1. PRESIDENT LORI WILSHIRE CALLS ASSEMBLY TO ORDER

2. PRAYER OFFERED BY CITY CLERK PATRICIA PIECUCH

3. PLEDGE TO THE FLAG LED BY ALDERMAN-AT-LARGE MICHAEL B. O’BRIEN, SR.

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 HEARING

   Board of Aldermen……………………………………………………………………….  01/22/2019
   Special Board of Aldermen Public Hrg………………………………………………… 01/22/2019
   Public Hearing conducted by Human Affairs Committee……………………………. 02/11/2019

9. COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

   From:  Larry D. Goodhue, Chief Executive Officer
   Re:      Request for Approval of Loan from the New Hampshire Drinking Water and Groundwater Trust Fund to Pennichuck Water Works, Inc.

9(a). PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING

9(b). COMMUNICATIONS REQUIRING FINAL APPROVAL

   From:  Mayor Jim Donchess
   Re:   Purchase of Formax FD 2002 AutoSeal Pressure Sealer

10. PETITIONS

   Resubmittal of Petition for Street Acceptance: Portion of Pine and Central Streets

11. NOMINATIONS, APPOINTMENTS AND ELECTIONS

   Appointments by the Mayor

12. REPORTS OF COMMITTEE

   Finance Committee………………………………………………………………………. 02/06/2019
   Human Affairs Committee……………………………………………………………… 02/11/2019
   Committee on Infrastructure………………………………………………………… 01/23/2019
   Personnel/Administrative Affairs Committee……………………………………… 02/04/2019
13. CONFIRMATION OF MAYOR’S APPOINTMENTS

Cultural Connections Committee

Jean Adie (Reappointment) Term to Expire: December 31, 2021
2 Elaine Drive
Nashua, NH  03062

Mine Falls Park Advisory Committee

Richard Gillespie (Reappointment) Term to Expire: December 31, 2021
15 Spencer Drive
Nashua, NH  03062

Nashua Arts Commission

William H. Barry, III, Esq. (New Appointment) Term to Expire: April 1, 2019
161 Kinsley Street
Nashua, NH  03060

Sara Ceaser (New Appointment) Term to Expire: April 1, 2019
3 Pine Street, Studio 2D
Nashua, NH  03060

Paul Laflamme (Reappointment) Term to Expire: April 1, 2020
28 Lutheran Drive
Nashua, NH  03063

Jennifer Latouche (New Appointment) Term to Expire: February 1, 2021
7-2 Hickory Lane
Hollis, NH  03049

CONFIRMATION OF PRESIDENT OF THE BOARD OF ALDERMEN’S APPOINTMENTS

Hunt Legacy Trustees

Arthur Olsson (Reappointment) Term to Expire: December 31, 2019
169 Coburn Woods
Nashua, NH  03063

Mary Greene (Reappointment) Term to Expire: December 31, 2020
38 Concord Street
Nashua, NH  03064

Ira F. Harris Lecture Trustees

Jane Hanle-Olsson (Reappointment) Term to Expire: December 31, 2020
169 Coburn Woods
Nashua, NH  03063
UNFINISHED BUSINESS – RESOLUTIONS

R-18-073, Amended
Endorsers: Alderman-at-Large Brian S. McCarthy
Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Michael B. O’Brien, Sr.
Alderman Jan Schmidt
Alderman Tom Lopez
Alderman-at-Large Brandon Michael Laws
Alderwoman Mary Ann Melizzi-Golja

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO FILLING VACANCIES ON ELECTED BOARDS BY MAJORITY VOTE OF THE REMAINING MEMBERS OF THAT BOARD
• Amended and Tabled pending Public Hrg scheduled for 3/12/2019 at 7 PM in the Chambers

R-18-098
Endorsers: Mayor Jim Donchess
Alderwoman Mary Ann Melizzi-Golja
Alderman Tom Lopez
Alderman-at-Large Brandon Michael Laws
Alderman Patricia Klee

AUTHORIZING THE SALE OF TAX DEEDED PROPERTY LOCATED AT 38 ½ WEST HOLLIS STREET TO MANCHESTER HOUSING SERVICES, INC. D/B/A NEIGHBORWORKS SOUTHERN NEW HAMPSHIRE
• Committee on Infrastructure Recommends: Final Passage

