

A regular meeting of the Board of Aldermen was held Tuesday, March 22, 2016, at 7:30 p.m. in the Aldermanic Chamber.

President Brian S. McCarthy presided; City Clerk Patricia D. Piecuch recorded.

Prayer was offered by City Clerk Patricia D. Piecuch; Alderman David Schoneman led in the Pledge to the Flag.

The roll call was taken with 14 members of the Board of Aldermen present; Alderwoman Melizzi-Golja was recorded absent.

Mayor James W. Donchess and Corporation Counsel Steven A. Bolton were also present.

REMARKS BY THE MAYOR

Mayor Donchess

First I wanted to update you on the event that happened over the weekend which is Awareness is Healing, the Walk against Heroin. Some of you may have been there, but there was so many people, 800 or so, started at Greeley Park, walked all the way to City Hall and then back to Greeley Park. There was so many people there I'm not sure I would have seen you. It was a great event. It was organized by Darlene Pena. The turnout was fantastic, and I think it was something that will help support the families that are deeply affected by the problem of opioid addiction and also provide some comfort to those who have suffered a personal loss as the result of that public health epidemic. In any event, it was a great event.

Last night we held the Fight for Rail meeting at city hall. We wanted to schedule that on short notice. Maybe we could have done a better job in terms of coordinating it with the aldermanic schedule. We set it up on short notice after the House voted to delete that \$4 million from the transportation plan submitted by the Governor. The Rail meeting, many of you came after meeting here at city hall, and I really appreciate that. As you saw there's a lot of support and interest in the rail initiative in Nashua. We had a number of members of the Board of Aldermen, a hundred and some people, as well as the DOT Commissioner, Victoria Sheehan, who is a Nashua resident. That went very well.

On tonight's agenda we have four appointments that I think are significant. There are three people for the Cultural Connections Committee. I think they are all here, but I am not positive. Rafael Calderon, Sylvia Gale and Deepa Mangalath all have been very active in Nashua for a long, long time. Those people, I am sure, will do a very good job on the Cultural Connections Committee. I hope you all will, and I'm sure you will, endorse the committee's recommendation and confirm them for the cultural affairs committee. Also we have Simon Sarris, for the Downtown Improvement Committee. Simon is a young man in Nashua who lives downtown, grew up in Nashua, went to BG, works downtown and lives downtown just north of the river. I think he will provide a very unique perspective, his own and unique perspective to the Downtown Improvements Committee. I thought he provided some rather interesting insights when he testified before the Personnel Committee. I hope you will also agree with the Personnel Committee there.

There were two items that I was hoping you would suspend the rules to consider. One is the recognizing and congratulating Dody Eid, who is a high school student and who has accomplished something very significant which is that he was selected for the US Senate Youth Program, one of only two people in New Hampshire. We have a resolution which I believe has been endorsed by everyone. Dody is a resident of Ward 9, so I think when we give that to Dody Alderman Siegel may be reading the resolution.

Finally there are a couple of appointments which we hope you will bring in under suspension. One is my designee on the Planning Board. The timing is such that if we wait until the next meeting in April to introduce those they wouldn't get considered until late May. I was hoping you would consider accepting those under a suspension of the rules. With that, that's all I have, Mr. President.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Lopez

I also attended the walk to raise heroin awareness. I'd also like to add that the movement was so successful in Nashua that they have already been organizing another walk in Concord which has over 130 people committed to it in a span of about eight hours. I like to think that is an indication that our community is now leading the region to address issues that address the whole region. I am particularly proud of that. Then also as a counter point to Mayor Donchess' comment about the Cultural Connections Committee, the Cultural Connections Committee elected two co-chairs, Lavonne Colon and Jean Adie. Rafael was nominated to be the Vice Chair pending his appointment by this committee. So he is well known to the Cultural Connections Committee and has done a lot in raising health awareness in minority communities.

RECOGNITION PERIOD

**MOTION BY ALDERMAN SIEGEL THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE FIRST READING OF A RECOGNITION RESOLUTION RECEIVED AFTER THE AGENDA WAS PREPARED
MOTION CARRIED**

R-16-024

Endorsers: Mayor Jim Donchess
Board of Aldermen

RECOGNIZING AND CONGRATULATING DIAB "DODY" EID

Given its first reading;

**MOTION BY ALDERMAN SIEGEL THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE SECOND READING OF R-16-024
MOTION CARRIED**

Resolution R-16-024 given its second reading;

**MOTION BY ALDERMAN SIEGEL FOR FINAL PASSAGE OF R-16-024
MOTION CARRIED**

Resolution R-16-024 declared duly adopted.

READING MINUTES OF PREVIOUS MEETING

**MOTION BY ALDERMAN WILSHIRE THAT THE MINUTES OF THE BOARD OF ALDERMEN MEETING OF MARCH 8, 2016, BE ACCEPTED, PLACED ON FILE, AND THE READING SUSPENDED
MOTION CARRIED**

COMMUNICATIONS

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

From: Len Fournier, Superintendent, Woodlawn/Pinewood Cemeteries
Re: Request for Joint Convention with Woodlawn Cemetery Board of Trustees

**MOTION BY ALDERMAN MORIARTY TO ACCEPT, PLACE ON FILE AND THAT THE BOARD OF ALDERMEN MEET IN JOINT CONVENTION WITH THE WOODLAWN CEMETERY BOARD OF TRUSTEES ON TUESDAY, APRIL 12, 2016, AT 7:30 PM IN THE ALDERMANIC CHAMBER
MOTION CARRIED**

From: Mayor Jim Donchess
Re: Contract Award of Library HVAC Maintenance

**MOTION BY ALDERMAN COOKSON TO ACCEPT, PLACE ON FILE AND AWARD THE MULTI-YEAR CONTRACT TO PALMER & SICARD IN AN AMOUNT NOT-TO-EXCEED \$15,000
MOTION CARRIED**

