

A special meeting of the Board of Aldermen was held Wednesday, July 20, 2005 at 6:32 p.m. in the Aldermanic Chamber.

President Brian S. McCarthy presided; Deputy City Clerk Patricia E. Lucier recorded.

Prayer was offered by Deputy City Clerk Patricia E. Lucier; Alderman Kathryn D. Vitale leading in the Pledge to the Flag.

President McCarthy

I will remind members of the Board and those of the public to turn off all cell phones and pagers.

The roll call was taken with 9 members of the Board of Aldermen present; Aldermen Tollner, LaRose, Gage, Cardin, MacLaughlin, and Plamondon were not in attendance.

President McCarthy

Alderman Tollner and Alderman LaRose are unavailable. Alderman Gage e-mailed me this morning to say that he would not be able to attend.

His Honor Bernard A. Streeter and Deputy Corporation Counsel Stephen Bennett were also in attendance.

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COMMUNICATIONS

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**MOTION BY ALDERMAN JOHNSON THAT ALL COMMUNICATIONS BE READ BY TITLE ONLY  
MOTION CARRIED**

From: Mayor Bernard A. Streeter  
Re: Special Board of Aldermen Meeting

**MOTION BY ALDERMAN JOHNSON TO ACCEPT AND PLACE ON FILE  
MOTION CARRIED**

From: Mayor Bernard A. Streeter  
Re: Special Board of Aldermen Meeting

**MOTION BY ALDERMAN JOHNSON TO ACCEPT AND PLACE ON FILE  
MOTION CARRIED**

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NEW BUSINESS – RESOLUTIONS

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**R-05-257**

Endorsers: Mayor Bernard A. Streeter

Alderman Lori Cardin  
Alderman-at-Large James R. Tollner  
Alderman Marc W. Plamondon  
Alderman-at-Large David Rootovich  
Alderman Kathryn D. Vitale  
Alderman David D. Lozeau  
Alderman Robert Shaw

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF FUNDS OBTAINED FROM THE STATE OF NEW HAMPSHIRE HEALTH AND HUMAN SERVICES DEPARTMENT IN THE AMOUNT OF \$62,500 FOR FY06, \$75,000 FOR FY07 AND \$12,500 FOR FY08 INTO SPECIAL REVENUE ACCOUNT #341-6424 "DISASTER BEHAVIORAL HEALTH GRANT"**

*Given its first reading;*

**MOTION BY ALDERMAN DEANE THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR A SECOND READING OF R-05-257**

**MOTION CARRIED**

*Given its second reading;*

**MOTION BY ALDERMAN DEANE FOR FINAL PASSAGE OF R-05-257**

**MOTION CARRIED**

Resolution R-05-257 declared duly adopted

*A discussion ensued members of the Board, Attorney Kenneth Brown, the city's special legal counsel, and members of the state delegation regarding the advisability of litigation concerning the legality of HB 616. The tape recording of this discussion is on file in the Legislative Offices.*

**MOTION BY ALDERMAN BOLTON THAT THE BOARD TAKE FROM COMMITTEE R-05-252 RELATIVE TO THE RE-APPROPRIATION OF FY 2006 ESCROWS**

**MOTION CARRIED**

**R-05-252**

Endorsers: Mayor Bernard A. Streeter

**RELATIVE TO THE RE-APPROPRIATION OF FISCAL YEAR 2006 ESCROWS**

**MOTION BY ALDERMAN BOLTON THAT R-05-252 BE SPLIT SUCH THAT R-05-252A WILL PROVIDE FOR AN APPROVAL OF ESCROW AMOUNTS IN THE SUM OF TWENTY FOUR THOUSAND ONE HUNDRED AND THIRTY SEVEN DOLLARS (\$24,137) FOR THE PURPOSE OF HIRING OUTSIDE COUNSEL TO COMMENCE LITIGATION CHALLENGING THE CONSTITUTIONALITY AND INTERPRETATION OF HB 616 AND THAT R-05-252B PROVIDE FOR APPROVAL OF ESCROWS IN THE LEGAL DEPARTMENT IN THE SUM OF SEVEN THOUSAND EIGHT HUNDRED AND TWENTY FOUR DOLLARS (\$7,824), AND THE OTHER ESCROW APPROPRIATIONS IDENTICAL TO WHAT IS PRESENTLY CONTAINED IN R-05-252**  
**MOTION CARRIED**

**MOTION BY ALDERMAN BOLTON FOR FINAL PASSAGE OF R-05-252A**

ON THE QUESTION

Alderman Lozeau

That doesn't affect the disposition of the body of 252?

President McCarthy

It splits 252 into two separate pieces of legislation one of which will be approved and the other one, 252B, will be before the body, and I anticipate that Alderman Bolton's next motion if this succeeds will be to hold R-05-252B.

Alderman Bolton

To re-refer it to committee.

Alderman Lozeau

Thank you.

**MOTION CARRIED**

*Resolution R-05-252A declared duly adopted*

**MOTION BY ALDERMAN BOLTON TO RE-REFER R-05-252B TO THE BUDGET REVIEW COMMITTEE**

**MOTION CARRIED**

*Resolution R-252B re-referred to the Budget Review Committee*

ADJOURNMENT

**MOTION BY ALDERMAN DEANE THAT THE JULY 20, 2005 SPECIAL MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED**

**MOTION CARRIED**

The meeting was declared adjourned at 7:30 p.m.

Attest:

Patricia E. Lucier, Deputy City Clerk