

SPECIAL BOARD OF ALDERMEN

MAY 21, 2020

7:00 p.m Meeting is being conducted remotely in accordance with Governor's Emergency Order #12 pursuant to Executive Order 2020-04

Call in Number: 1-978-990-5298 Access Code: 273974#

If anybody has a problem accessing the meeting via phone or Channel 99, please call 603-821-2049 and they will help you connect.

PRESIDENT LORI WILSHIRE CALLS ASSEMBLY TO ORDER

PRAYER OFFERED BY CITY CLERK SUSAN LOVERING

PLEDGE TO THE FLAG LED BY ALDERWOMAN ELIZABETH LU

ROLL CALL

COMMUNICATIONS

From: President Lori Wilshire
Re: Calling a Special Board of Aldermen Meeting on Thursday, May 21, 2020 at 7:00 p.m.

From: Tim Cummings, Economic Development Director
Re: Request for Special Board of Aldermen Meeting to Seek Approval to Narrow Main Street

From: Travis Tripodi
Re: Board of Public Health Recommendation (wearing masks)

From: Andy Cooper
Re: Ordinance Requiring Face Masks

From: Jeff Locke
Re: Face Masks

From: Mary Ellen Carter Gilson
Re: Please Support the mask ordinance

From: Susan Merrigan
Re: Support becoming a mask city

From: Willie Reed
Re: A Letter against mandatory mask wearing

From: Kathryn Blair
Re: I support the mandatory use of face masks

From: Kathleen Daughan, Ward 3
Re: Mandatory mask opinion

From: Gene Porter
Re: Mandatory Masking

From: Amanda Blair
Re: Support of Mask Ordinance

From: Rita Costanzi, Ward 3
Re: Masks

From: Jeff Gilson
Re: Mask Ordinance

From: Evelyn Danforth and Violet Vesey
Re: Make it mandatory to wear a face mask in public buildings

From: Laura Wuorinen
Re: Face Masks

From: Ralph Kelloway
Re: Masks

From: Beth Scaer
Re: Nashua restaurants are suffering

From: Robert Guzas
Re: Masks for everyone everywhere

From: Leah Donahue
Re: Mask Order: In Favor

NEW BUSINESS - ORDINANCES

O-20-015

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman-at-Large Shoshanna Kelly
Alderman-at-Large David C. Tencza
Alderman Richard A. Dowd
Alderman Patricia Klee

**RELATIVE TO TEMPORARY ROAD CLOSURES AND ELIMINATION OF CERTAIN ON-STREET
PARKING FOR USE BY RESTAURANTS FOR OUTDOOR DINING**

O-20-018

Endorsers: Mayor Jim Donchess
Alderman-at-Large Shoshanna Kelly
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman Linda Harriott-Gathright
Alderman Jan Schmidt
Alderman Patricia Klee
Alderman June M. Caron

RELATIVE TO FACE COVERINGS

O-20-016

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman-at-Large Shoshanna Kelly
Alderman-at-Large David C. Tencza
Alderman Richard A. Dowd
Alderman Patricia Klee

RELATIVE TO TEMPORARY 15-MINUTE PARKING

O-20-017

Endorsers: Alderwoman-at-Large Shoshanna Kelly
**AUTHORIZING FREE PARKING AT METERS AND PAY STATION SPACES THROUGH
NOVEMBER 15, 2020**

ADJOURNMENT

Board of Aldermen

City of Nashua

229 Main Street

Nashua, NH 03061-2019

(603) 589-3030

Lori Wilshire

President, Board of Aldermen



May 19, 2020

Susan K. Lovering, City Clerk
City of Nashua
229 Main Street
Nashua, NH 03061-2019

Dear Ms. Lovering:

Please be advised I am hereby calling a Special Meeting of the Board of Aldermen for Thursday, May 21, 2020, at 7:00 p.m. via Webex to introduce and discuss four pieces of legislation concerning 1) temporary road closures and elimination of certain on-street parking for expanded outdoor dining; (2) temporary 15-minute parking; (3) temporary free parking at meters and pay station spaces; and (4) requiring face coverings. The proposed legislation will be forthcoming as soon as it is finalized.

Thank you.

Sincerely,

Lori Wilshire

Lori Wilshire
President

cc: Mayor Jim Donchess
Steven A. Bolton, Corporation Counsel
Tim Cummings, Economic Development Director
Sarah Marchant, Community Development Director
Lisa Fauteux, Public Works Director

REC'D CITY CLERK DEP
MAY 19 '20 PM3:46



THE CITY OF NASHUA

Economic Development

"The Gate City"

To: L. Wilshire, President
Members of the Board of Aldermen

From: T. Cummings, Economic Development Director

Cc: J. Donchess, Mayor
Date: May 17, 2020

Re: Request for Special Board of Aldermen Meeting to Seek Approval to Narrow Main Street

Context for Request

The Covid-19 pandemic is unprecedented in the challenge it has posed not only to our physical health, but also to our economic health. I have been working closely with local businesses in an attempt to help them mitigate financial and economic damage during this difficult time.

The Governor of New Hampshire is now allowing restaurants to open with severe restrictions. The only on-site dining that will be allowed for the foreseeable future, will be limited to outdoor dining. To that end, my discussions with area dining establishments has been how to implement the re-opening of their restaurants, while adhering to State Guidelines to maintain social distancing practices.

Main Street is the heart of our City both figuratively and economically. We have many fine food and drink establishments that add quality of life for our residents. After much discussion and debate, our best plan going forward would be to extend outdoor dining into the street/parking spaces, allowing for enough distance between tables (8 feet table edge to table edge) and enough tables to make these businesses viable.

Proposal

The plan would call for the temporary blocking off of parking spaces; as well, as intermittently blocking some travel lanes to facilitate this plan and allow for small businesses to begin to recover. Concrete barriers will be placed along the edge of the road for pedestrian safety. Pedestrian egress and ADA compliancy will be maintained. There will be one lane open in each direction for vehicular traffic along with turning lanes. We worked with Nashua Police, Nashua Fire, Public Works, Public Health, Community Development and the Mayor's Office to move forward with this plan.

I facilitated two meetings with over sixty (60) participants of various downtown stakeholders. The initial meeting occurred May 8th and created an opportunity for participants to give feedback on how Main Street should be narrowed while providing commentary on differing issues and observations that narrowing Main Street may bring about such as where deliveries need to occur or the amount of curbside/take out business is part of an individual's business plan. Based off of this information we developed a plan that adheres to the concerns of city staff. The plan was refined by numerous individual conversations I had between the first and second meeting. During the second meeting the draft plan was reviewed in detail and received overall positive commentary.

Before you is the plan we are seeking to implement. There may need to be adjustments as time goes on and some flexibility is going to be necessary to ensure timely recalibrations can occur, but the plan before you has been reviewed and vetted receiving positive remarks to date.

Request

I am requesting a special Board of Aldermen meeting where final passage can occur all in the same evening due to the time sensitivity of this matter. Should you or any Member of the Board of Aldermen have any questions or would like to discuss this matter in greater detail I am available at your earliest convenience.

Thank you for your kind attention to this important matter.

Graham, Donna

From: Travis Tripodi <tttripodi326@gmail.com>
Sent: Thursday, May 14, 2020 5:50 PM
To: Board of Aldermen
Subject: Board of Public Health Recommendation

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Dear Aldermen,

I am writing this as a concerned resident of Nashua. My understanding is that during yesterday's meeting on Wednesday, May 13th, 2020, the Nashua Board of Public Health decided to propose a city ordinance to the Board of Alderman to require restaurant patrons and customers in retail and grocery stores to wear face coverings as the COVID-19 pandemic persists.

I am disappointed in the conclusion that the Board of Health has come to and even more so disappointed that the representatives of the Board of Alderman that were present at the meeting endorsed the recommendation. I was not able to attend the meeting and the minutes are not yet posted to the city website, so all I have to go on is the Union Leader article written in response, but the quotes in the article were concerning to say the least.

There is simply no conclusive evidence to suggest that wearing masks in public will decrease the number of deaths that occur as a result of COVID-19. "Social" distancing and wearing masks have only ever been a method to slow the spread of the virus. The logic behind this guidance from the federal and state governments was to ensure that we have sufficient capacity in our hospitals to ensure that individuals that need care are able to get it (i.e. flattening the curve). It is increasingly evident that the population of individuals that are at risk of being hospitalized and potentially dying from this virus is incredibly small and far below the capacity of our healthcare system. We are seeing this number shrink rapidly as we increase testing for asymptomatic individuals across the nation. All evidence suggests that individuals that are not at risk have very little to fear even if they do contract the virus. Evidence also suggests that as more healthy individuals contract the virus, recover, and develop immunity, the safer the at risk population will be (i.e. herd immunity).

A remedy or a vaccination is likely 6 months away at minimum, if they are successful at all. By continuing to enact policies designed to slow the spread at this point we are simply increasing the amount of time that at risk individuals will be at risk. If the goal is to save as many lives as possible, it is arguably counterproductive. I think that there was a time that these policies were prudent, as we did not have the data on the virus we have now, but as data is gathered, policies need to adapt.