R-19-105
Endorsers: Mayor Jim Donchess
Alderman Jan Schmidt
Alderwoman Mary Ann Melizzi-Golja
Alderman June M. Caron
Alderman Tom Lopez
Alderman-at-Large Brandon Michael Laws
Alderman Patricia Klee
Alderman Linda Harriott-Gathright
Alderman Ken Gidge
Alderman-at-Large Michael B. O’Brien

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF $25,000 FROM JSI RESEARCH AND TRAINING INSTITUTE INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITY “FY19 ENVIRONMENTAL HEALTH TRACKING”
• Human Affairs Committee Recommends: Final Passage

UNFINISHED BUSINESS – ORDINANCES

O-18-025
Endorsers: Alderman Tom Lopez
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderwoman Mary Ann Melizzi-Golja

AMENDING VENDOR LICENSE ORDINANCES
• Personnel/Administrative Affairs Committee Recommends: Indefinite Postponement
O-18-032
Endorsers: Alderman Jan Schmidt
Alderman Richard A. Dowd
Alderwoman Mary Ann Melizzi-Golja
Alderman Tom Lopez
Alderman-at-Large Lori Wilshire

AUTHORIZING STOP SIGNS AND RIGHT AND LEFT TURN ONLY LANES AT THE INTERSECTION OF PINE HILL ROAD AND CHARRON AVENUE
• Committee on Infrastructure Recommends: Final Passage

O-18-034
Endorsers: Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large Michael B. O’Brien, Sr.
Alderman-at-Large Brandon Michael Laws
Alderman Tom Lopez
Alderman Jan Schmidt
Alderwoman-at-Large Shoshanna Kelly

DESIGNATING PARKING ON CHESTNUT STREET FOR FIRE DEPARTMENT EMPLOYEES
• Committee on Infrastructure Recommends: Final Passage

NEW BUSINESS – RESOLUTIONS

R-19-107
Endorser: Mayor Jim Donchess
RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF $50,250 OF UNANTICIPATED REVENUE FROM FUND #1000 “GENERAL FUND”, ACCOUNT #43295 “REVENUE FROM FEDERAL GRANT” INTO FUND #7074 “SCHOOL SPECIAL EDUCATION EXPENDABLE TRUST FUND”

R-19-108
Endorser: Mayor Jim Donchess
RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF $15,573 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, EXOTIC SPECIES PROGRAM AND AUTHORIZING THE TRANSFER OF MATCHING FUNDS

R-19-109
Endorser: Alderman-at-Large Lori Wilshire
AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK WATER WORKS, INC. TO BORROW FUNDS FROM THE STATE OF NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER TRUST FUND

R-19-110
Endorser: Mayor Jim Donchess
AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A LEASE AGREEMENT WITH MAKEIT LABS, CORP. FOR 25 CROWN STREET

R-19-111
Endorser: Mayor Jim Donchess
RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL $138,937.92 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO TRANSIT GRANT ACTIVITY “FEDERAL TRANSIT AUTHORITY (“FTA”) OPERATING GRANT”

NEW BUSINESS – ORDINANCES

O-19-036
Endorser: Alderman Tom Lopez
DESIGNATING AN ADDITIONAL SECTION OF BOWERS STREET ONE-WAY EASTERLY
O-19-037
Endorser:  Alderman Ernest Jette
RAISING THE AGE TO PURCHASE, USE, AND POSSESS TOBACCO PRODUCTS AND E-CIGARETTES FROM EIGHTEEN (18) TO TWENTY-ONE (21)

O-19-038
Endorsers:  Alderwoman Mary Ann Melizzi-Golja
  Alderman June M. Caron
AMENDING THE SIGN ORDINANCES RELATIVE TO ADDRESS NUMBERS OF GROUND SIGNS

PERIOD FOR GENERAL PUBLIC COMMENT

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Committee announcements:

ADJOURNMENT
VIA HAND DELIVERY

January 30, 2019

Mr. Steven A. Bolton
Corporation Counsel
City of Nashua
229 Main Street
Nashua, NH 03060

Re: Request for Approval of Loan from the New Hampshire Drinking Water and Groundwater Trust Fund to Pennichuck Water Works, Inc.