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

Mr. Bob Dion, Main Dunstable Road

My wife and I are residents of Nashua and we are also landlords to a variety of different places in the city. I'm speaking on the item of enforcement of ordinances. I am sure you know that there are a lot of good landlords in the city, probably 98% are very good but there are some bad ones. I always look at my buildings as a safe place for people to live. We work very closely with the code officers, inspectors, fire department and the police department. We are not perfect but we do the best we can. I think the bad landlords, I think you are absolutely right in going after those people; they should be looking at improving or be fined excessively, especially the ones that have multiple violations and don't listen to code enforcement or the building department. The concern that I have with this ordinance is that it is a very broad brushed approach that is hitting everything. I think it should be more specific and address the critical safety health and repeat offenders. An example that should not be included is Nashua Revised Ordinance 182-28; Exterior; there is some wording in here that says your building is to be free from defects. Well, if a child hits a ball against the siding and it cracks it that's a defect. So, are you going to be fined excessively? People are going to say no, we won't do it, we will take it out of the ordinance so why have it in here which makes it confusing and concerning for the good landlords. I would suggest an alternative that if you have 10% or 15% of your building and dealing with rot, etc. then that's a big deal and it should be addressed and should be noticed and a violation issued if appropriate. The citation system is designed for utilization on an as needed basis in conjunction with other remedies and after all other avenues, with the exception of court, have been exhausted. After written warning with opportunities for an individual to correct any violations or written citations. That sounds good but why isn't it in the ordinance so everyone feels comfortable that no one is going to come in and start hitting them with fines immediately. Another conflict in the ordinance is that there is ten days to correct an issue. If the ten days were used and it's in the winter and you have some minor siding issues then you should be allowed to wait until the spring to deal with it. Why not have those comments that Sarah mentioned right in the ordinance. The building codes, plumbing, electric, ventilation is no problem, we should all be doing that. There are grandfathered items of course for some of our buildings but we should be following those items. In summary, I think you want to go after the bad landlords but I don't think the way that this is written right now will be very effective. I would suggest you have meetings with landlords and tenants and code enforcement and get a consensus or as close as we can get to some agreements as to the way this should be written where it will be effective and you can go after the bad landlord.

Ms. Esther Waisman, Whitman Road

It seems to me that most of the landlords in the city are good and decent people with a few bad apples in between. Those who don't want to fix anything and they are habitual offenders, I don't know that a \$50.00 or \$100.00 fine would really make that much of an impression. If the rent would be withheld that would get their attention. Regarding the tenants, most of them are decent people again, but some of them need to be held accountable and I don't see how this ordinance would touch on that at all. They can dismantle smoke detectors, tear up the screens, break windows, backup the toilets and rip the siding off the house and the landlord just keeps getting cited and has to keep spending money and the tenant goes free. We feel a little blind-sided by this whole ordinance thing because we didn't get to have any input into what was going on and I believe that if the city and the landlords could meet and have some sort of a discussion then we could come up with some good solutions that would benefit all of us.

Mr. Jean Parent, 15 ½ Main Street

I am the president of JP Management, Inc. and I also own property in Nashua. I am totally against this bill for a multitude of reasons, mainly because I believe it was underhanded and swept through under the carpet. None of us knew what hit. I found out about it two hours prior to the meeting in the first week of March. I agree with what the previous two speakers said. Not one of us was notified. This is an ordinance that affects us, why were we not notified? There is already a due process now and I don't have a problem with the code officials, they are great. I don't understand why we are going to have to put so much teeth now into it to give them more power. Is this going to bite me in the back next year or the year after? We would like to have input. There's a time limit on this ordinance, ten days and I don't agree that this is enough because some of these violations can take longer than ten days. This bill seems ambiguous; it goes from verbal to citation to violation to fees which can go up to \$1,000 or more. It needs to be worded in a way that everyone can understand what you are talking about. This bill gives too much power to them and too much power is not good. It's great for the people that don't follow the code but most of us try to.

Mr. Don Thibault, 10 Caitlyn Circle

I think this should be either killed or re-written so that it's fair.

Unidentified Speaker, P.O. Box 3854

We are here to ask the Board to table it and bring it back to committee so the landlords can have a say. Years ago, like in 70's or 80's, the city used to withhold rent to bad landlords until the violations were taken care of and they also did that with taxes. If you owed taxes and the city was providing welfare to a tenant they would withhold the rent and I think that would be a better way to go after some of these out-of-town landlords. 99% of us are not bad landlords but we also need to be heard when a bill comes through. We feel that we were blind-sided. We are not against people having a good, clean home. Some of these landlords own two and three family homes and they live in the building. All I am asking is that you please table it and bring it back to committee so at least we can be heard. Maybe some tenants and landlords can get together so we can hear both sides of the issues and maybe resolve. We used to have meetings with even the bad landlords and explain to them that the landlords in Nashua are not going to put up with it and that their buildings need to be as nice as ours. I don't think fees will hurt them but I think if the city withholds the rent you will get their attention.

**MOTION BY ALDERMAN DEANE TO EXTEND PUBLIC COMMENT UNTIL EVERYONE HAS HAD A CHANCE TO SPEAK
MOTION CARRIED**

Mr. Daniel LaPointe, Tyngsborough, MA

I agree with everything everyone else has said. One thing I'll add is that a lot of things that would fail the code is not broken by us; it's broken by the tenants. Who will protect us? We receive the fines and we are responsible for things they are constantly doing. It puts a strain on the landlord. We didn't have a chance to speak on our points and I think you should table it and have a meeting with the landlords.

Mr. Brad Whitney, 38 Fifield Street

I am in favor of what the other people have said so far. I read that the purpose of this change was so the city could simplify the enforcement and save tax dollars and legal fees but when I look at it, it appears that the city is solving that problem by transferring the city's current responsibilities and current legal expenses onto the landlord. I've been a landlord for 60 years and have never had any kind of a citation but we had a bad tenant and the fire Marshall and the code enforcement people; the building was built in 1875 and they found loose windows and weather stripping that had to be done. They found some trash in one of the hallways and missing smoke detectors which the tenant did but we got blamed. The court officer said well I can call the police and the police will come and arrest the tenant for removing the smoke detector. We get fines for the

actions of the tenants. The city provides a Tenant Bill of Rights and I had one tenant give it to me. Where's the Landlord Bill of Rights? I don't want to be discriminated against. I think the tenants should be cited. There are unexpected consequences of the law. At 0 Kinsley Street there was a narcotic treatment center and they rented one of our apartments adjoining their parking lot and because we had to comply with the code enforcement for the lead paint we had to evict the two tenants because we would be dealing with lead and we didn't want to be sued for any kind of contamination. The clinic said that was okay because the apartment was vacant and today I got a call saying my sign was missing on the front lawn in front of 0 Kinsley Street. I went down and the tenant had moved out and took all the signs and the fire extinguisher. I also understand that I am guilty of not inspecting properly if there is no smoke detector. I don't want to have to be going around checking on these apartments and I respect peoples' privacy. I think this law as written is unequitable, one-sided and incomplete and it needs to go back to the committee. I think there needs to be a differential on some of the fines depending on the severity.

Mr. Fred McManus, 108 Pine Hill Road

I have owned rental property in Nashua for over 32 years. I have very few problems with code enforcement. I agree with all of the past speakers. I really think this should be tabled so that we can have a chance to have input and involve some other people like tenants. I don't have any other income; it's going to be passed on to the tenant at some point in time because of the operating cost.

Ms. Fran Ryan, Courtland Street

I am the treasurer of a landlord organization and I fight bills for landlords in Concord, I help write them but here in Nashua we have a brand new ordinance relative to landlords and it got by me. I don't know if everyone realizes that it doesn't just impact landlords, it impacts restaurants and I don't see a whole lot of restaurant folks here. I bet they don't know anything about this. There are a lot of things that are missing in this ordinance. There are a lot of things that code enforcement stated to us that is not written in the ordinance. Down the road new code enforcement officers may not know what was told to us. I highly recommend that we table this and get input from landlords and work at either killing this or getting this written so that it's suitable and it touches on all points relative to landlords, restaurants, etc. I agree with everything that was said tonight and I am very concerned.