Our focus, as a community, both private and public, should be towards encouraging at risk populations to stay isolated and to dedicate the resources we have to enabling them to do so as comfortably and safely as possible until it is no longer necessary. Our focus should not be on what we can or cannot legally do to control the behavior of citizens.

It is still unclear at this time what the specifics of the proposed ordinance will be, but it is my belief that any ordinance that makes the wearing of face coverings for patrons and customers compulsory is misguided.

That being said, I fully support any private business that determines that wearing a mask is a requirement to enter their premises. We as customers or patrons have the right to determine if we would like to comply in order

to take advantage of their services or purchase their products. We also have a right to determine if the risk of shopping at a store without such requirement is too great for us or our families.

It is important to me that it is understood by those who do not know me that this is not written with lack of compassion for those who have lost loved ones during this crisis or with lack of respect for those in positions to make difficult policy decisions. I simply believe that this course of action is the most fair and beneficial to all concerned and I thought it was worth communicating to those that are currently in the position to make a difference.

I think that we have an opportunity in Nashua, as one of New Hampshire's largest cities, to lead our state in enacting common sense policies that show that we can respond to a crisis with impactful actions that are driven by data and not allow ourselves to be guided by fear. I would appreciate if the Board of Alderman would consider this when evaluating whatever the proposed ordinance from the Board of Health ends up being.

Sincerely,

Travis Tripodi
Concerned Citizen

Graham, Donna

From: Andy Cooper <andrew.john.cooper@gmail.com>
Sent: Thursday, May 14, 2020 8:10 PM
To: Board of Aldermen; Mayor's Office Email
Subject: The wrongness of wearing face masks

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Dear Aldermen

Enough is enough! Along with Mayor Jim Donchess, your ineptitude and gross mismanagement of the COVID-19 situation constitutes a grave assault on personal liberties.

What you are attempting to do by attempting to pass an ordinance requiring mask usage has no basis at all in statistical inference, no rational basis in scientific fact, and runs counter to World Health Organization recommendations regarding the usage of face masks, amongst other things. I urge you to read the actual document at [https://www.who.int/publications-detail/advice-on-the-use-of-masks-in-the-community-during-home-care-and-in-healthcare-settings-in-the-context-of-the-novel-coronavirus-\(2019-ncov\)-outbreak](https://www.who.int/publications-detail/advice-on-the-use-of-masks-in-the-community-during-home-care-and-in-healthcare-settings-in-the-context-of-the-novel-coronavirus-(2019-ncov)-outbreak) - and specifically note:

"Advice to decision makers on the use of masks for healthy people in community settings. As described above, the wide use of masks by healthy people in the community setting is not supported by current evidence and carries uncertainties and critical risks."

Also note that the document highlights the fact that there is no evidence that community transmission is impacted at all by the use of non-surgical face coverings, and the evidence for surgical face coverings is confined to healthcare settings where multiple other protocols are also in place.

Furthermore, the actual numbers regarding the spread of covid-19 and the prevalence of severe cases simply does not justify the draconian measures you are attempting to enforce.

Let's look at the facts here. As of May 13,

1. 3,299 - the number of *confirmed* cases of covid-19 - 0.24% of the NH population
2. 150 - the number of deaths from covid-19 - 0.01% of the NH population
3. 126 - the number of current hospitalizations - 0.009% of the NH population

These numbers, at any other time, would not be something that anyone would be concerned about. This is life and reality. And lest you counter with "but Massachusetts..." - the numbers there are broadly similar, with a population fatality rate of 0.07%, and a confirmed infection rate of 1.2%. And remember furthermore that the *observed* case fatality rate does not in any way correspond to the actual infection fatality rate of covid-19 which has been pegged at 0.4-0.8% by scientific studies around the world.

As of May 11:

1. 101 deaths associated with long term care settings (out of a total of 133 deaths). 76% of the deaths occurred in long term care situations. As callous as it sounds, long term care is not a place where people recover from things. When the influenza virus hits long term care facilities, it is expected that one sees spikes in mortality

rates.

2. 7 deaths of people under the age of 60. Seven. Out of 1.36 million NH residents.

You are effectively denying employment to tens of thousands of people in the state and the city of Nashua, unjustifiably affecting the lives of all residents. This must be reconsidered, and rational thought guided by statistics and science must come to the fore.

Furthermore, remember that you are all elected officials. The longer you perpetrate this injustice on the population, the more likely you will find yourself - Republic *or* Democrat - voted out of office. Rest assured that not a single one of you will get my vote.

Once again, please read the WHO guidance. Please take some time to research the facts around mask wearing. The notion of "it may do something" does not constitute sound scientific thinking, and is outweighed by the risks that attempting to enforce mask wearing in public entails.

Graham, Donna

From: Jeff Locke <jlocke07@comcast.net>
Sent: Thursday, May 14, 2020 8:28 PM
To: Graham, Donna
Cc: Jeffrey Locke
Subject: Face masks

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Please advise all of the alderman that my family and , all of who live in Nashua are totally against mandating the wearing of face masks. There is no law that requires this. If you want to make it the law, then put it on the ballot for a vote. Also, there is not 100% proof that they are successful. It needs to be an option for citizens to decide .. ITS OUR CHOICE, NOT YOURS . Thanks

Jeff Locke,CFP®
603-860-2080 cell

Graham, Donna

From: Mary Ellen Carter Gilson <maryellenc@gmail.com>
Sent: Friday, May 15, 2020 12:05 AM
To: Board of Aldermen
Subject: Please support the mask ordinance

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Hello;

I am writing to ask you to please, please support the mayor's proposed ordinance requiring masks in public areas. I work in a public-service job, and both I and my husband have health conditions that put us at very high risk of death if we contract COVID-19. We are as careful as humanly possible -- we stay home, we socially distance, we wash our hands until they're raw, and we always, always wear masks when we have to go out. We know that wearing a mask is a proven way to reduce the risk that we might spread germs to other people. We know that, the more people wear masks in public, the more we can flatten the curve and reduce the number of infections. But a lot of people refuse, citing their preference not to, or their personal freedoms. I have had people tell me that if I'm so scared if a few little germs, I should stay home and never go out. That's not an option, though -- we need groceries. We need prescriptions.

I understand that no one likes being told what to do. But I also don't think that my necessary trip to the grocery store should cost me my life. Wearing a couple of layers of cloth over your mouth and nose to protect other people isn't trampling freedom. It isn't too high a price to pay. Our neighbors' lives are worth the inconvenience -- or at least they should be. They are to me. I hope they are to you, too.

Thank you for the work you're doing. I know it isn't an easy time, for any of us.

Mary Ellen Carter-Gilson
Ward 3

Graham, Donna

From: s.e.merrigan@gmail.com
Sent: Friday, May 15, 2020 1:27 AM
To: Board of Aldermen
Subject: Support becoming a mask city

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Dear BOA:

I am writing in support of becoming a mask city and hope you will vote to make this happen. Our proximity to Massachusetts makes this vital to our safety. I have already noticed an increase in the number of cars from across the border in just the last week. The fact that Dick's Sporting Goods has opened all NH stores and no MA stores will only cause this to increase. My boyfriend lives in Hampton and the number of cars from MA on any given day is unsettling considering the virus statistics in that state. In addition, there are still plenty of people in the supermarkets who don't wear masks and don't respect the traffic flow patterns that mandating mask wearing would make the experience that much safer. There is still too much that is not known about this virus that we should be taking every precaution available.

Sincerely,
Susan Merrigan

Graham, Donna

From: Willie Reed <williebreed@gmail.com>
Sent: Friday, May 15, 2020 8:02 AM
To: Board of Aldermen
Subject: A letter against mandatory mask wearing

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Dear members of the board,

I respectfully wish it to be known that if a governing body attempts to dictate what I must wear in public I will consider it a gross violation of my rights. I and my wife, along with every other adult of sound mind and body, have every right to determine our own level of risk and what we are comfortable with as free adults. People who are concerned for their health and place that concern above other considerations should absolutely 100% be free to wear a mask and I support their right to do so. However, those of us who have deemed not wearing a mask an acceptable risk should under no circumstances be required to take precautions we deem unnecessary for our own safety.

I will draw the comparison to New Hampshire's lack of a seat belt law for adults. It is well known that wearing a seat belt GREATLY increases your chances of surviving an accident. It is also known that not wearing a seat belt poses a greater threat to others in the car with you. By choosing to not wear a seat belt, you are choosing to increase the risk of injury or death of everyone in your vehicle. And yet, we in New Hampshire trust adults to make the right decision for themselves. We understand that it is not the governments role to protect people from themselves. Again, WE UNDERSTAND THAT IT IS NOT THE GOVERNMENT'S ROLE TO PROTECT PEOPLE FROM THEMSELVES.

