is not necessarily the mayor's role. I think it is changing education.

**Commissioner Girard** stated I'm not exactly sure how limiting the role of the mayor on the School Board or removing him all together will do anything to address any of the concerns that Commissioner D'Allesandro or anyone else has brought up here tonight. If we are so in tune with what the public who has come to talk to us has had to say, why aren't we then revisiting the issue of partisan elections? Everyone who spoke about it at the public hearing was in favor of them. I don't want to keep pushing on the point, but we seem to have a selective desire to hear what we want and disregard what we don't.

**Chairman Duval** stated that doesn't apply to this issue, with all due respect, commissioner.

**Commissioner Girard** stated with respect to Superintendent Brennan, let's take what Superintendent Brennan said. He said that he views the mayor as his boss. I want to say two things about that. Number one, that is Superintendent Brennan's problem because Superintendent Brennan should be following the policies of the School Board which establish the School Board as his boss, not any individual member, including the mayor. Number two, whether the mayor is chairman of the School Board or not, the mayor is going to remain the chief budget officer of the City of Manchester. I don't see this board removing that authority from him. To the degree that the superintendent of schools, whoever it is, is going to have to deal with the mayor as their boss on budget matters which seems to be the bone of contention, removing the mayor as the chairman doesn't do a thing to change that. If we are going to give credence to a handful of political opponents of the mayor who come to this commission like they have come to the School Board and the Board of Mayor and Aldermen at every possible opportunity to beat things up because of budget proposals and numbers and things you don't disagree with, then I will be perfectly candid with you, I'm surprised, given the supposed uproar that existed in the City over the condition of our schools and the direction of education that we, instead of seeing 15 people testify at our education hearing, why weren't there 150? I just don't sense the widespread discontent and still maintain that if virtually anyone else were mayor right now we wouldn't be having this discussion.

**Commissioner Clayton** stated I know you are all big fans of opera. One of the great traditions in opera is that the performers would go out before the performance and gather up as many friends and relatives as they could to pack the

audience in what they called a clack. The clack would go crazy when their performer sang because their pay was based on how much applause they got. It is a great tradition. I won't deny that yes, there are political factions here who are organized to bring people to come and speak before us. There were people who came to speak about the tax cap. I don't think they were strangers to one another. There were people who came here to speak against aldermanic salaries and I'm willing to bet that they met before they came here. So it is with the school people. You cannot deny that this has been an issue that has been festering for well over a year, not just the last month, not just when they came here to speak to us. This has been headline news. I did catch the end of the meeting last week and I saw that you all agree that no one reads the *Union Leader* anymore which I found disappointing, but if you read the paper, this is a big issue. It is burning. Now it comes out that we thought we had 36 overcrowded classrooms and we actually have 152. There are issues here and there are issues that need to be addressed. I think this argument back and forth about the mayor carrying the standard for the schools, I don't think that will be diminished if he is not a full voting member or has veto power over the School Board. That is crazy. There is a problem and we need to address the problem. We are all dancing around the edges, but let's go straight to the head of the beast.

**Commissioner Girard** asked how will this address the problem, John?

**Commissioner Infantine** stated we have a motion on the floor. I still don't understand what it means. As I said before, we had a good discussion here with different opinions.

**Chairman Duval** I think you pointed to a good inequity, commissioner.

**Commissioner Infantine** stated that is one thing. I'm not making the motion. The motion on the floor is to make the mayor an ex officio member of the board, which I still don't know what it means. Why don't we either qualify that and come up with a new motion and vote on these things. It hit the issue. You talked about overcrowding, you talked about budget, you talked about this and you talked about that. Those are all issues that have nothing to do with the mayor being a voting member or not, on the board or not. Let's find out the problems and if we are going to make motions to each one of them, that is what I would rather we do here. We have had a good lively discussion and I appreciate the discussion.

**Chairman Duval** stated we really need some specifics to a motion with regard to the issue of the mayor's role on the School Board. Let's see if we can get a motion in line pretty quick.

**Commissioner Lopez** stated I have been struggling with this ever since it came up. Someone who has worked with mayor who didn't concern themselves with going over there... I have to look at what is good for the City. The mayor is the CEO, he is a full time employee, he is up to date on things that he brings back to the School Board. You have people who are weak over there who get intimidated, that is a different problem. I have been struggling along the lines of a CEO, full time employee, who has his hands on what is going on and what the mayor brings to the School Board if he engages. We would probably be doing him a favor if he was just a member with a vote. I can remember just about every mayor abstained from voting on the budget because he has to give the Board of Mayor and Aldermen a number. With reference to the tax cap it is a little different. This is a tough one because on one hand you say here is the CEO, a full time employee, running the City, creating a vision and then we are saying if he gets elected by the people on the School Board as the chairman. That might not be okay. What if you get someone on the School Board as the chairman and can only put in, with all

due respect, hours after four o'clock. I have been over there a million times doing the budget. How many times do those people over there have to explain the budget to people? It is a dilemma. If we can get to a good compromise, if the commission is willing to do that, tell me again what that motion means.