Mr. Bob Keating, 5 Coburn Woods

My wife and I have had several properties here in Nashua for the past 30 years as rental units. I'm a little concerned with a number of landlords about what would be the ramifications of and I think the first is that this ordinance comes right out of a state law that was enacted in 2010 that allowed communities to be able to do this and to the best of my knowledge about the ordinance; the only difference as we speak about it in terms of enforcement is that it allows code enforcement people to be able to issue essentially tickets where previously it had to go to court. As a member of the Granite State Organizing Project I have seen repeatedly people saying they have had difficulties. There have been code enforcement officers speak at various times about the vast majority of landlords has demonstrated an interest in good quality housing. There are a few who do not respond and it provides some leverage that was not existing under current ordinances. It provides a timely way to address grievances. It does have checks and balances as it always has. With regard to removal of smoke detectors, there are mechanisms to be able to fine tenants also. I think it's a good piece and I do appreciate the concerns of people feeling like they need to provide input. Overall I think it's a positive initiative and will support all of our goals in having safe, affordable housing for all.

Mr. Bernie Cote, 22 Greenlay Street

I wanted to talk about the Charron Avenue project that's over a million dollars. I can't see the advantage to that. I've lived in Nashua for over 70 years and it's been like that for over 25 years and nobody has complained about it. Now, what are we going to do, put a rotary in there with yield signs which half the people don't even bother. I'm against spending a million dollars. The other thing is forget what they do in Concord,

Manchester and Haverhill, MA; this is Nashua and we never went to other cities to see what they are doing to get Nashua to be what it used to be.

Mr. Don Dobens, 210 Pine Street

I would like to see code fine go back to committee and include a variety of property owners to be able to discuss the whole thing. It's not specific enough. Life safety is ten days and siding is ten days, it doesn't make sense to me.

Mr. Todd Whitney, 32 Gordon Street

I would urge you to table the matter of the administrative enforcements.

Mr. Nick Peck, 99 Taylor Street

I've talked with a lot of my Aldermen-at-Large this week and I have a problem with this bill. First off, the landlords found out about this bill but the rest of the City of Nashua has not found out about it. This is not affecting just the landlords, this effects everybody in Nashua. Anything that has to do with anything under the fire department's rules and laws, the building departments and the restaurants in Nashua. None of these people know about this. I am asking to get it tabled at least until we can talk to some of the building owners and property owners, especially the larger ones in Nashua who don't know about this.

PETITIONS – None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

**MOTION BY ALDERMAN CLEMONS THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE READING OF MAYORAL APPOINTMENTS RECEIVED AFTER THE AGENDA WAS PREPARED
MOTION CARRIED**

Appointments by the Mayor

Arts Commission

Alison Bankowski (New Appointment)
35 Manchester Street
Nashua, NH 03064

Term to Expire: April 1, 2017

Judith Carlson (New Appointment)
15 Manchester Street
Nashua, NH

Term to Expire: April 1, 2017

Planning Board

Michael Pedersen (New Appointment)
11 Delaware Road
Nashua, NH 03062

Term to Expire: January 5, 2020

**MOTION BY ALDERMAN CLEMONS TO ACCEPT THE APPOINTMENTS BY THE MAYOR AS READ AND REFER THEM TO THE PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE
MOTION CARRIED**

REPORTS OF COMMITTEE

Finance Committee 03/16/16

There being no objection, President McCarthy declared the report of the March 16, 2016 Finance Committee accepted and placed on file.

Human Affairs Committee 03/14/16

There being no objection, President McCarthy declared the report of the March 14, 2016 Human Affairs Committee accepted and placed on file.

Personnel/Administrative Affairs Committee..... 03/07/16

There being no objection, President McCarthy declared the report of the March 7, 2016 Personnel/Administrative Affairs Committee accepted and placed on file.

Planning & Economic Development Committee 03/15/16

There being no objection, President McCarthy declared the report of the March 15, 2016 Planning & Economic Development Committee accepted and placed on file.

**MOTION BY ALDERMAN DOWD THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW FOR THE ORAL REPORT OF THE PUBLIC HEARING AND SPECIAL BUDGET REVIEW COMMITTEE MEETING HELD MARCH 21, 2016
MOTION CARRIED**

Alderman Dowd

Last evening we had the public hearing on the intersection of Charron Avenue and Amherst Street, along with the Budget meeting for the two motions associated with that construction. Very simply during the last session of the Board of Aldermen, we had approved a contract value. When it went out to bid because of a few different changes, the bids came back a little higher than we had anticipated. Last night the Mayor and Chief Engineer Dookran gave a presentation what this involved. Aldi and a couple other stores are going into that mall there. They originally had earmarked some money to just tie into the jug-handle. The jug-handle had already reached capacity and was not operating correctly as was the other one on the other side of the street. What this does is it allows for Charron Avenue to be widened by one lane. It allows for two left-hand turns, two lanes if you take a left-hand turn onto Amherst Street when the light changes. It also allows for two lanes for taking a right-hand turn off Charron Avenue onto Amherst Street at the light. The jug-handle that is there now where Aldi is going in is being eliminated with traffic signals in there. There will be a turn lane to go into that mall. There will be another turn lane on the other side to queue up cars to take a left-hand turn into where Whole Foods is. It's basically the same thing reversed on the other side to allow cars to either turn into the Aldi site or into the Whole Foods. That section of Amherst Street has been a bottleneck for quite a long time. The increase in traffic from Whole Foods caused an issue because it's highly successful. Now we have the mall across the street. We wanted to look at developing a solution to that problem to let the flow through that area be much smoother. In our discussions with the businesses in the area, we were able to get them to contribute, on the initial estimate, half of the cost. When we came back and there were increased costs due to things we found out when it went out to bid, we then also got some small addition of money from the businesses in the area because they already were having concerns about the costs. Basically we had to add to the amount of the money for the bond to complete this project. It's going to eliminate the jug-handle. It's going to reduce significantly the flow of traffic in the other jug-handle. And, it's going to allow for better access of flow of Amherst Street through that area. Plus, we will be repaving all of that area which we were going to have to do anyway. In this instance, it's going to do all this work with a substantial amount of the fees being paid by private enterprise and not the city. If we waited until some other time, the city would have to pay the entire

amount to do this work. That's basically it. There was absolutely no one at the public hearing, so there was no testimony in favor or in opposition. The budget committee passed it unanimously.

There being no objection, President McCarthy declared the oral report of the March 21, 2016 Budget Review Committee public hearing and special meeting accepted and placed on file.