It may be cliché, but in case anyone has forgotten, our state motto is "Live Free or Die". That motto means something. The words were chosen carefully. Quite literally it says that it is better to die, than to be dictated how to live by an overbearing government. In the case of Covid-19, this motto clearly says that there are worse things than dying from this disease. If you vote to require people to wear masks, you are in gross violation of our state motto and our state spirit. Respectfully, the very fact that you are considering this ordinance at all tells me that you do not understand what it means to "Live Free or Die", you do not understand why people move to this great state, you do not understand what this state means to people. This state means freedom. And freedom has risks. Freedom has ALWAYS had risks. As Ben Franklin said (and I'm paraphrasing), "he who would give up freedom for security will soon find he has neither".

Public safety is NOT the number one role of a governing body. It is to ensuring people's rights are not being violated. I can ensure my own safety and decide what precautions I would like to take better than you can.

On that note, I fully support a business's right to ask that I wear a mask when I enter their establishment. A private business has every right to deny customers for any reason, and some businesses are already doing this. As a governing body, if you feel it is right, you have every right to encourage this. But you have NO right to force the hands of businesses that otherwise do not want to force people to take these precautions. Personally I am unlikely to support a business that requires me to wear a mask. And I as a free citizen should be able to voice my opinion in such a way. I would NEVER refuse the request and refuse to leave. That is immature and wrong. If a business wishes to enforce mask wearing they have every right to ask me to leave and I must comply. By the way, it is my understanding that it is ALREADY illegal to refuse to leave a store that is asking

you to do so. So businesses already have all the tools they need to enforce mask wearing themselves. There is no need for government interference.

It is important for you to understand that every law and every regulation the government passes comes with a gun pointed at its citizens. If a law is not backed by force it has no weight; it is unenforceable. If you intend to pass an ordinance requiring mask wearing, you will need to exert force and violence to give it meaning. You will need to arrest people when they don't pay the fine. You are effectively saying that people who don't want to wear a mask should be jailed. You need to understand that is the end result of any regulation. In the end, (capitalizing for emphasis because this is a long email) ANY LAW OR ORDINANCE IS NOT ABOUT WHETHER THE BEHAVIOR (in this case mask wearing) IS DESIRABLE OR WHETHER WE WISH PEOPLE WOULD DO IT. IT IS A STATEMENT THAT IF SAID BEHAVIORS SHOULD NOT BE ADHERED TO, THE GOVERNMENT IS WILLING TO RESORT TO VIOLENCE.

There is an absolutely poetic example of this in the book *Atlas Shrugged* where Henry Rearden refuses to sell the government steel. There was a law passed called the Fair Share Law, which basically stated that if the government required the use of a "strategic material" for "the public good", the business was required to sell it to the government at the government's set price. Rearden refused to sell. People kept saying "but you have to it's the law". So he said "I will not sell my steel to the government. If they wish to come here and take my steel by force, they are welcome to do so but I will not sell it", to which they replied "but that's theft!" Yes, it is. Exactly. Later on, he's called before a tribunal and continuously, the judges try to make it clear that this is in the public good, that their price is fair, they cannot understand why he won't comply. He won't comply for the very simple reason that it is not a voluntary transaction. It is theft. He brings the logic to its final conclusion in such a wondrous way, by basically saying "I will not sell my steel. If you choose to fine me for that, I will not pay it. If you choose to arrest me for that, you had better send guns because I will not come willingly. I will make you take me by force because that's what this law is: it states that I must give you my steel or you will send men to my house with guns". When the tribunal says "no one is talking about sending men with guns", he says "then why are we here"? (here is a link to the scene, it's only 4 minutes long <https://youtu.be/iHRJ4s9EtY>, for context Rearden owns the steel that is used to build the railroads which is basically the only way the economy stays afloat. The blonde woman the camera keeps panning to is the owner of the railroad company, with whom Rearden has been in business for a long time. I highly encourage watching the entire two part movie, but it is really long and somewhat difficult to follow, not a light watch. So clips on YouTube may be the way to go!)

With that in mind, I want it to be known, that should an ordinance be passed requiring me to wear a mask in public, I will not comply. Should a fine be instituted for not wearing a mask in public I will not pay it. You will need to exert physical violence to enforce your ordinance (like any law). Is that something you are willing to do? If so, you have become the textbook definition of tyrants.

Respectfully,
A concerned citizen

PS. In the spirit of constructive feedback and suggestions, it is well within the role and scope of government to enable businesses to enforce these rules themselves if they so choose. You could pass an ordinance raising fines or making it easier for businesses to remove people who refuse to comply with their own private rules. That way if a business deems this requirement necessary for their safety, they will be able to enforce it themselves, and businesses that do not want to impose such restrictions on their customers will not. This is a freedom-friendly way to achieve your goals.

Graham, Donna

From: Kathryn Blair <kblair250@gmail.com>
Sent: Friday, May 15, 2020 9:39 AM
To: Board of Aldermen
Subject: I support the mandatory use of face masks

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To the Board of Alderman,

I am an immunocompromised 61 year old citizen of Nashua. Whenever I go out (which is seldom), I wear a face mask. Whenever my family members go out they wear face masks. I understand it is not comfortable to many but I feel that the risks are too great not to. The news of children getting extremely ill is very concerning and I don't think we've seen everything this virus has to show us yet.

Please vote yes for face masks in Nashua.

Thank you,

Kathryn Blair
2 Birchwood Dr, Nashua, NH 03064

Graham, Donna

From: kdaughan <kdaughan@gmail.com>
Sent: Friday, May 15, 2020 9:50 AM
To: Board of Aldermen
Subject: Mandatory mask opinion.

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I am wholly in favor of an ordinance for mandatory mask wearing particularly in inside public buildings including apartment buildings such as the Cotton Mill.
Kathleen Daughan, ward 3.

Sent from my Verizon, Samsung Galaxy Tablet

Graham, Donna

From: gene porter <gporter77@gmail.com>
Sent: Friday, May 15, 2020 9:58 AM
To: Board of Aldermen
Cc: Klee, Patricia; Donchess, James
Subject: Mandatory Masking

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Please support the Mayor's efforts to require that all people in confined public indoor spaces wear masks.

Some few will make the specious argument that such a mandate would unduly infringe on their freedom. But so do many rules of public behavior, including such disparate topics as speed limits, building codes, traffic signals, seat belts for children and prohibitions on hunting deer with bazookas.

The mask issue is *not* like the motorcycle helmet issue. Helmets almost exclusively protect the riders, who in NH are free to take the risks. Masks primarily protect others, and their mandate is a very legitimate and important way for the government to protect the public health.

The opponents of the Mayor's mask edict seem very confident that the benefits of avoiding masks in terms of personal liberty and economic well being outweigh its costs and drawbacks. But since they seem to downplay or even ignore the drawbacks of mask avoidance it is hard to avoid feeling that their argument is more an expression of ideological imperatives than of reasoned and evidence-based

analysis. Masks are avoided in Sweden and the Covid 19 death rate there is over five times higher than in neighboring countries where masking is de rigueur.

Gene Porter

Graham, Donna

From: Amanda Blair <akathrynblair@gmail.com>
Sent: Friday, May 15, 2020 10:06 AM
To: Board of Aldermen
Subject: Support of Mask Ordinance

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Good morning,

I am a Nashua resident and would like to extend my support of the proposed ordinance to require the use of face masks. I am young and healthy but I live with my mother who is immunocompromised. I feel we all have a responsibility to protect everyone in our community. This needs to be a joint effort and I feel that the only way to get more people on board is to make the use of masks mandatory.

I also work at gateways community services where I serve as a case manager for many elderly Nashua residents. In speaking with my clients many are afraid to leave their homes or have caregivers come into their homes because the general public is not taking the proper precautions to keep them safe.

I admit that when this all started I felt very silly wearing a mask. However, as I saw more and more people using them I felt more comfortable. If everyone is wearing masks then no one has to feel silly or self-conscious.

It is my hope that this ordinance is passed in order to safeguard our community. Many of us feel powerless in facing this virus but wearing a mask is a simple act that we can all participate in.

Thank you for your time and consideration,

Amanda Blair
2 Birchwood Dr, Nashua

Graham, Donna

From: Paul & Rita Harrington <sunkingint@gmail.com>
Sent: Friday, May 15, 2020 11:31 AM
To: Board of Aldermen
Subject: Masks

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To the Board of Alderman

While I understand some citizens would like to have mandatory masks I am not in favor of this at all. I have worn one for 3 weeks when I went into any stores and I ended up getting very dizzy and did not feel well from it. Also it is a issue of freedom of choice and I am all for that I don't want to be fined or jailed because I did not wear a mask. Let it be up to the store owners weather they want masks and people can choose if they want to enter these businesses. Not the government telling me I have to wear it. Also people can stay 6 feet from others or stay home if they feel that scared.

Sincerely,
Rita Costanzi
Ward 3

Graham, Donna

From: Jeff Carter Gilson <jeffgilson@gmail.com>
Sent: Friday, May 15, 2020 11:55 AM
To: Board of Aldermen
Subject: Mask Ordinance

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As a Nashua resident (and someone with co-morbidities for COVID-19) I urge you to please keep Nashua safer and support the mandatory mask rule proposed by the Mayor. While masks aren't 100% effective, they are more effective than not having masks, and in concert with social distancing can help greatly in reducing the spread. Personal freedom ends when it comes to endangering others, so requiring masks in public spaces is not a violation of people's rights.

