AGENDA MEETING OF THE BOARD OF ALDERMEN OCTOBER 25, 2016

1. PRESIDENT BRIAN S. McCARTHY CALLS ASSEMBLY TO ORDER

2. PRAYER OFFERED BY CITY CLERK PATRICIA PIECUCH

3. PLEDGE TO THE FLAG LED BY ALDERMAN DAVID SCHONEMAN

4. ROLL CALL

5. REMARKS BY THE MAYOR

6. RESPONSE TO REMARKS OF THE MAYOR

7. RECOGNITIONS

8. READING OF MINUTES OF PREVIOUS MEETING AND PUBLIC HEARINGS

Board of Aldermen.....10/11/16
Public Hearings Conducted by the Committee on Infrastructure.....10/12/16

9. COMMUNICATIONS

From: Fred S. Teeboom, President, Holocaust Memorial in Nashua, Inc.
Re: Assumption of Ownership and Maintenance of the NH Holocaust Memorial

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING

10. PETITIONS

11. NOMINATIONS, APPOINTMENTS AND ELECTIONS

12. REPORTS OF COMMITTEE

Committee on Infrastructure 10/12/16

13. WRITTEN REPORTS FROM LIAISONS

14. CONFIRMATION OF MAYOR'S APPOINTMENTS

UNFINISHED BUSINESS – RESOLUTIONS

R-16-060

Endorsers: Mayor Jim Donchess
Alderman-at-Large David W. Deane
Alderman Tom Lopez

AUTHORIZING AN AMENDMENT TO DEED COVENANTS RELATIVE TO LAND SOLD TO PROPERTY OWNERS ALONG RADCLIFF DRIVE AND SHORE DRIVE

- Committee on Infrastructure Recommends: Final Passage

R-16-069

Endorsers: Mayor Jim Donchess
Alderman-at-Large David W. Deane
Alderman Ben Clemons
Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Ken Siegel
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez
Alderman-at-Large Brian S. McCarthy

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A TEMPORARY SKATEPARK EASEMENT AGREEMENT FOR THE DAVID W. DEANE SKATEBOARD PARK

- Committee on Infrastructure Recommends: Final Passage
- Also referred to Board of Public Works; Favorable Recommendation Issued 9/29/16

UNFINISHED BUSINESS – ORDINANCES

O-16-011

Endorsers: Alderman Don LeBrun
Alderman Ken Siegel
Alderman David Schoneman
Alderman Tom Lopez

ADOPTING PROVISIONS FOR REDUCED TAXATION FOR CERTAIN CHARTERED PUBLIC SCHOOL FACILITIES

- Tabled at Full Board Level – 5/10/16

NEW BUSINESS – RESOLUTIONS

R-16-075

Endorser: Alderman Richard A. Dowd

AUTHORIZING RELEASE OF A CERTAIN ACCESS EASEMENT OVER 482 AMHERST STREET

R-16-076

Endorser: Mayor Jim Donchess

AUTHORIZING THE CITY OF NASHUA TO EXTEND AND AMEND THE LEASE FOR THE HERITAGE RAIL TRAIL COMMUNITY GARDEN

NEW BUSINESS – ORDINANCES

O-16-020

Endorser: Mayor Jim Donchess

CLARIFYING AND UPDATING THE ELDERLY HOUSING SUPPLEMENTAL USE REGULATIONS

PERIOD FOR GENERAL PUBLIC COMMENT

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Committee announcements:

ADJOURNMENT

Holocaust Memorial in Nashua, Inc.

NEVER FORGET, NEVER AGAIN

www.nhholocaustmemorial.org

24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316
fredtee@comcast.net

October 7, 2016

Jim Donchess, Mayor
City of Nashua
229 Main Street
Nashua, NH 03060

Subject: Assumption of Ownership and Maintenance of the NH Holocaust Memorial

The Memorandum of Agreement to construct the NH Holocaust Memorial in Rotary Common was adopted by the City of Nashua with Resolution R-10-43 on August 10, 2010 and signed by Mayor Lozeau on August 26, 2010. The Memorandum of Agreement provides for:

- *Part II: Upon completion of construction, the memorial and all enhancements will become the property of the City of Nashua.*

- *Part III: Following assumption of ownership, the City of Nashua shall be responsible for the maintenance, perpetual care, irrigation, lighting, and upkeep of the memorial, consistent with the city's maintenance, insurance and legal responsibilities for other city parks and park properties.*

Construction of the memorial is now complete:

- The last granite monument was installed on 22 May and no additional monuments are planned.