Dear Attorney Bolton:

Introduction. As you know, the City of Nashua, New Hampshire (the “City”) is the sole corporate shareholder of Pennichuck Corporation (“Pennichuck”). The City has been the sole shareholder since the acquisition of Pennichuck on January 25, 2012.

The purpose of this letter is to request that the City, acting in its capacity as sole shareholder, approve several resolutions authorizing Pennichuck’s regulated public water utility subsidiary, Pennichuck Water Works, Inc. (“PWW”), to borrow funds from the New Hampshire Drinking Water and Groundwater Trust Fund (the “Trust Fund”).

Background. As part of the City’s acquisition of Pennichuck, in accordance with special legislation enacted by the State Legislature, and as unanimously approved by the Mayor and Board of Aldermen on January 11, 2011, the corporate structure of Pennichuck and its utility subsidiaries was retained. This corporate structure was retained for several reasons. First, the Mayor and Board of Aldermen desired to maintain stability and continuity for customers and employees of the Pennichuck utilities and the communities they serve. Second, retaining the corporate structure provided continuity for the existing relationships with regulatory agencies and financial/banking partners. Third, the Mayor and Board of Aldermen unanimously agreed that the corporate structure would encourage business-smart decisions and rely upon well-established governance principles of corporate law, pursuant to Pennichuck’s Articles of Incorporation and its by-laws.
Shareholder Approval of Borrowings Required. Under Article IX of Pennichuck’s Articles of Incorporation, the City, acting in its capacity as Pennichuck’s sole shareholder, must approve:

“(3) any action to (A) create, incur or assume any indebtedness for borrowed money or guarantee any such indebtedness of any person, (B) issue or sell any debt securities or warrants or other rights to acquire any debt securities of the [Pennichuck] Corporation or any of its Subsidiaries, or (C) guarantee any debt securities of any person.”

Proposed Borrowings. Pennichuck requests the City’s approval for a loan from the Trust Fund to PWW. The specifics of this loan are described below:

- under the proposal, PWW would enter into a new long-term loan from the Trust Fund in the principal amount of $5,500,000 to fund the Merrimack River Raw Water Intake project.

The Lender. The funds for this loan will be provided by the New Hampshire Drinking Water and Groundwater Trust Fund. The Trust Fund is administered by the New Hampshire Department of Environmental Services (“NHDES”). The Trust Fund provides public and private water systems the opportunity to borrow funds on favorable terms at interest rates that are below commercial loan rates. Pennichuck has received confirmation from the NHDES that funding is available for this project.

Terms of the Borrowings. The loan will have favorable terms, which will be reflected in a written Loan Agreement and Promissory Note issued by PWW, as required by the Trust Fund. Amounts advanced pursuant to the loan during the construction period will accrue interest at a rate of 1% per annum, and the total accrued interest will be due upon substantial completion of the project. The terms of the Trust Fund loan will require repayment of the loan principal plus interest over a period not to exceed 40 years, commencing six months after the project is substantially complete. The current interest rate on the Trust Fund borrowing is 3.38% per annum, though the final rate is not locked in until the loan commences its repayment period. The loan will be unsecured. The corporate parent, Pennichuck, will provide an unsecured corporate guaranty of the repayment of the loan in accordance with the terms of a Guaranty Agreement.

Approval by Pennichuck and PWW. The loan to finance the project and the guaranty of the loan have been approved by the respective Boards of Directors of Pennichuck and PWW.

Pennichuck recommends that the City authorize (i) PWW to enter into the loan under the Trust Fund, and (ii) Pennichuck to enter into the Guaranty Agreement for the loan.
Mr. Steven A. Bolton  
Corporation Counsel  
January 30, 2019  
Page Three

**Other Approvals.** As a regulated public utility, PWW must obtain approval of the loan from the New Hampshire Public Utilities Commission (“NHPUC”), which will approve the loan if it finds the loan to be consistent with the public good. PWW will file a petition for approval with the NHPUC in the last week of January or first week of February, 2019, and expects the NHPUC to consider the petition promptly. Under the Trust Fund, the loan must also be approved by the Governor and Executive Council.