Thanks

Jeff Gilson
Ward 3

Graham, Donna

From: Lyn Danforth <lunicorn7@msn.com>
Sent: Friday, May 15, 2020 2:35 PM
To: Board of Aldermen

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Dear Board of Alderman,

Hello Board of Alderman!
I am a concerned citizen of Nashua, NH.

Thank you for all your hard work you have done through the life altering situation, Covid-19.

Could you please make it mandatory to wear a face mask in public buildings.
This will help prevent the spread of Covid-19. People without masks, could be not sick, but be carriers of the Covid-19.

We could place those signs on the highway that we use for storms. To let everyone coming into the state that they will need to wear a face mask in our town.

My Mom and I are concerned with all the out of state people coming up here, and going into the stores and other public places.

My Mom is going through chemo, and her and I are doing our best, as not to get sick.

Thank you for reading our concerns,

Evelyn Danforth
30 Salem St, Nashua, NH

Violet Vesey (Mom)
6 Pelham St, Nashua NH

Graham, Donna

From: Laura Wuorinen <laurajwuorinen@gmail.com>
Sent: Friday, May 15, 2020 4:29 PM
To: Board of Aldermen
Subject: Face masks

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

To the Honorable Alderman of Nashua NH,

Please consider not only the constitutional rights of patrons in Nashua, but also the conflicting evidence on the efficacy of face masks. There is a mountain of evidence indicating that not only are face masks completely ineffective against the transmission of viruses, but are also harmful as they cause the wearer to re-inhale the wastes the body is trying to rid itself of by exhaling in the first place.

They also create a false sense of security for high-risk individuals who would be better self-quarentining than walking out amongst the general public.

This is not a question for legislation but but a question for individual judgement and choice.

Respectfully,
Laura J. Wuorinen

Graham, Donna

From: Ralph Kelloway <RAFEO317@hotmail.com>
Sent: Saturday, May 16, 2020 11:30 AM
To: Board of Aldermen
Cc: Klee, Patricia
Subject: Masks

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

As a former firefighter for the City I am more than aware of all safety guidelines that need to be addressed when it comes to certain things.

This being said, despite with what the vocal minority is saying about the closing of local business and blaming the BOA for this, I happen to think the Governor is doing a damn good job compared to others around the country and it has nothing to do with political parties either and it is not the BOA, so they need to do some research maybe.

I also think that the face mask thing is just another issue that is being blown out of proportion.

I happen to wear a mask when entering a store and have no issues with it. I think if you can't breathe with one on maybe you need to stay home then.

I will continue to do so and I myself don't need to be mandated to do so.

I hope the Board does not force the issue as I feel it is up to store owners to regulate this. If a mask needs to be worn in a store per owner and people do not like it—SHOP ELSEWHERE.

I don't think it is up to our elected officials to play Nanny. The Government is involved in enough of our lives now as it is.

I am not anti VAX or MASK but feel the person should be able to choose and forcing the issue causes more issues.

Please vote down the forced mask wearing/ fine thing as it will only cause more issues that are not needed to be piled on to the people who already are stressed enough with this. The enforcement of this will only back log the PD with a tiny matter such as this.

It is simple —#1- Wear a mask. #2 – If store requires one and shopper doesn't like it, shop elsewhere. They complain about store closing yet threaten to go shop somewhere else(Another town).

I again am a mask wearer and will continue for my benefit and my family.

It might not help as the "experts" say whoever they are but I will take the chance of not spreading virus and possibly keeping that 1 droplet coming out of their mouths when complaining from entering mine.

Thanks in advance

Ralph Kelloway
11 Standford Rd
Ward 3

Sent from [Mail](#) for Windows 10

Graham, Donna

From: Beth Scaer <bscaer@gmail.com>
Sent: Saturday, May 16, 2020 11:52 AM
To: Board of Aldermen
Cc: NashuaNews@unionleader.com; Nashua Telegraph News
Subject: Nashua restaurants are suffering

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Dear Aldermen,

NH restaurants are being allowed to start serving customers at outdoor tables starting this coming Monday, May 18. Manchester has already passed an ordinance to allow restaurants to expand seating in parking areas and sidewalks in front of adjacent businesses during the shutdown. Restaurants can submit a site plan and Manchester is striving for a 24-hour turnaround time to approve plans. Meanwhile, at your most recent meeting, I heard that an ordinance for expanded outdoor restaurant seating hasn't been written and won't be available for a vote until a future meeting. How long after that until the restaurants get their plans approved? I thought one of the major goals of the board was to make a vibrant downtown. In this situation, how many restaurants will be left in the city? We have already lost Country Tavern. How many more restaurants owners are out of time and out of money and giving up?

Beth Scaer
111 E Hobart St, Nashua

Graham, Donna

From: Robert Guzas <rpguzas@aol.com>
Sent: Sunday, May 17, 2020 11:03 AM
To: Board of Aldermen
Cc: SGuzas@aol.com
Subject: Masks for evelyone everywhere (Pat Klee daily update)

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

Dear Alderman:

Pat Klee should be commended for her efforts to keep us all updated in Ward 3 on the Pandemic and what is happening daily in Nashua.

When we go too far (such as masks for all) instead of appealing to peoples common sense, you get the response she received hate mail, threats etc.

The pandemic is here and it will recede as they did in the past pandemics on its own no matter what we do or say.

I know I will offend some of you by my further comments but they need to be said so here goes.

This virus was not created by man but by God. Man may have messed around with it to make it worse but we do not know this.

Only God will take this virus away in his own time. We may have flattened the curve so our hospitals will not be overcome but I believe it will spread through the population as He sees fit.

I am not in agreement with much of what has been done so far except to provide care for the sick and comfort for the dying. That is showing mans humanity to man, and is a good thing.

Once we ALL understand the message that is being sent, " TURN FROM YOUR EVIL WAYS AND "I" WILL HEAL YOUR NATION" then this pandemic will subside.

We are "NOT" in control and anything that is passed like "MASKS FOR ALL" will only stir up the passions of evil people who are already on the edge and will do harm to others who are voluntarily wearing masks.

I appeal to you to not inflame the population further by taking any action like an ordinance. We are already on the edge right now.

Bob Guzas
44 Bell street
603-881-3882

Graham, Donna

From: Leah Donahue <missrose41007@gmail.com>
Sent: Tuesday, May 19, 2020 9:27 AM
To: Board of Aldermen
Subject: Mask Order: In Favor

CAUTION: This email came from outside of the organization. Do not click links/open attachments if source is unknown.

To Whom it May Concern,

Good morning. I'm writing in support of the recommendation to wear masks while in public.

As many of you are aware, the warm months are coming and we have been under quarantine for months now. People are starting to feel restless and the re-opening of some places allows for more areas of congregation. Caution fatigue sets in. People are tired of consistently being cautious and start to take back some normalcy, regardless of how safe or not. We border the third highest state of confirmed cases, now close to 87,000, and many of them cross into Nashua to grocery shop, get gas, avoid MA tax, etc. There is the opportunity to be proactive against obvious and pressing risk here.

People's choice to wear a mask doesn't just effect them, as you all know. If their lack of care to wear a mask exposes others prior to obvious symptoms setting in, the risk is greater and deadlier than their feelings on whether a government should tell them to caution in certain ways.

All in all, I certainly see the benefit in people wearing masks in public to proactively keep Nashua's numbers low and protect our citizens, even as the debate continues in the World Health Organization.

Thanks for reading,

Leah Donahue



ORDINANCE

RELATIVE TO TEMPORARY ROAD CLOSURES AND ELIMINATION OF CERTAIN ON-STREET PARKING FOR USE BY RESTAURANTS FOR OUTDOOR DINING

CITY OF NASHUA

In the Year Two Thousand and Twenty

WHEREAS, Governor Sununu's Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, and 2020-09 declared a state of emergency due to the Novel Coronavirus (COVID-19);

WHEREAS, Governor Sununu's Emergency Order #40 Pursuant to Executive Order 2020-04 as extended, modified and extended Emergency Order #17 (Closure of non-essential business and requiring Granite Staters to stay at home);

WHEREAS, Exhibit C to Emergency Order #40, Section A "Consumer Protection Guidelines (Phase 1)," states that "as an extension of the curbside and delivery model, restaurants are permitted to offer outdoor dining beginning on Monday May 18, 2020. Restaurants are permitted to expand outside wherever an outdoor area can be set up safely, such as parking spaces close to entrances, sidewalks, existing patios, [and] lawn areas;"

WHEREAS, the City is seeking to assist restaurants by accommodating expanded outdoor dining areas abutting and directly in line with a restaurant's property; and

WHEREAS, this legislation authorizes the closure, for a period of months, of portions of certain roads to vehicular traffic and elimination of some on-street parking and recognizing that the situation is dynamic.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua that the roads and on-street parking as depicted on the attached map which is incorporated herein, shall be modified and portions closed or spots eliminated, as shown on the map.