- The landscape irrigation system was operational on 27 September and no additional enhancements are planned.

Two agreements exist with Steve King Auto Sales and Service:

(1) Steve King Auto Sales and Service provides the facility for the video surveillance system, including the cameras and network support equipment. The agreement amended 29 January, 2014 (attachment #1) is herewith assigned to the City of Nashua.

(2) Steve King Auto Sales and Service provides water for the landscape irrigation system. The agreement dated 25 July, 2016 (attachment #2) is herewith assigned to the City of Nashua.

In conformance with the Memorandum of Agreement under Resolution R-10-43, the City of Nashua assumes ownership of, and maintenance for, the NH Holocaust Memorial and its enhancements, including the agreements with Steve King Auto Sales and Service.

7 Oct
Fred S. Teeboom, President — date
Holocaust memorial in Nashua, Inc

10/7/16
Jim Donchess, Mayor — date
City of Nashua

Attachment #1
Agreement with Steve King Auto

Holocaust Memorial in Nashua, Inc.

24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316

Agreement and Authorization to Install a Video Surveillance System
Amended 29 January, 2014

The **Holocaust Memorial in Nashua, Inc.**, a tax-exempt non-profit corporation with office in 24 Cheyenne Drive, Nashua NH (herein referred to as "The Corporation") is building a Holocaust Memorial in Rotary Common Park located at 315 Main Street in Nashua, NH, pursuant to a Memorandum of Agreement with the City of Nashua (see www.nhholocaustmemorial.org).

This construction includes a video surveillance system to record possible vandalism of the memorial and deter and identify intruders. The Corporation has contracted with **ID Video Solutions** with office in 2 Warren Lane, Merrimack, NH to perform the installation of the video surveillance system, consisting of video cameras and network support equipment.

The Corporation has arranged with **Steve King Auto Sales & Service** located at 321 Main St. Nashua, NH 03060 to mount up to 8 video cameras on and near its building or on the memorial site, connect these through sealed access holes drilled in the exterior walls to network support equipment stored in a locked cabinet mounted to the exterior wall inside the building, and connect the network support equipment to Steve King Auto's existing Internet Service Provider (ISP), Comcast. Steve King Auto Sales & Service will also provide 24/7 access to its 120VAC facility power to run this equipment.

In compensation, one (1) video camera will be mounted on the building to view the front parking lot to video record, deter and identify intruders. **Steve King Auto Sales & Service will not incur costs to mount, operate and maintain this camera, but will have unrestricted and password protected access to all cameras of the video surveillance system on a 24/7 basis.**

The cameras, the network support equipment and the storage cabinet remain under ownership of the Corporation. The Corporation reserves the option to remove or replace any camera, except the camera assigned to view the Steve King Auto Sales & Service parking lot, which can only be removed or replaced after notification to Steve King Auto Sales & Service

The installation is contracted to be completed on/before 28 February 2014.

This agreement remains in force unless terminated by either party, upon notice.

We agree to the arrangement described herein and Steve King Auto Sales & Service authorizes ID Video Solutions and its agents, subject to its installation contract with the Corporation, to install the network support equipment inside its building and mount video cameras on its building. Entry to the facility for purpose of performing the installation will be arranged on a daily basis between ID Video Solutions and Steve King.

24 Jan 2014		January 28-14	
Fred S. Teeboom	Date	Steve King	Date
President		Owner and Operator	
Holocaust Memorial in Nashua, Inc		Steve King Auto and Sales & Service	

Attachment #2
Agreement with Steve King Auto

Holocaust Memorial in Nashua, Inc.

24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316

Agreement and Authorization to Install a Water Line

July 25, 2016

The **Holocaust Memorial in Nashua, Inc.**, a tax-exempt non-profit 501(c)(3) corporation with office at 24 Cheyenne Drive, Nashua NH (herein referred to as "The Corporation") has arranged with the City of Nashua to install an irrigation system for the NH Holocaust Memorial in Rotary Common Park located at 315 Main Street in Nashua, NH (herein referred to as "the memorial irrigation system") pursuant to a **Memorandum of Agreement** with the City of Nashua signed 26 August 2010 (see www.nhholocaustmemorial.org).

1. The **City of Nashua** will design, install and maintain the memorial irrigation system, but needs a water supply for this system.