WRITTEN REPORTS FROM LIAISONS – None

CONFIRMATION OF MAYOR'S APPOINTMENTS

Cultural Connections Committee

**MOTION BY ALDERMAN LOPEZ TO CONFIRM BY VOICE VOTE THE APPOINTMENT OF THE FOLLOWING INDIVIDUALS TO THE CULTURAL CONNECTIONS COMMITTEE: RAFAEL CALDERON, 394 NOTRE DAME AVENUE, MANCHESTER, AND SYLVIA E. GALE, 4 CLERGY CIRCLE, NASHUA, FOR TERMS TO EXPIRE FEBRUARY 28, 2018; AND, DEEPA MANGALAT, 18 WILD ROSE DRIVE, NASHUA, FOR A TERM TO EXPIRE FEBRUARY 28, 2019
MOTION CARRIED**

President McCarthy declared Rafael Calderon, Sylvia Gale and Deepa Mangalat duly appointed to the Cultural Connections Committee for the aforementioned terms.

Oath of Office administered by Corporation Counsel Steven A. Bolton to Sylvia Gale and Deepa Mangalat

Downtown Improvement Committee

MOTION BY ALDERMAN CLEMONS TO CONFIRM BY VOICE VOTE THE APPOINTMENT OF SIMON SARRIS, 23 AUBURN STREET, NASHUA, TO THE DOWNTOWN IMPROVEMENT COMMITTEE FOR A TERM TO EXPIRE DECEMBER 13, 2016
MOTION CARRIED

President McCarthy declared Simon Sarris duly appointed to the Downtown Improvement Committee for a term to expire December 13, 2016.

Oath of Office administered by Corporation Counsel Steven A. Bolton.

UNFINISHED BUSINESS – RESOLUTIONS

R-16-007

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman June M. Caron
Alderman Mary Ann Melizzi-Golja
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$40,000 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITY “FY2016 AND FY2017 CLIMATE AND HEALTH ADAPTATION PLAN (CHAP)”

Given its fourth reading;

MOTION BY ALDERMAN WILSHIRE FOR FINAL PASSAGE OF R-16-007

ON THE QUESTION

Alderman Wilshire

This was re-referred to the Human Affairs Committee and we invited Mr. Roche and folks from the Public Health Department to address the committee. They did a really good job presenting what this grant was about. In my opinion I think there is value to this. It's not to cure climate change; it's the effects that could happen as a result of that. We talked about things like Lyme disease and heat stroke and if we can help anyone with this grant I think it's worth accepting. The Nashua Public Health Department was the only one eligible in the region to apply for this grant and would be sub-contracted with the Nashua Regional Planning Commission to do that work. I think it would benefit this city.

Alderman Siegel

I will note that the Board has an absent member and the last time we talked about this we had absentee membership. However this turns out, I would ask that we all agree that we won't go through this reconsideration. I do appreciate the effort that was made to explain this; however I have a slightly different take from my colleague, Alderman Wilshire. I felt that while there were some justifications that were listed, in fact, I viewed it somewhat as vote fishing in that we talked about Lyme disease, heat stroke; and remember this is \$20,000 per year and there wasn't much focus on what actually it was, just hey, we think we could do this or we think we could do that but the grant itself is defined as climate related issues. It's a matter of interpretation. I know they felt that they could spend the money however they felt like it and if that's the way we do things then okay. It wasn't my understanding that was the right thing to do. With regard to us being the representative, if I understand the mechanics by which we have to get the grant because we are the city but interestingly enough the other towns in the Nashua region, there wasn't a single one that ever came out to advocate for this. Only Nashua is advocating for this and purportedly the rest of the region is supposed to

benefit but nobody came out at all. I presume they knew about it but they didn't show up and I thought that was a bit curious. The other thing is I am sure everyone saw the academic piece of work that I distributed and I didn't do that for a flip reason. The title of that was Glacier's, Gender and Science – A Feminist Glaciology Framework for Global and Environmental Change Research. I used that as an example and that was something that was actually funded and somebody accepted money for that and that actually went through in Oregon. We can all laugh at that but it's us laughing and saying what a ridiculous waste of money, how could "they" spend money that way. In some sense we are also a "they." There is a continuum of responsibility such that at a certain point it's my belief; that legislation that comes through as grant money is ridiculous enough that it's incumbent upon us to say maybe not. We have another crisis, an OPM crisis; other people's money and we use it a lot and we are addicted to it and we have to remember that whatever money comes in to fund these things isn't the magic oak tree and somehow it's associated with taxpayer dollars, not necessarily as direct as Nashua taxpayer dollars from property tax but nonetheless we should respect all sources of this. My sense is that this does not warrant a yes vote and by voting no on this we are saying okay, we recognize that there are limits to what is worth accepting or not.

Alderman Lopez

I also attended the meeting and as the liaison to the Board of Health I should have been more prepared the first time it was introduced to explain to my colleagues what was being attempted by the Department of Health. I was satisfied by their explanation that they want to focus on the impact on Nashua citizens that changes in our climate have; Lyme disease and heat stroke. These are things that we should know and we should allow the Public Health Department to plan for so there isn't a corresponding impact on the health department because of things that we didn't try to find out in the midst of another health crisis like the opioid crisis. I think it makes sense to allow the resources and I am in support of the bill. I think we should give our own departments the credibility that they deserve. If they decided that they needed the resources to pursue specific objectives and the filled out the grant for it, I think we should be satisfied with their judgement unless there is an obvious red herring. My think my colleague, Alderman Siegel raised good points about making sure that we don't just accept money but I think they have valid reasons for doing this.

Alderman Schoneman

I too attended that meeting. I don't think that we can equate climate change planning to the opioid crisis. The opioid crisis is an emergency. One of the questions discussed was are we going to discover anything new. Emergencies are new discoveries, there was nothing new. There is an understanding that if there is a change in the climate it could result in an increased incidence of Lyme disease and perhaps sun stroke for the elderly. We know those things exist now and can cope with. The opioid crisis is different and it seemed to appear out of nowhere. The primary product of the \$40,000 is going to be literature, pamphlets and signs perhaps that warn people about how to avoid getting Lyme disease and how to avoid sun stroke. Those are things that we already know about. While knowing about how these things might affect folks in Nashua is important, I think that we already know and to further study it for the purpose of producing pamphlets and signs seems to me to be not a wise way to spend the money.

Alderman Wilshire

This wasn't just about pamphlets and signs; this was about creating a strategic plan to react to certain catastrophes.

Alderman Lopez

I respectfully disagree that the opioid crisis came out of nowhere. A lot of people who were working in the non-profit field were fully aware that this was happening and were advocating for this effect. The awareness in the public eye only emerged after it started to impact, in an undeniable way, people all over the city. I think that was the result of not having a coordinated plan as it unfolded. It wasn't a surprise for many of us and we've been doing as much as we can to try to keep it from getting to this point. We just didn't have the resources or the public education or the awareness.

Alderman Schoneman

I don't want to create the impression that I am speaking flippantly about that but my point is that we do know about Lyme disease and heat stroke. When I asked the question is it likely that we are going to get signs and brochures out of this program; that was the likely outcome.