BE IT FURTHER RESOLVED that upon recommendation of the Director of Public Works and the Parking Manager, the Mayor may approve additional road closures and elimination of on-street parking to accommodate outdoor dining locations.

ORDINANCE

O-20-015

This legislation shall take effect immediately upon its passage and shall remain in effect until midnight November 15, 2020. All ordinances or parts of ordinances inconsistent herewith are hereby suspended while this ordinance is in effect.

The City Clerk is directed not to codify this ordinance in the Nashua Revised Ordinances but to designate it as **Covid-19 Emergency Measure No. _____** (City Clerk to assign appropriate number upon passage) and publish it and any subsequent emergency measures on the city website.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-015

PURPOSE: Relative to temporary road closures and elimination of certain on-street parking for use by restaurants for outdoor dining

ENDORSERS: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman-at-Large Shoshanna Kelly
Alderman-at-Large David C. Tencza
Alderman Richard A. Dowd
Alderman Patricia Klee

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: The barriers are estimated to cost \$80,000. Such costs are anticipated to be reimbursed by the NH GOFERR Grant. Lost parking revenue during this period is estimated to be between \$14,000 (low end based on March/April trend) and \$57,000 (high end Pre COVID-19). In addition, the reduction in parking enforcement revenue is estimated to be approximately \$9,000.

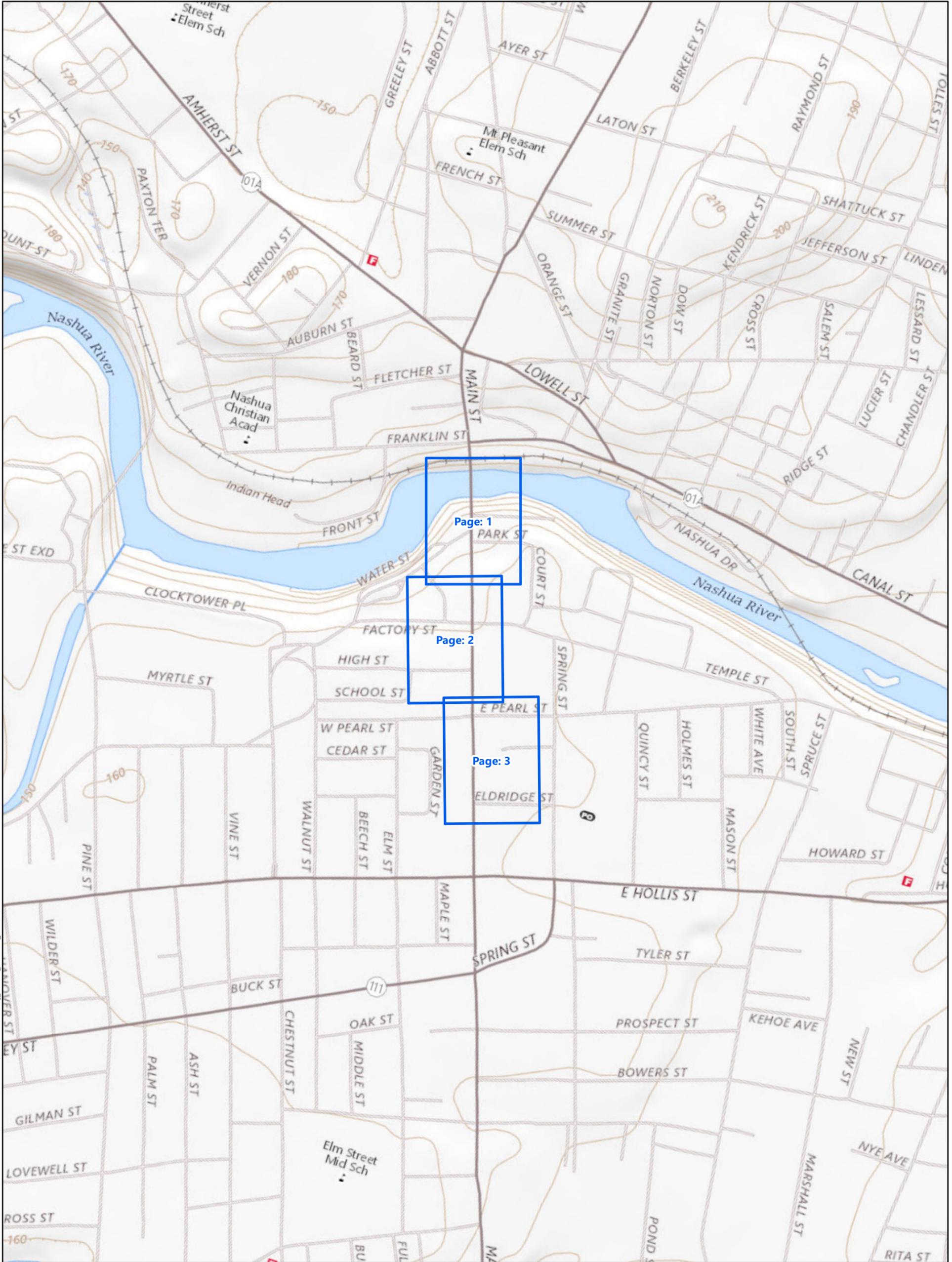
ANALYSIS

Pursuant to RSA 47:17, this legislation approves the temporary closing of certain streets and the elimination of certain on-street parking to accommodate expanded outdoor dining areas for abutting restaurants.

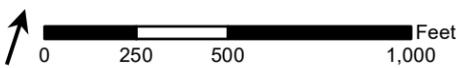
Approved as to form: Office of Corporation Counsel

By: /s/ Celia Leonard

Date: May 20, 2020



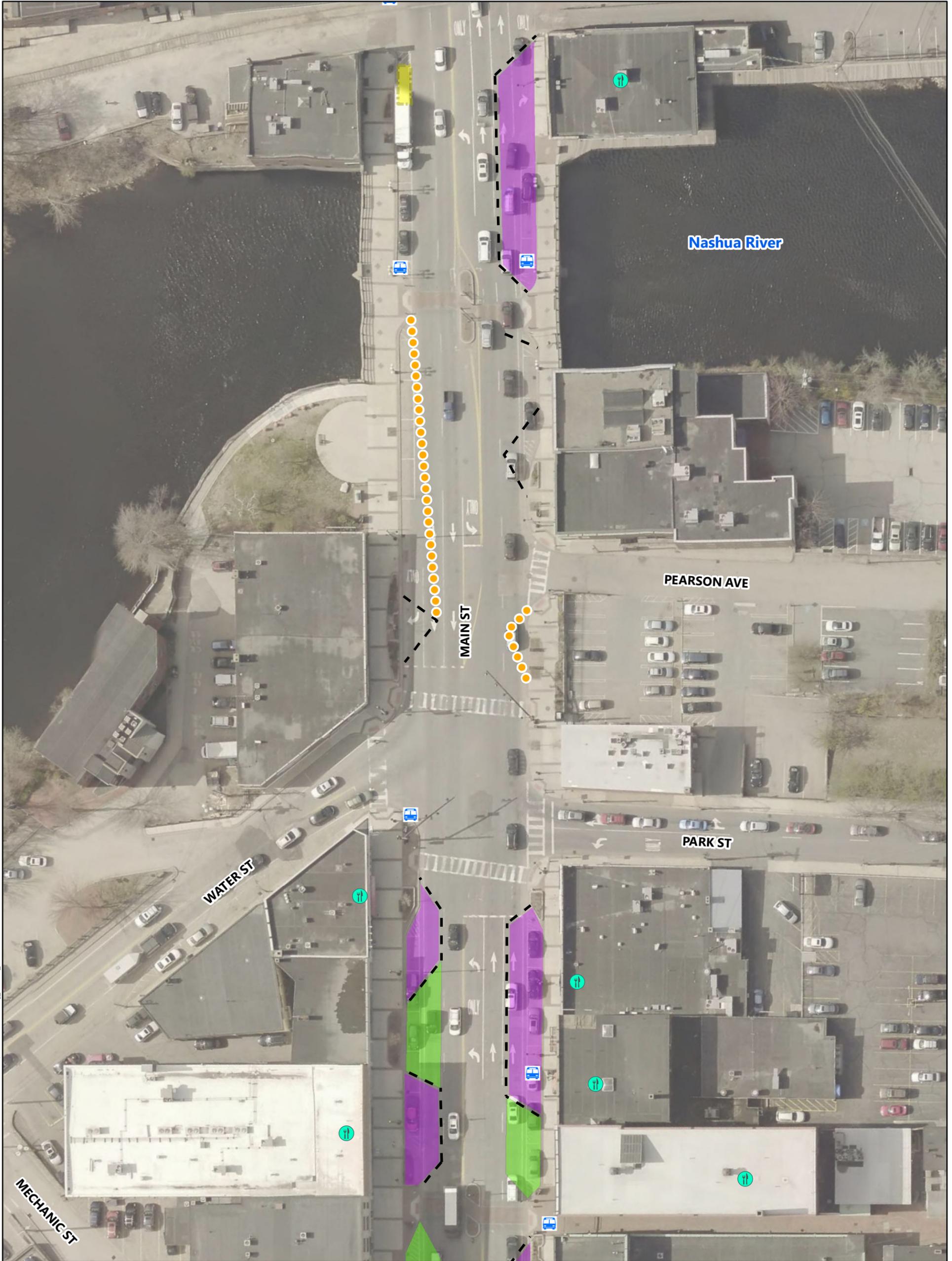
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Proposed Lane Closures
for Downtown Dining | Downtown Nashua, NH