**Lower Costs Are Good for Customers.** Pennichuck and its Board of Directors have determined that the capital project to be financed by the Trust Fund loan will allow PWW to continue to provide safe, adequate and reliable water service to its customers on a cost-effective basis. The terms of the financing through the Trust Fund are very favorable compared to other alternatives and will result in lower financing costs than would be available under other debt options. These lower financing costs will be passed on to customers.

**Requested Approvals.** For the reasons described above, Pennichuck respectfully requests that the City, acting in its capacity as sole shareholder of Pennichuck and pursuant to Article IX(3) of Pennichuck’s Articles of Incorporation, authorize the following actions:

RESOLVED, that the City hereby approves the borrowing by Pennichuck Water Works, Inc. of up to $5,500,000 from the State of New Hampshire pursuant to the New Hampshire Drinking Water and Groundwater Trust Fund to fund the Merrimack River Raw Water Intake project;

FURTHER RESOLVED, that the City hereby approves the guaranty by Pennichuck Corporation of the payment by Pennichuck Water Works, Inc. of the loan authorized in the prior resolution; and

FURTHER RESOLVED, that the City hereby authorizes Pennichuck Corporation and Pennichuck Water Works, Inc., their Boards of Directors, and their Officers, to take any and all actions required to obtain all necessary approvals with respect to the actions described in these resolutions and to execute and deliver such documents as are necessary to effect the Trust Fund loan and the guaranty described in these resolutions.

Respectfully submitted,

PENNICHUCK CORPORATION

By: [Signature]
Larry D. Goodhue  
Chief Executive Officer

cc. Mayor James Donchess
To: Board of Aldermen

From: Mayor Jim Donchess

Date: 2/7/19

Pursuant to NRO 5-127.1 D Capital Equipment reserve Fund, which states: “During that fiscal year, the city may purchase that equipment, or equipment that will serve the same stated purpose as the listed equipment as long as the price does not vary by more than ten percent of the estimated replacement value. All purchases from the Capital Equipment Reserve Fund must comply with the city’s purchasing approval process. Any requests to use funds from the Capital Equipment Reserve Fund must be approved by the board of aldermen.”

Recently, the Payroll Department’s Formax FD 2002 AutoSeal Pressure Sealer machine has begun to fail. The machine was purchased in 2008 using CERF funds. At the time, the threshold for CERF purchases was $10,000.00. The machine has exceeded its useful life, and has required 1-2 service calls per month. Due to mounting costs and down-time, it is recommended the machine is replaced, rather than continuing to repair it. The cost to CERF will be $7,430.00.

Although the cost of this particular purchase is under the CERF threshold, and the item is not part of the CERF schedule, CERF purchases for FY2019 are under budget by approximately $350,000.

I am requesting the concurrence and approval of the full Board of Aldermen for the purchase replacement of the Payroll Department’s Formax FD 2002 AutoSeal Pressure Sealer using available CERF funds.

Cc
Sue Lovering, Legislative Affairs Manager
Larry Budreau, Human Resources Director
Peter Donovan, Payroll Manager
David Fredette, Treasurer/Tax Collector
PETITION
FOR
STREET ACCEPTANCE

TO THE HONORABLE BOARD OF ALDERMEN OF THE CITY OF NASHUA:

Pursuant to the Nashua Revised Ordinances, Chapter 285, Article III, Sections 21-22, the undersigned requests that the following described portion of:

____________________

PINE & CENTRAL STREETS

Said Pine Street is 40.00 feet wide and Central Street is 70.00 feet wide. A portion of the south side of Central Street and the east side of Pine Street to be added to the Right of Way of the City of Nashua. As depicted on plan entitled “City of Nashua Plan for Parcel 83-80 40 Pine Street” Prepared for the City of Nashua, By the Land Surveyor for the City of Nashua, Dated May 31, 2018 and recorded at Hillsborough County Registry of Deeds plan # _______________

To be accepted for public use and maintenance:

POINT OF BEGINNING AT A DRILL HOLE SET ON THE SOUTHEASTERLY SIDE OF CENTRAL STREET, SAID POINT THE PROPERTY CORNER OF LOT 83-79 AND NOW OR FORMERLY HINCH CROWLEY REALTY, THENCE