Alderman Dowd

Over the years this Board and the Board of Education have approved a number of grants from different sources and the Board of Education just recently voted against a grant and then changed their mind when they found out that there is a lot of work that goes into asking for a grant. The people who do the work want to get that grant for a specific reason. If we start turning grants down after all of that work people are going to be very reluctant to apply for a grant. The grants over the years have brought a great deal of money and have done a great number of good things for the city. Someone here in Nashua has gone through all of the time and effort to develop a grant and when they win it I think we should be supportive.

Alderman Clemons

If we do still have employees that continue to write grants and we reject them we are going to set ourselves up for not even getting the awards for those grants anymore. I think that would be unfortunate.

Alderman Siegel

I want to address this domino effect implication. I don't believe we have ever rejected a grant and it's not clear to me that any Board going forward would do that in the normal course of business. Most of the grants are very straight forward and clear cut. This one was more speculative.

Alderman Clemons

I respectfully disagree with Alderman Siegel. I don't think that the effect that climate change is on our citizens is something that is not important to address. Climate is changing whether we like it or not and we should be looking into that.

Alderman Siegel

Just to clarify, my statement had nothing to do with the grant itself. It's whether or not mechanically we will reject grants in the future which we typically wouldn't. I'm not putting a value judgement on climate change research. It was never about that and I've already said that publicly four or five times.

Alderman Schoneman

Some of the benefits that come from this are not a surprise so I don't think we are gaining anything by research; all we are doing is producing literature. It's not a study or solution for climate change, Lyme disease or heat stroke.

Alderman O'Brien

I consider \$40,000 short money for something that may have the potential to identify a potential problem that affects this city. In 1936 a climate change situation very much affected this city and that was the Great Flood. What do we do with the elderly if we had a good week of a heat wave in this city? Where would we put them? We have an Emergency Preparedness Director and I'm sure he is on top of it but if we can look at it better with this particular grant then aren't we better off for it? Let's let the NRPC be our think tank.

A viva voce roll call was taken which resulted as follows:

Yea:	Alderman Wilshire, Alderman Clemons, Alderman Dowd, Alderman Caron, Alderman LeBrun, Alderman Moriarty, Alderman O'Brien, Alderman Lopez, Alderman McCarthy	9
Nay:	Alderman Deane, Alderman Cookson, Alderman Siegel, Alderman Schoneman, Alderman McGuinness	5

MOTION CARRIED

Resolution R-16-007 declared duly adopted.

R-16-010

Endorsers: Mayor Jim Donchess
Alderman Richard A. Dowd

AUTHORIZING THE MAYOR AND CITY TREASURER TO INCREASE THE BOND AUTHORIZATION FOR ROAD AND TRAFFIC IMPROVEMENTS ON AMHERST STREET BETWEEN CHARRON AVENUE AND DIESEL ROAD AND ISSUE BONDS NOT TO EXCEED THE AMOUNT OF ONE MILLION FOUR THOUSAND DOLLARS (\$1,004,000)

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-16-010 BY ROLL CALL

ON THE QUESTION

Alderman Dowd

One thing I failed to mention is there are no roundabouts. It's going to be a signalized traffic intersection. Several questions were asked last night including the priority of the fire department which is part of the project. It's going to make this intersection safer. It's going to improve the traffic flow on Amherst Street. It's going to be very beneficial to the citizens of Ward 1 and 2, who, by the way at the town meetings were in heavy support of this. In fact, the main thing they asked is: Can we do this sooner?

Alderman Moriarty

I first would like to complement Alderman Dowd on what has to be one of the best oral reports of a committee meeting I've ever heard. I apologize for not keeping up with this. I assume the answer is yes that the plan for the traffic flow was arrived at after professional traffic analysis.

Alderman Dowd

Absolutely and the cost for the planning for the entire project and the traffic flow was paid for by the businesses in the area.

Alderman Siegel

Just a clarification, I may have heard Clerk Piecuch incorrectly but I believe the amount is \$1,004,000 not \$1,400,000. I wanted to make that clear for all those that are watching.

President McCarthy

This requires ten votes for passage.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Alderman Wilshire, Alderman Clemons, Alderman Dowd, Alderman Caron, Alderman Siegel, Alderman Schoneman, Alderman McGuinness, Alderman LeBrun, Alderman Moriarty, Alderman O'Brien, Alderman Lopez, Alderman McCarthy 12

Nay: Alderman Deane, Alderman Cookson 2

MOTION CARRIED

Resolution R-16-010 declared duly adopted.

R-16-011

Endorsers: Mayor Jim Donchess
Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Don LeBrun
Alderman Sean M. McGuinness

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF UP TO AN ADDITIONAL \$62,000 FROM THREE PROPERTY OWNERS AS CONTRIBUTIONS TOWARD THE ROAD AND TRAFFIC IMPROVEMENTS ON AMHERST STREET BETWEEN CHARRON AVENUE AND DIESEL ROAD

Given its second reading;

MOTION BY ALDERMAN MCGUINNESS FOR FINAL PASSAGE OF R-16-011

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Alderman Wilshire, Alderman Clemons, Alderman Deane, Alderman Cookson, Alderman Dowd, Alderman Caron, Alderman Siegel, Alderman Schoneman, Alderman McGuinness, Alderman LeBrun, Alderman Moriarty, Alderman O'Brien, Alderman Lopez, Alderman McCarthy 14

Nay: 0

MOTION CARRIED

Resolution R-16-011 declared duly adopted.

R-16-016

Endorsers: Mayor Jim Donchess
Alderman Ken Siegel
Alderman-at-Large Brian S. McCarthy
Alderwoman Mary Ann Melizzi-Golja

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A FIRST AMENDMENT TO LEASE AGREEMENT WITH MAKEIT LABS FOR A PORTION OF 25 CROWN STREET

Given its second reading;

MOTION BY ALDERMAN SIEGEL FOR FINAL PASSAGE OF R-16-016

MOTION CARRIED

Resolution R-16-016 declared duly adopted.

R-16-017

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman Ken Siegel
Alderman June M. Caron
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$70,000 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH & HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITIES "FY17 AND FY18 TUBERCULOSIS PROGRAM OF GREATER NASHUA"

Given its second reading;

**MOTION BY ALDERMAN WILSHIRE FOR FINAL PASSAGE OF R-16-017
MOTION CARRIED**

Resolution R-16-017 declared duly adopted.

R-16-018

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderwoman Mary Ann Melizzi-Golja
Alderman Don LeBrun
Alderman Ken Siegel
Alderman June M. Caron
Alderman Richard A. Dowd
Alderman Tom Lopez

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$120,000 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH & HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITIES "FY17 AND FY18 IMMUNIZATION PROGRAM OF GREATER NASHUA"

Given its second reading;

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-16-018
MOTION CARRIED**

Resolution R-16-018 declared duly adopted.