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Downtown Dining
Accommodations
Cover Page



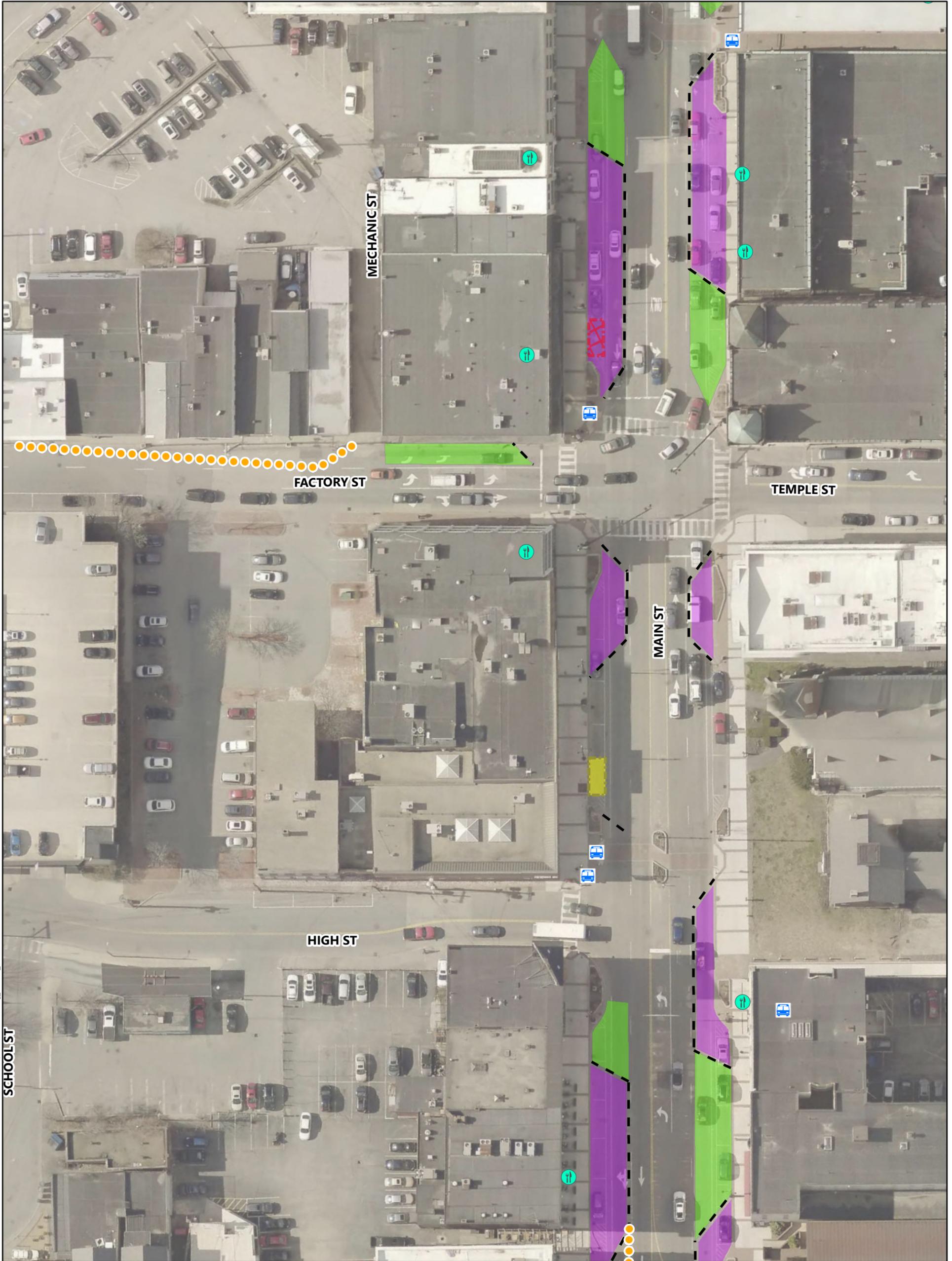
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- Restaurant
- Concrete Barrier
- Traffic Drum/Barrel Barrier
- 15 Minute Curbside Pickup /Delivery Parking Areas
- Restaurant Seating Area
- Current NTS Stops
- Existing Handicap Parking
- Proposed Handicap Parking
- Relocated Handicap Parking

Proposed Lane Closures
for Downtown Dining | Downtown Nashua, NH

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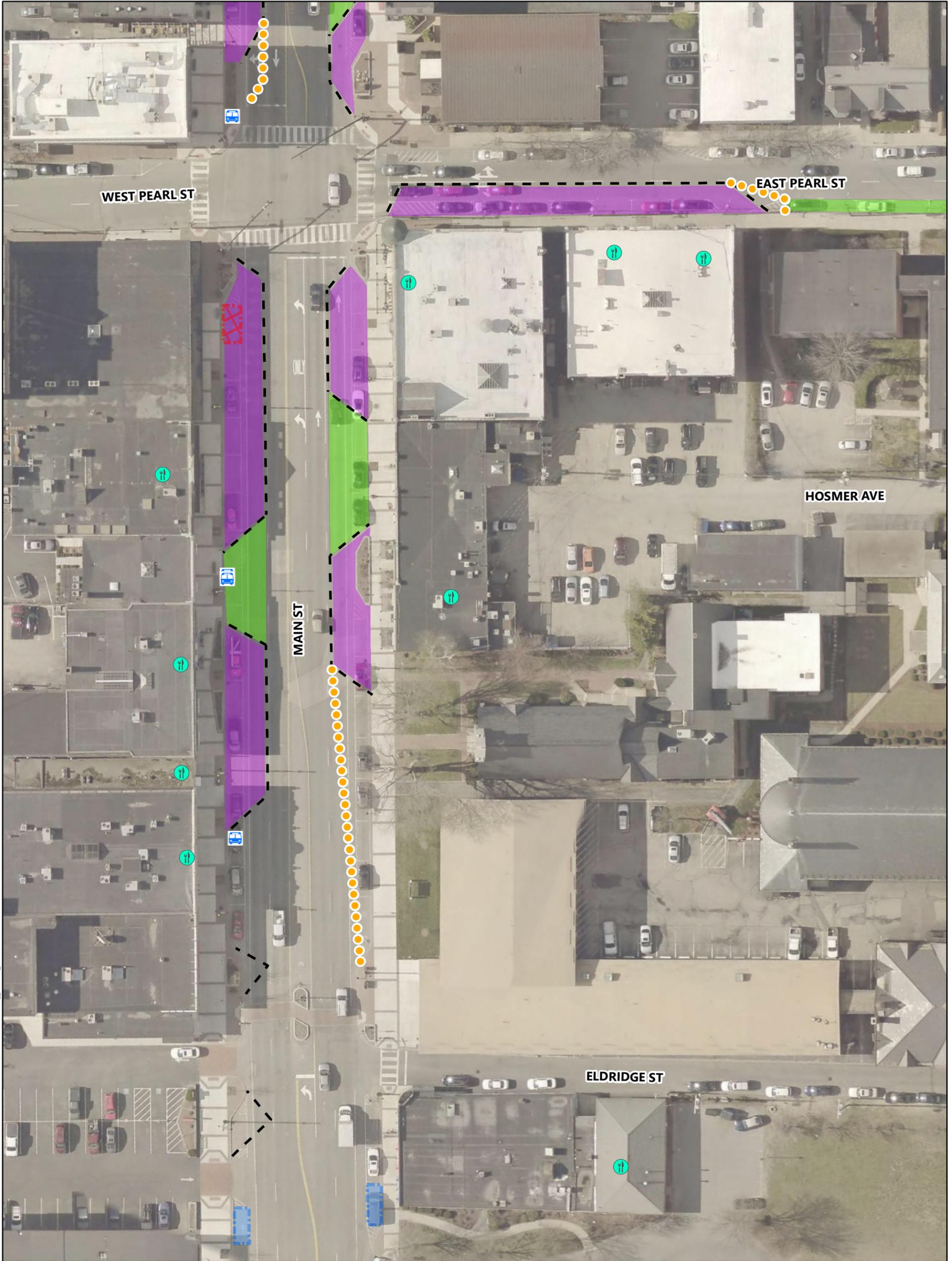
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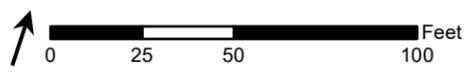
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Proposed Lane Closures for Downtown Dining | Downtown Nashua, NH

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-  Restaurant
-  Current NTS Stops
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-  Proposed Handicap Parking
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-  Relocated Handicap Parking
-  Restaurant Seating Area

Proposed Lane Closures for Downtown Dining | Downtown Nashua, NH

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ORDINANCE

RELATIVE TO FACE COVERINGS

CITY OF NASHUA

In the Year Two Thousand and Twenty

The City of Nashua ordains that the following regulation adopted by the Nashua Board of Health is hereby approved.