**Commissioner Clayton** stated after this discussion I'm happy to offer a clarification. Perhaps we would make the mayor a voting member of the School Board but not the de facto chairman.

**Commissioner Martin** stated I certainly would second that.

**Commissioner D'Allesandro** stated I think Commissioner Clayton makes a good compromise that everyone can understand. Is that okay, Commissioner Infantine? Do you understand that one? He is a voting member of the board, but not by virtue of being the mayor or the chairman. He could be elected chairman by the board, but he is on the board with a vote.

**Commissioner Infantine** asked so which member of the board has veto power?

**Commissioner D'Allesandro** replied the person on the board who is elected chair.

**Chairman Duval** stated it could be the mayor. That is going a bit further than what I would have wanted, but I'll settle for that.

**Commissioner Clayton** stated we may have to cut his salary.

**Commissioner Lopez** stated there is no veto on the School Board.

**Chairman Duval** stated the chairman of the School Board would appoint the committees and all that stuff and if they so elected the mayor then he would be the chair. He has equal votes like every other School Board member.

**Commissioner Infantine** stated I really don't have a problem with it because I feel it is a very slight difference. Any of the members of the School Board at any given time should be able to run a meeting and should have a knowledge of what is going on, should have a grasp of an agenda, be able to call people for committee meetings so who is up at the podium? I liked it better when the School Board didn't have a podium because everyone was sitting at seats around a square and there wasn't one person standing being in charge, if you will. I don't care who the chairman is, quite frankly. It will be incumbent upon the individual who it is to have a significant grasp of the situation at hand. It doesn't mean that the mayor, whoever that is, isn't going to continue to do a significant amount of speaking. I would have to look at all the different... On the surface I don't have a problem with it. I think it placates a certain group, but it doesn't do anything. I have to think about it a little bit. Could we bring this up next week? I would like to think about it. I think one of the problems that we have right now is that the vice chairman isn't asserting enough power or enough presence at the meetings. In the absence of that, another individual is. I'm not ready to vote, but it does have an appeal.

**Chairman Duval** stated thank you for those comments. I think, Commissioner Ashooh, indulge me a minute, I don't know, Commissioner Clayton, if it was intended or not, but I certainly would like the mayor to serve in that role in support of your motion to the extent that he or she wants to. I think it ought to remain the way it is currently, that they can show up and participate in discussion and vote as a School Board member.

**Commissioner Clayton** stated regardless of what we ask the voters to vote on, the mayor is still going to maintain a position of authority in the City that is unmatched, whether he is the de facto chairman or not. He or she has a bully pulpit and can always use it to their advantage. When the press looks for people to speak with they go to the mayor. Will they go the vice chair of the School Board first? I don't know. It is not going to diminish the mayor's power or authority in any way as the central figurehead of Manchester's leadership.

**Commissioner Ashooh** stated I'm trying to think through the voting process. We would go from a School Board of 14 elected board members with 14 votes to 15 votes with no one with a veto power. I'm just trying to think through the deliberative process. Should we then have 15 votes and make the elected chairman of the School Board lose their vote except in a tie? I'm just trying to think how the process would work.

**Commissioner D'Allesandro** stated there are 15 votes now. The mayor has a vote and there is no veto. There is no veto and there are 15 votes now. There is no change.

**Commissioner Ashooh** stated I'm not too sure it is working well, is what I am trying to say. Is there a better way? Should we take away their vote? The same way we do here. We have nine commissioners and the chairman is really not entitled to vote except to break a tie.

**Commissioner D'Allesandro** stated that's not so. Maybe I have this wrong, but the chairman always votes. The only time the chairman doesn't vote is the speaker of the House of Representatives. The only time the speaker votes is when there is a tie. That is the only time they vote, to break a tie. Every chairman of every committee votes.

**Commissioner Ashooh** stated I'm trying to reconcile that with the role of the mayor.

**Commissioner D'Allesandro** stated the mayor would be a member of the committee. He would be one of the 15 members of the committee and he would have a vote. There is no veto now.

**Commissioner Ashooh** stated if he so chooses,

**Commissioner D'Allesandro** stated if he so chooses. There is no veto power now. There never has been on the School Board. The mayor has never had veto power. He doesn't exercise a veto to the best of my knowledge and I was on the board for ten years.

**Commissioner Ashooh** stated we are not talking about then, we are talking about now.

**Commissioner D'Allesandro** stated what I am trying to do is elucidate what happened then and put it in the premise of what is going on right now.

**Commissioner Ashooh** stated I appreciate that.

**Commissioner D'Allesandro** stated I do my best for you, Skip.

**Chairman Duval** stated Commissioner Infantine had a good suggestion, if it was a suggestion, I don't want to put words in your mouth, but it sounds like we need to finesse this a little bit and maybe take it up at the next meeting. I think we have opened up some good dialogue and I think we have some suggestions. There

looks to be some movement with regard to the proposition. Perhaps we should table it, come up with language that is more specific and concise and act on it next week.