R-16-019

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman June M. Caron
Alderman Ken Siegel
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Don LeBrun
Alderman Tom Lopez

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$170,000 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH & HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITIES "FY17 AND FY18 STD & HIV DISEASE CONTROL"

Given its second reading;

**MOTION BY ALDERMAN LEBRUN FOR FINAL PASSAGE OF R-16-019
MOTION CARRIED**

Resolution R-16-019 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES**O-16-003**

Endorsers: Mayor Jim Donchess
Alderman Ken Siegel
Alderman Don LeBrun

ADMINISTRATIVE ENFORCEMENT OF ORDINANCES

Given its second reading;

**MOTION BY ALDERMAN SIEGEL TO AMEND O-16-003 IN ITS ENTIRETY BY REPLACING IT WITH THE
GOLDEN ROD COPY PROVIDED WITH THE AGENDA****ON THE QUESTION****Alderman Siegel**

In the tradition of ex-alderman Chasse, I will describe the brief changes. There were just a couple things in the Table 4-1. The first NRO should be 170-2 instead of 170-3. The next line should be He-P 2303.01 + .02 (a)-(o) instead of He-P 2303.01 + .02 (a)-(m). It's a mouthful but that's the changes. They are just referencing the enabling ordinances.

MOTION CARRIED**MOTION BY ALDERMAN SIEGEL FOR FINAL PASSAGE OF O-16-003 AS AMENDED****Alderman Siegel**

I appreciate everybody coming out, both tonight for the public hearing that was held and for other meetings in committee. I'd like to just go through a brief history. I don't know how brief this can be; this is the thing everybody has been concerned about. The thought behind this legislation came out of meetings that were held over the course of several months of the Substandard Housing Committee. The thing I want to echo immediately is that this legislation is not about substandard housing per se. It would have been nice if the legislation had gone to that committee only because we had discussed it in there. I think that committee was the natural vetting point. However, it went to Personnel/Administrative Affairs which is fairly traditional so that is not an unusual decision. It's just there might have been some confusion there. I just want to address some of the comments that were made about being blindsided and confusion. That was the change that I believe Ms. Marchant was referring to. It wasn't a change of committee per se. It was where one thing was discussed and where the legislation ended up. That's what was going on there. One key takeaway here, if I had to sum this up for everyone, and I'm going to go through what I believe are some of the concerns – I have taken note of them and I'm going to try to address them as best as possible. The one thing that this involves is it is a change to the enforcement of violations. The only thing that this affects is willful violators. Everything that is listed in this ordinance, there's a huge table, and I believe if you are not familiar with the blue book or other things, the health code, the fire code, you could look at this legislation and say: "what the heck are they doing?" We've got this brand new piece of legislation and there are four pages of tables with a bunch of fines associated with that. In fact, this legislation changes absolutely nothing about the ordinances that govern what code enforcement looks at, what the health department looks at, or what the fire department looks at. None of that has changed. The only thing that is going on here is in the case of a willful violation, instead of going to court to resolve the willful violation; the next step is equivalent to a parking ticket or some form of fine which is an administrative fine. It is a step before going to court. Right now if you are a willful violator and you have gotten to that point, we take you to court to enforce what's defined already in the books. This is just a step

before that. It makes things easier on code. It doesn't take as much of our legal resources.

The one thing that is comforting, I think, is that nobody has either expressed either publicly or privately to me or my colleague's discontent with the way code enforcement conducts their business. To address the present moment and where we are now, I think everybody understands that they act professionally and reasonably. We have to say, is there a fear going forward that may change? Of course there's always a danger that a government could be turned on its head, but there's very specific training put in place so that reasonableness is part of the training. Should the code enforcement ever get to the point where they become sort of the whip-arm of government instead of something which is trying to do which I think most everybody out here does normally that's when we would come in and make a change necessary to rein them in. As I've said publicly, our goal here is not to do something negative to landlords. In fact, I believe my colleagues can bear this out in my committee, we've actively solicited input from city landlords and we've been unsuccessful in getting anybody to talk to us.

I'm addressing the specific issues that people may have difference of opinion with, but let me go through the various elements. Again, nothing has changed in the existing procedure. I actually would understand more of the consternation should the legislation change what exists now. Some remarks were made about restaurants owners aren't here because they don't know. In fact, I used to own seven restaurants and just sold them last year. I am very familiar with conforming to health codes. If somebody had changed the administrative procedure for fines for my restaurants, it wouldn't have matter because I'm not a willful violator. I believe almost everybody here, if not everybody in this audience, are now willful violators. I think you are all good people trying to do the right thing. In fact, I think most people have said that they don't have a problem with code. Code's first step is to say a complaint was made. A call is typically made to the landlord to get that resolved. If they don't hear back from either the tenant or the landlord within 15 days then they will go out and investigate it at which point if it looks like progress is being made, and again good faith attempts are being made to solve problems, everybody knows that fixing a roof is not the same thing as fixing a toilet. I believe that code has acted that way. If they are going out there and seeing a good faith attempt to change thing, then they are not going to even issue a warning. It is if they show up there and there's clearly no good faith attempt to do anything. At that point a warning is issued. Now the clock starts to click for a timeline to begin the good faith resolution of the problem. It's only at that point that we get to the differentiation between what exists now and what we're trying to achieve. If beyond that there is still a landlord that does not wish to resolve the problem which was legitimately pointed out by code, now we go to court. What we want to do is not to go to court. We want to issue a fine on a simple schedule. That's what is going on here, plain and simple.

I understand that the legislation looks lengthy and it may be difficult to that kernel of things, and I apologize. Legislation sometimes has to be written that way. I know there was a meeting that was help a few Thursdays ago. I believe at the library by a bunch of landlords. I wish that either myself or some of my other colleagues had been notified of that so we could have gone and probably helped you better understand that prior to even the last public hearing. It's not our intention to do things under the rug. We have a certain way that we publicize the way legislation is introduced. This is really no different than any. In fact this got quite a bit of front page coverage and most legislation doesn't. If you actually look at what this is doing, the actually nugget of what is going on here, there's really not a change. Again, I don't believe that anybody in this audience is conducting their business as a willful offender because that is the only reason by which it would affect your income stream. It's not going to change anything. The responsibilities for tenants, if they tenants destroy things, code already is aware of that. In fact, I had discussions with code. You can look on the city's GIS system and see violations. You can see certain properties, and it looks like they have a lot of violations. If you ask code, they are aware of which ones are due to tenant issues and are not landlords. They will tell you that. They are quite aware of that. They have a pretty long history of being reasonable. There's no expectation that will change.

As far as the timing goes, ten days or less, I believe Ms. Marchant was very explicit in not putting that in the legislation because different situations requires different timeframes. A roof, for example, clearly is going to take some time. If you have a boiler situation where parts are on order, it's unreasonable to expect that somebody making a good faith attempt is going to get fined because a part is not available. Code has never acted that way, nor would we, as aldermen, ever wish to have legislation that would allow that to occur. If that

was occurring on any kind of a basis, this legislation, I am quite sure, would be modified by my colleagues or myself and it would be voted to be modified. So that is not an issue. Life safety issues are very different. If somebody stops and there's a gas leak or there's a problem that's not something we're going to give you ten days to rectify. I think everybody in this audience would recognize that.