S17°22’47”E A DISTANCE OF 2.0 FEET TO A DRILL HOLE SET, AT THE NORTHEASTERN POINT OF THE LOT 83-80 AND NOW OR FORMERLY CITY OF NASHUA AND LOT 83-79 AND NOW OR FORMERLY HINCH CROWLEY REALTY, THENCE

S71°07’13”W A DISTANCE OF 27.69 FEET TO A DRILL HOLE SET, AT THE ANGLE POINT OF LOT 83-80 NOW OR FORMERLY CITY OF NASHUA, THENCE

S43°51’17”W A DISTANCE OF 22.07 FEET TO AN IRON PIN SET, AT THE ANGLE POINT OF LOT 83-80 NOW OR FORMERLY CITY OF NASHUA, THENCE

S71°54’57”W A DISTANCE OF 3.66 FEET TO AN IRON PIN SET AT PINE STREET, AT THE PROPERTY CORNER OF LOT 83-80 NOW OR FORMERLY THE CITY OF NASHUA, THENCE

N18°05’03”W A DISTANCE OF 12.06 FEET TO A DRILL HOLE SET AT THE INTERSECTION OF PINE STREET AND CENTRAL STREET, THENCE

N71°07’13”E A DISTANCE OF 50.85 FEET TO AN IRON PIN AT THE POINT OF BEGINNING.

THE AREA OF THE PARCEL TO BE ADDED TO THE RIGHT OF WAY IS 237 S.F.
PETITION/STREET ACCEPTANCE:

The street acceptance is being petitioned by:

\[\text{DATE: 10/15/18} \]
\[\text{PETITIONER: } \text{Signature}\]

I certify that I have received a Mylar showing the limits of the street to be accepted and that said street has been constructed in accordance with the approved plan.

\[\text{DATE: June 13, 2018} \]
\[\text{CITY ENGINEER: } \text{Signature}\]

Petition introduced at Board of Aldermen Meeting \[\text{DATE: JUNE 26, 2018}\]

Public Hearing conducted by the Committee on Infrastructure:

\[\text{DATE: JULY 25, 2018} \]
\[\text{TIME: 7:00 P.M.} \]
\[\text{PLACE: ALDERMANIC CHAMBER}\]

Notice of this hearing was sent out to all abutters of that portion of the street for which acceptance was requested, as listed on the attached list.

The foregoing petition was granted by the Board of Aldermen and Mayor on \[\text{DATE: AUGUST 14, 2018}\]

Attest:

\[\text{DATE: AUGUST 14, 2018} \]
\[\text{DEPUTY CITY CLERK: } \text{Signature}\]

DUE TO LACK OF ABUTTER NOTIFICATION PETITION RESUBMITTED TO THE BOARD OF ALDERMEN

Petition introduced at Board of Aldermen Meeting

Public Hearing conducted by the Committee on Infrastructure:

\[\text{DATE} \]
\[\text{TIME} \]
\[\text{PLACE}\]

Notice of this hearing was sent out to all abutters of that portion of the street for which acceptance was requested, as listed on the attached list.

The foregoing petition was granted by the Board of Aldermen and Mayor on \[\text{DATE} \].
APPOINTMENTS BY THE MAYOR

FEBRUARY 19, 2019

Conservation Commission
Sherry Dutzy (Reappointment)  
Term to Expire: December 31, 2021
18 Swart Terrace
Nashua, NH 03064

Cultural Connections Committee
Sandra Pratt (New Appointment)  
Term to Expire: March 1, 2022
24 Gingras Drive
Nashua, NH 03060

Downtown Improvement Committee
David Grebowski (Moving to Full Member)  
Term to Expire: December 31, 2019
172 Main Street
Nashua, NH 03060

Mary Lou Blaisdell (Reappointment)  
Term to Expire: December 31, 2020
32 Webster Street
Nashua, NH 03064

Richard Lannan (Reappointment)  
Term to Expire: December 31, 2020
7D Taggart Drive
Nashua, NH 03060

Mine Falls Park Advisory Committee
Lisa Hardy (New Appointment)  
Term to Expire: March 1, 2022
7 Burritt Street
Nashua, NH 03060

Nicholas Serpa (Reappointment)  
Term to Expire: December 31, 2019
9 Joston Place
Merrimack, NH 03054

I respectfully request that these appointments be confirmed.

Jim Donchess
Mayor