*On motion of Commissioner Clayton, duly seconded by Commissioner Martin, it was voted to table the discussion of the role of the mayor on the Board of School Committee. There being none opposed, the motion carried.*

**Chairman Duval** stated maybe for the next meeting, Commissioner Clayton, if we can come up with some specific, refined language.

**Commissioner Infantine** stated if we are going to be wrapping up for the evening I would like to know an idea of our agenda for the next two Wednesdays. Next week we can deliberate some more and then the following week, as we get to the end of the month, we have to come up with a draft. Is that the case?

**Chairman Duval** replied Commissioner Lopez called me on this over the weekend as a reminder for us to act expediently and timely and we get down to the waning days of our sessions here. I think that the next meeting we should look to hopefully wrap things up at least to the extent that we can give our draft to the clerk so that he can begin to formalize the letter that is going to the AG and the secretary of state. We have to get on that process so either at the next meeting or at the latest, the following week, which is getting kind of tight.

**Commissioner Lopez** stated next week, Mr. Chairman, we should turn everything over and then on the 24<sup>th</sup> we should vote on the preliminary report to go to the city clerk. That is the timeframe. I don't know how the lawyer is going to get involved, but I think at this stage in the game, we should give him a preliminary and he can weigh in. I do have a couple of questions. Maura has done a great job

on this. It goes back to what I was saying where you find these little things.  
Possible conflict with section 9.04... What is the conflict? The term limits on the  
conduct board?

**Clerk Leahy** replied right now the last sentence says that members may not serve  
for more than six consecutive years and I believe that was to be consistent with the  
two three-year terms so I didn't know if you wanted to change that in order to  
reflect the changes that you made of three four-year terms.

**Commissioner Girard** asked the conduct board is made up of the aldermen,  
correct?

**Commissioner Lopez** replied no, it is special. It is a makeup of one alderman and  
others. I would say that that would probably fall in the same three four-year terms  
myself.

**Commissioner Girard** stated that has its own term limit built into it.

**Commissioner Lopez** stated where the MTA is five years that doesn't apply  
because that is by federal law. We can't change that.

**Commissioner Infantine** stated I would think that where anything was specific it  
would stay the same, it would stay as it.

**Commissioner Lopez** stated it is five years for the MTA.

**Commissioner Infantine** stated right, but you just mentioned the conduct board.  
It will stay the way it is. It is not going to change to the additional terms that we  
discussed.

**Chairman Duval** stated there are things that supersede.

**Commissioner Girard** stated specificity always supersedes.

**Commissioner Lopez** stated I didn't understand the possible conflict with 10.08, the initial salary of the mayor. What do you mean?

**Commissioner Infantine** asked what are you referring to, Commissioner Lopez?

**Clerk Leahy** replied the handout that you were given this evening.

**Commissioner Lopez** stated she had some notes there and I just wanted to clear it up for her.

**Clerk Leahy** stated section 10.08 says that the salary of the mayor shall become effective upon the inauguration of the mayor in January 1998.

**Commissioner Lopez** stated my intent was the first of July 2014 to become effective. That would be the 2015 budget.

**Commissioner Infantine** stated the way I understand the way it is to work and I would recommend that the things that we have passed so far should probably go to the attorney now and not wait until we are done so he can start working on them ahead of time. Usually what happens is, if we were to make this motion about the mayor's salary, he will automatically return to us the wording of other things that we have to change and we can usually have one motion to agree to all those changes.

**Chairman Duval** stated for the sake of expediency, I think we should do that.

**Commissioner Infantine** stated that's what I'm recommending. It is just my recommendation that we might as well get the attorney started now on the stuff that we have agreed to and have him start looking for the cross references to see if there are any additional changes we need to make so that when we show up to our next two meetings we can make those changes if necessary.

**Chairman Duval** stated the clerk has so noted. She is going to act on that.

**Commissioner Martin** stated at some point in time before this goes to the secretary of state, does the city clerk have an opportunity to review this document?

**Chairman Duval** replied that is the starting process. It goes to the city clerk first. The city clerk will prepare the document to go to the secretary of state and the AG's office. We have to give him time to get on it. Commissioner Lopez, to respond to your suggestion we will try to get this thing wrapped up.

**Commissioner Lopez** stated on the 24<sup>th</sup> we should have a final document that we can send to the city clerk. I would say that the city clerk is doing an excellent job. What we have done tonight we will send it to the attorney. It doesn't mean that in the end that we are going to adopt everything that we passed.

**Chairman Duval** stated Clerk Leahy, you are going to be updating this document with the passage of the motions tonight?

**Clerk Leahy** replied yes.

**Chairman Duval** stated we will get copies of that and proceed accordingly.

*There being no further business, on motion of **Commissioner Ashooh**, duly seconded by **Commissioner Lopez**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Chad M. A." with a stylized flourish at the end.

*Secretary of the Commission*