2. **Steve King Auto Sales & Service**, located at 321 Main St, Nashua, NH 03060, authorizes The Corporation to install and connect an insulated ¾-inch Type L copper (heavy gauge) water line with a ball shutoff valve to the existing water line inside its building, and terminate this line external to the wall near the right rear (northwest) corner of the building.

3. The Corporation will employ **Paul Jarry Plumbing & Heating** with business office at 25 Towhee Drive, Hudson, NH 03051 (NH Mechanical License #MBE00041132) to permit, install and inspect the water line. The water line will be owned by Steve King Auto Sales & Service.

4. Access to the building for the purpose of installing the water line will be arranged between Steve King Auto and Sales & Service and Paul Jarry Plumbing & Heating.

5. Steve King Auto Sales & Service authorizes the City of Nashua to join a backflow preventer to the water line termination and from there feed water to the memorial irrigation system.

6. Steve King Auto Sales and Service agrees to provide water for the irrigation system at no cost. However, access to the water line and/or the free supply of water is discretionary and Steve King Auto Sales & Service reserves the right to withdraw this access at will.

7. This agreement remains in force without a time limit unless terminated by either party, on notice.

We agree to the arrangement described herein and Steve King Auto Sales & Service authorizes Paul Jarry Plumbing & Heating to install the water line as herein described.

Fred S. Teeboom	25 July 2016	Steve King	25 July 2016
President	Date	Owner and Operator	Date
Holocaust Memorial in Nashua, Inc		Steve King Auto and Sales & Service	

Holocaust Memorial in Nashua, Inc.

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October 7, 2016

Jim Donchess, Mayor
City of Nashua
229 Main Street
Nashua, NH 03060

Subject: Deposit of $4,000 into the City of Nashua Expendable Trust Fund

The Memorandum of Agreement to construct the NH Holocaust Memorial in Rotary Common was adopted by the City of Nashua with Resolution R-10-43 on August 10, 2010 and signed by Mayor Lozeau on August 26, 2010.

The Memorandum of Agreement provides for:

- *Part III: The Corporation shall establish an endowment fund for purpose of maintaining the memorial. $13,500 and any additional funds remaining upon completion of construction shall be initially deposited into the maintenance fund. Proceeds from this fund shall be transferred as necessary to the city and deposited into an expendable trust fund designated to maintain the memorial.*

The Holocaust Memorial in Nashua, Inc. established a fund since the adoption of Resolution R-10-43 in year 2010, which has been used to maintain the memorial.

During a meeting on 18 July, 2016 the city's Department of Public Works expressed the need for a not-to-exceed $4,000 for constructing a water irrigation system to maintain the memorial site.

The City adopted an Expendable Trust Fund (ETF) **#7579** with Resolution R-16-055 on September 14, 2016. This memorandum serves to document the deposit of **four thousand dollars ($4,000)** by corporate **check #0616** dated October 7, 2016 into this Expandable Trust Fund.

With this $4,000 deposit to the city's ETF the corporation's maintenance fund is now depleted to below $500. With no additional contributions received nor expected since construction was completed, and the anticipated dissolution of the corporation with its mission now accomplished, this maintenance fund is not expected to grow.

Fred S. Teeboom, President Holocaust memorial in Nashua, Inc	7 Oct 2016 date	Jim Donchess, Mayor City of Nashua	10/7/16 date

Holocaust Memorial in Nashua, Inc.

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October 7, 2016

Jim Donchess, Mayor
City of Nashua
229 Main Street
Nashua, NH 03060

Subject: Use of the NH Holocaust Memorial by the Founders After the City's Assumption of Ownership

Fred S. and Janice R. Teeboom, founders of the NH Holocaust Memorial, will be allowed use of the memorial site, after the city's assumption of ownership pursuant to Resolution R-10-43, for the following events and objectives:

- Conduct of Yom Ha'shoah and other memorial events associated with the Holocaust.
- Conduct tours associated with the purpose of the memorial.
- Plant landscaping such as a tree or bush or flowers in commemoration of family members.
- Access to the site's electrical service for powering a public address (PA) system during an event associated with the Holocaust.
- Access to the site's video surveillance system over the Internet for purpose of remote monitoring.

The city will be prior notified of any event or objective cited above, which will not be unreasonably denied.

Fred S. Teeboom, President Holocaust Memorial in Nashua, Inc	7 Oct 2016 date	Jim Donchess, Mayor City of Nashua	10/7/16 date