One of the things that was interesting to note was the initial hearing. Quite a number of people were not aware of Nashua's blue book which is the code book. I think that, again, feeds into this sense that the legislation was adopting all sorts of new things. If you didn't know there was a blue book, you wouldn't realize that the stuff that's in there is right out of it. I think if anything there's a side benefit. Now more people are aware of what exists right now. But if you go through all of these things, there's nothing here also that doesn't represent good practice under any circumstance. I believe that most of the people in the audience already do that. I remember half the people that were polled at the hearing had no contact with code at all. They didn't even know who they were, which is fantastic. That means that this is a complete non-issue for you. They are not showing up because you are running your properties well. They are not going to be proactively going after you. That's not at all what we want to achieve. This is to deal with willful violators. There aren't that many of them so it's a very narrowly scoped piece of legislation although again if you are not aware of the way things work now it wouldn't necessarily appear to be that way. I don't want to belabor this too much, but I actually would urge that my colleagues not table this. The reason is because this was worked on over a lengthy period of time by city staff. There was a lot of thought put into this. I think it is eminently reasonable, again, given that it is addressing willful violators and only willful violators.

Alderman Clemons

I support the concept of this legislation. I think it's something that is going to be very useful for the code enforcement department. I support them in their efforts for wanting something like this. However, I've listened to you folks at the Personnel Committee meeting. Some of you were there and then a lot more of you are here tonight which is good to see. I've listened to some of your complaints about the legislation. It is in the legislation that if penalties aren't paid within ten days there is going to be a subsequent fine. That is a problem, I think, with the legislation. In addition to that although the state law that governs this legislation says that there has to be a warning issued prior to any of these citations being sent out, I think it would be helpful if the legislation stated that just for everyone's peace of mind. I don't think it would hurt if we were to add something like that. There are a couple of other things that I can see that were brought up as being issues with this. I also think it wouldn't hurt to have more input on it. As it stands, I cannot support it. I will not support final passage. However, I would support sending it back either to Personnel or to the Substandard Living Committee so it can be worked on to address the issues that were brought up tonight by you folks.

Alderwoman McGuinness

Where does it say in the text of the ordinance, where does it talk about willful violators and where does it say someone making a good faith attempt won't be fined? I just don't see the language in here.

Alderman Siegel

The enabling statute is the wait period. That's been the policy of code, and there's no reason to believe that it wouldn't continue to be the policy of code. Again let's remember where we are right now there's a policy in place. This is dealing with violations. The things that lead up to that, issues, and I can address the tenant-landlord issues. As was addressed at the public hearing, tenants that willfully destroy property inside their living space, the code have very explicitly not gone after landlords for that. It's not the job of the city. The city has no standing in a civil action. But again this doesn't change a situation that exists right now. If there's a conflict between a landlord and a destructive tenant and there's an issue that's created such that code gets involved, they get involved and this has nothing to do with it. This has to do with the willful violation where there's an issue and the tenant or the landlord doesn't correct it. The tenant also according to code enforcement is on the hook for some of these things. It isn't just that the burden falls on the landlords. We talk about landlords, landlords, landlords but there's more to this because it's administrative enforcement of other issues such as health department fines. Again, I would urge my colleagues to look at what the intent is and

how it is worded. I don't know that much is accomplished by going back to committee because again the issues that were discussed are not germane to what is being done with this legislation in general. They're just not. A lot of the issues associated with landlord and tenant issues that's not what this is. Remember this is like defining a different fork in the road. Instead of going to court, we give a fine first. And by the way, nobody forfeits their right to go to court if they decide they want to go to court. That's not forfeited.

Alderman Moriarty

I'll follow Alderman Clemons' lead. He heard the audience make a request. I, too, have listened to the audience request.

MOTION ALDERMAN MORIARTY TO REFER O-16-003 TO PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

ON THE QUESTION

Alderman Clemons

I will support the motion unless someone thinks it should go to the Substandard Committee. If your motion passes, Alderman Moriarty, and I will support it, I will look to reach out to you folks and try to figure out a way that we can discuss the legislation in a smaller group first hopefully and then a larger group. That would be my intention as the chair.

MOTION BY ALDERMAN DEANE TO AMEND TO SEND O-16-003 TO THE SUBSTANDARD LIVING CONDITIONS

A Viva Voce Roll Call was taken, which resulted as follows:

Yea:	Alderman Wilshire, Alderman Clemons, Alderman Deane, Alderman Dowd, Alderman Schoneman, Alderman McGuinness, Alderman LeBrun, Alderman Moriarty, Alderman McCarthy	9
Nay:	Alderman Cookson, Alderman Caron, Alderman Siegel, Alderman O'Brien, Alderman Lopez	5

MOTION CARRIED

O-16-004

Endorsers: Alderman Benjamin Clemons
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez
Alderman Richard A. Dowd
Alderman-at-Large Brian S. McCarthy

EXTENDING HOURS OF SALE OF ALCOHOLIC BEVERAGES BY ON-PREMISES LICENSEES

Given its second reading;

Alderman Clemons

The Personnel/Administrative Affairs Committee recommended that we indefinitely postpone O-16-004 so despite the fact that this is my legislation; I will go with what the committee said and recommend indefinite postponement.

MOTION BY ALDERMAN CLEMONS FOR INDEFINITELY POSTPONEMENT OF O-16-004

ON THE QUESTIONAlderman Clemons

This is something that I actually had a request for. It came about from people that both work in the service industry and people who patronize establishments. It came about in 2013 when the legislation was introduced at the state house to allow cities and towns to do this. Although I wasn't an alderman at the time, I agree with it. I had a discussion with some of the aldermen, and it never came up. This time around, now that I'm on the board, it's one of the things I wanted to get done. I believe that we are at a disadvantage with our neighbors to the south. There are folks in Nashua who will go to Tyngsboro. They will go to Lowell or other places in Massachusetts and patronize those establishments because they stay open later. Some of the people that do that do that because they like to go out at a later time. Some of them do it because they are getting off of their shift of work and want to go out and have a drink, like the rest of us might want to do one night. The fact that they have to drive to Tyngsboro when the state allows any city or town to adopt this, I don't think is fair. Furthermore, I think we're doing the folks in our restaurants and in the service industry a disservice by not allowing those establishments to stay open and compete with the places that are south of the border. It was for those reasons that I brought this forward. I would ask that you not support indefinite postponement.

Alderman Siegel

I am going to recuse myself as I have a direct financial interest in the outcome of this as the CEO of a distilled spirits company.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Alderman Deane, Alderman Cookson, Alderman Dowd, Alderman Caron, Alderman Schoneman, Alderman McGuinness, Alderman LeBrun, Alderman Moriarty	8
Nay: Alderman Wilshire, Alderman Clemons, Alderman O'Brien, Alderman Lopez, Alderman McCarthy	5

MOTION CARRIED

Alderman Siegel abstained from voting.