Infectious diseases are caused by germs, such as viruses, bacteria, and parasites. Some diseases have the ability to be spread from person to person very easily through respiratory droplets. Public Health Officials have determined that it is possible for an infected individual to transmit certain diseases without exhibiting any symptoms. The best means of slowing the spread of a virus is through minimizing close personal contact with individuals in a public environment, social distancing, covering your mouth and nose by wearing a face covering, and proper handwashing. For optimal protection, the following key factors should be considered while wearing a face covering. The safe use of face coverings requires the wearer to maintain proper hand hygiene by frequently handwashing with soap and water or hand sanitizer for at least 20 seconds. The wearer should prevent the spread of disease by not touching their face, nose, or eyes with unwashed hands and not touching the outside of the face covering at all times. Lastly, social distancing by keeping a distance of at least six feet between yourself and others also protects the spread of our respiratory droplets.

The Nashua Board of Health adopts and urges the Nashua Board of Aldermen approve this Emergency Public Health Order as follows:

1. Employees of all businesses shall wear a face covering over their mouth and nose when interacting with the public and whenever they are within six feet of a co-worker or a customer.
2. Members of the public entering any business, including without limitation any outdoor area where business of any sort is conducted, work site, or government building must wear a face covering, such as a fabric mask, scarf, or bandana over their nose and mouth.

3. Members of the public entering a restaurant for the purpose of picking up food for take-out or any other purpose must wear a face covering over their mouth and nose. Members of the public dining outdoors at a restaurant may remove face covering while seated at their table.
4. Residents, visitors, and members of the public entering or present at a residential or commercial building complex of greater than two (2) units must wear a face covering over their nose and mouth while in common areas and communal spaces.
5. As used herein “face covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose, mouth, and surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household material.
6. Notwithstanding the above this order does not require children under 10 years of age to wear face covering (parents should make their own judgment). Face covering is not recommended for children less than 2 years of age.
7. A face covering is also not required to be worn by any person if said person can show a medical professional has advised that wearing a face covering may pose a risk to said person for health related reasons.

This order shall be effective immediately and shall continue in effect until rescinded by action of the Board of Health or the Board of Aldermen.

The City Clerk is directed not to codify this ordinance in the Nashua Revised Ordinances but to designate it as **Covid-19 Emergency Measure No. _____** (City Clerk to assign appropriate number upon passage) and publish it and any subsequent emergency measures on the city website.

LEGISLATIVE YEAR 2020

ORDINANCE:

O-20-018

PURPOSE:

Relative to face coverings

ENDORSERS:

**Mayor Jim Donchess
Alderman-at-Large Shoshanna Kelly
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman Linda Harriott-Gathright
Alderman Jan Schmidt
Alderman Patricia Klee
Alderman June M. Caron**

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE:

None.

ANALYSIS

This legislation approves the regulation adopted by the Board of Health requiring the wearing of face coverings by persons at various places.

Approved as to form:

Office of Corporation Counsel

By: /s/ Steven A. Bolton

Date: May 15, 2020



ORDINANCE

RELATIVE TO TEMPORARY 15-MINUTE PARKING

CITY OF NASHUA

In the Year Two Thousand and Twenty

WHEREAS, Governor Sununu's Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, and 2020-09 declared a state of emergency due to the Novel Coronavirus (COVID-19);

WHEREAS, Governor Sununu's Emergency Order #40 Pursuant to Executive Order 2020-04, as extended, modified and extended Emergency Order #17 (Closure of non-essential business and requiring Granite Staters to stay at home);

WHEREAS, the City is seeking to assist restaurants by creating 15-minute parking spaces to facilitate take-out orders; and

WHEREAS, this legislation authorizes such 15-minute parking spaces.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua that the on-street parking spaces depicted on the attached map, which is incorporated herein, shall be 15-minute parking from noon to 9 pm daily. 15-minute parking time limits shall not apply to designated handicap spaces.

BE IT FURTHER RESOLVED that upon recommendation of the Parking Manager, the Mayor may approve additional parking spaces as 15-minute parking from noon to 9 pm daily to facilitate take-out orders.

This legislation shall take effect immediately upon its passage and shall remain in effect until midnight November 15, 2020. All ordinances or parts of ordinances inconsistent herewith are hereby suspended while this ordinance is in effect.

The City Clerk is directed not to codify this ordinance in the Nashua Revised Ordinances but to designate it as **Covid-19 Emergency Measure No. _____** (City Clerk to assign appropriate number upon passage) and publish it and any subsequent emergency measures on the city website.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-016

PURPOSE: Relative to temporary 15-minute parking

ENDORSERS: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman-at-Large Shoshanna Kelly
Alderman-at-Large David C. Tencza
Alderman Richard A. Dowd
Alderman Patricia Klee

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: Lost parking revenue during this period is estimated to be between \$14,000 (low end based on March/April trend) and \$57,000 (high end Pre COVID-19). In addition, the reduction in parking enforcement revenue is estimated to be approximately \$9,000.

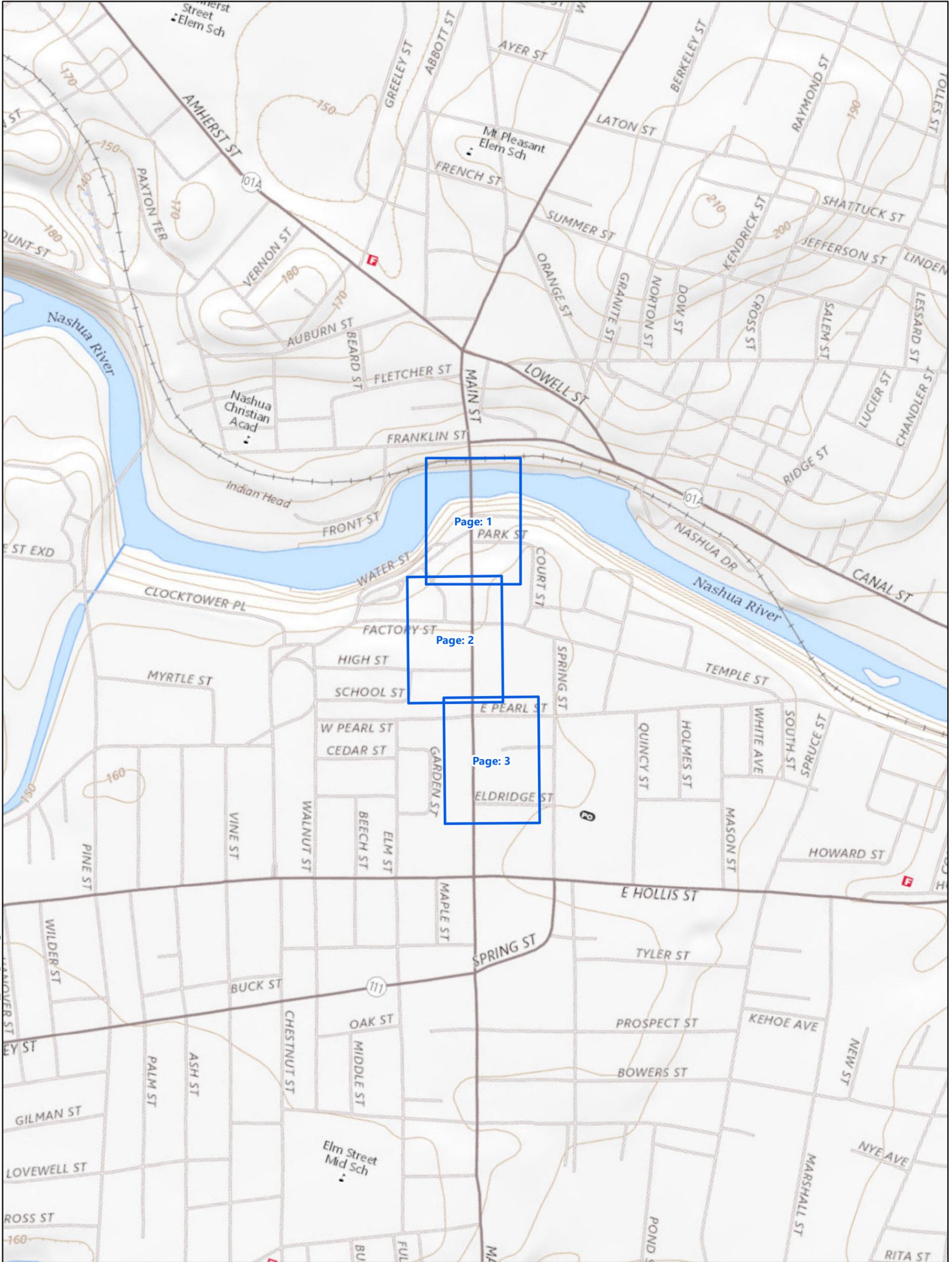
ANALYSIS

Pursuant to RSA 47:17, this legislation approves 15-minute parking from noon to 9 pm daily in certain spaces to facilitate take-out orders.