Ordinance O-16-004 declared indefinitely postponed.

NEW BUSINESS – RESOLUTIONS**R-16-020**

Endorser: Mayor Jim Donchess

AUTHORIZING AN AGREEMENT TO RESTRUCTURE THE DEBT OF CLOCKTOWER HOUSING ASSOCIATES LIMITED PARTNERSHIP

Given its first reading; assigned to the FINANCE COMMITTEE by President McCarthy

R-16-021

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Lori Wilshire

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF EDUCATION AND THE NASHUA ASSOCIATION OF SCHOOL PRINCIPALS FROM JULY 1, 2015 THROUGH JUNE 30, 2018

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE by President McCarthy

R-16-022

Endorsers: Alderman June M. Caron
Alderman Don LeBrun
Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.

AUTHORIZING THE MAYOR TO APPLY FOR AND EXPEND THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) AND HOME INVESTMENT PARTNERSHIP PROGRAM GRANT FOR FISCAL YEAR 2017

Given its first reading;

MOTION BY ALDERMAN CARON TO ACCEPT THE FIRST READING OF R-16-022, REFER IT TO THE HUMAN AFFAIRS COMMITTEE AND THAT A PUBLIC HEARING BE SCHEDULED FOR MONDAY, APRIL 11, 2016, AT 7:00 PM IN THE ALDERMANIC CHAMBER

MOTION CARRIED

R-16-023

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman Ken Siegel
Alderman June M. Caron
Alderman-at-Large Michael B. O'Brien, Sr.

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$28,600 FROM THE NEW HAMPSHIRE HIGHWAY SAFETY AGENCY INTO POLICE GRANT ACTIVITY “FY16 SUSTAINED TRAFFIC ENFORCEMENT PROGRAM (STEP)”

Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE by President McCarthy

NEW BUSINESS – ORDINANCES - None

PERIOD FOR GENERAL PUBLIC COMMENT – None

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman O'Brien

I'm very disappointed with the bill that just got passed as far as the ordinance. My years as a firefighter I have seen good landlords, I have seen bad landlords. Particularly when I see in the situations of good landlords, they are dedicated people that really supply good housing with the city. But I have seen some really bad ones, and they don't care too much about the people. These are the people that I'm very much concerned about. Sometimes they are repeat customers that we unfortunately refer to them sometimes in the fire department. I'm glad it went to the Substandard Living Committee. I hope the landlords here that wanted it to be tabled; I hope they bring back legitimate and very well thought solutions because right now I thought this bill as written was a good bill. It needed to be applied. If there was something wrong with it as we do in this Chamber all the time, we adjust a law to fix it and make it even better. We didn't get the get go on this so now we're going back to the drawing board. I am willing as a member of that committee to do my job and listen to the landlords and their input. I hope that they do come back not to complain but to come up and make this especially for life safety issues and other issues. We want to make Nashua a very viable city to live in. It's our responsibility as aldermen to make sure that the housing in this city is worthwhile and is a good domicile for these people to grow and live. I'm willing to work in the future to see where this goes.

Alderman Lopez

I appreciate the leadership that Alderman Siegel has shown in addressing issues of substandard housing. I worked with him before becoming an alderman and helping him to engage the community and get constituent feedback. The overwhelming response that I have heard from my constituents consistently since the formation

of that committee is that the city needs to be taking a larger role from the perspective of the constituents in code enforcement. As was discussed in committee, as I was following the discussion and watching the reports of the departments, the issue isn't whether or not the code, itself, is solid. It's whether it can be acted on in a way that is meaningful to the needs of the tenants. I understand the arguments that were raised by the landlords that came today. Some of them did email me and repeat those concerns. I also have been following the Substandard Housing Committee since last fall. I also have reached out to several landlords in my ward and invited them to observe what was going on in the committee, provide positive feedback because it was my opinion early in the formation of that committee that having landlord be a positive voice in that committee to discuss best practices to do what was actually described in the public committee of the landlords of Nashua have this consistent policy. This is something you should be doing. I don't think the city necessarily needs to be in a position where it has to police problem landlords if the landlords will talk among themselves and coordinate and reach an agreement as to what should be done and what shouldn't be done. I do think we need to step in when we have landlords who are not complying and have a pattern of that which is born out both by the number of code violations they receive regularly and the interactions that they have had with the police, the fire, etc. That does impact the city, and that does impact the people that are living in the buildings who may not actually be the violators but victims of it. I was disappointed as well that this was sent back to the Substandard Housing Committee because I think it is something that is very real to a lot of people who are going home tonight without any resolution for immediate hope for it. Again I would like to commend Alderman Siegel for taking up that cause the way that he has. I am happy that it is being forwarded to the Substandard Housing Committee because I would like to see moving forward more landlords stepping up to say this is what should be done and this is what shouldn't be done. While the city is responsible for the code and the ordinances the landlords can speak to the actual application of them. I would like to see both sides working together more to the benefits of our tenants and our constituents. I also wanted to as a side make a follow up to a couple of weeks ago. Makelt Labs is still doing a campaign to receive CDFR money. That campaign needs to receive pledges from anybody intending to support them by March 31st. As they are a tenant effectively of city property and they are working to rehabilitate that property and put it in good order, I hope everybody in the public is looking at that opportunity because it can benefit them professionally in terms of a business and also help strengthen a very deserving program in our community.

President McCarthy

I would comment on the legislation that we just sent back to committee. Over the years I have had a lot of very complex pieces of legislation that I authored, debated ad nauseam in committees and sent back to committees. While I always find it frustrating that we move backwards instead of forward on those, I don't think I can say that I've ever seen a case where the end product was worse for having done that. Unfortunately most of them have left, but I would like to encourage the landlords who are here to come and talk to the committee. Let's facilitate some dialogue. If there are things that need to happen, let's do them. I think the bill is good and workable the way it is. I think it will be better if the good landlords stand up here and say do it rather than don't. I would like to see us work with them in committee and come back with a bill. I don't even know if we need to change it. It may just be education of how the process is going to work. I did hear some things about when we do the application that we may need to adjust, but I think with some more discussions with the landlords we will have something that all of the good ones will endorse. I would encourage Alderman Siegel and his committee to take that up and do a good job on that as you've done getting this far with the bill.

Committee announcements:

Alderman Clemons

There will be a Personnel/Administrative Affairs Committee meeting on April 4.

Alderman Dowd

Construction and Joint Special this Thursday at NHS North.

Alderman Cookson

Infrastructure Committee tomorrow evening, March 23, at 7 PM in these Chambers.

Alderman Wilshire

Human Affairs is April 11th. We will have a public hearing on the CDBG and also a presentation on opioids discussion.

ADJOURNMENT

**MOTION BY ALDERMAN WILSHIRE THAT THE MARCH 22, 2016, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 9:35 p.m.

Attest: Patricia D. Piecuch, City Clerk