Approved as to form: Office of Corporation Counsel

By: /s/ Celia Leonard

Date: May 20, 2020



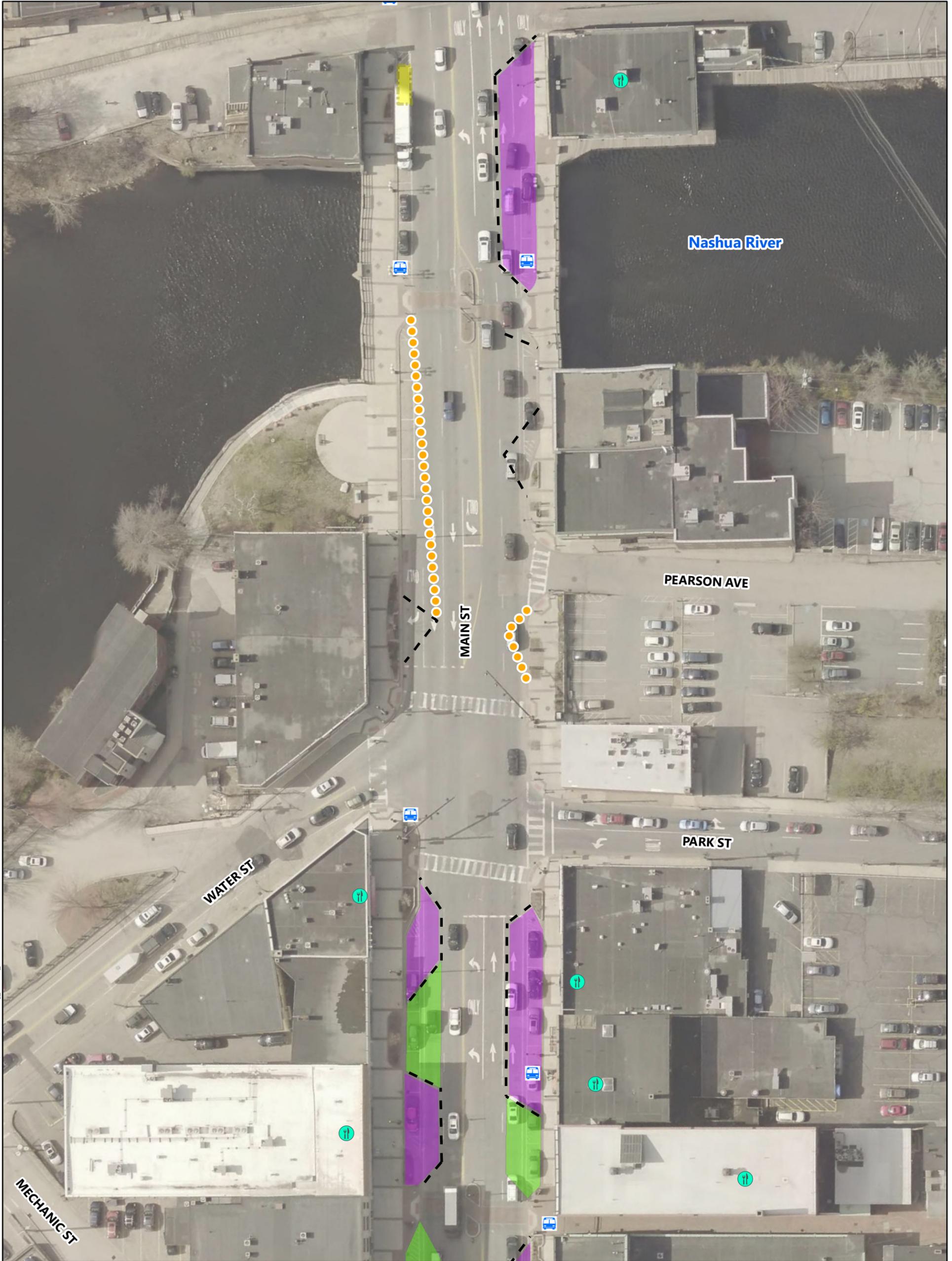
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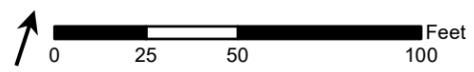
Proposed Lane Closures
for Downtown Dining | Downtown Nashua, NH

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Downtown Dining
Accommodations
Cover Page



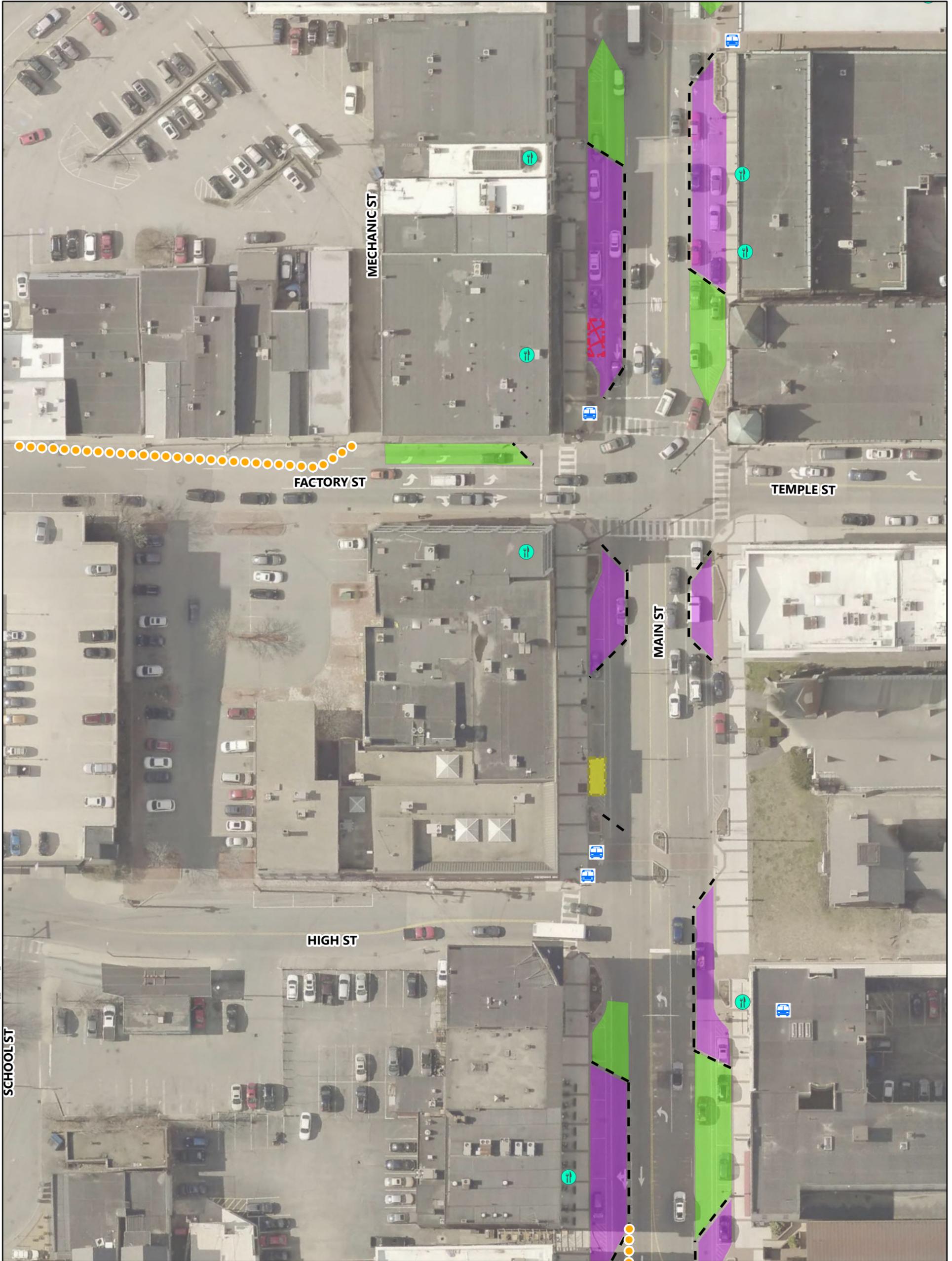
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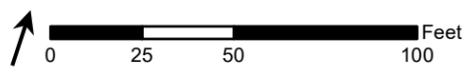
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-  Proposed Handicap Parking
-  Relocated Handicap Parking

Proposed Lane Closures
for Downtown Dining | Downtown Nashua, NH

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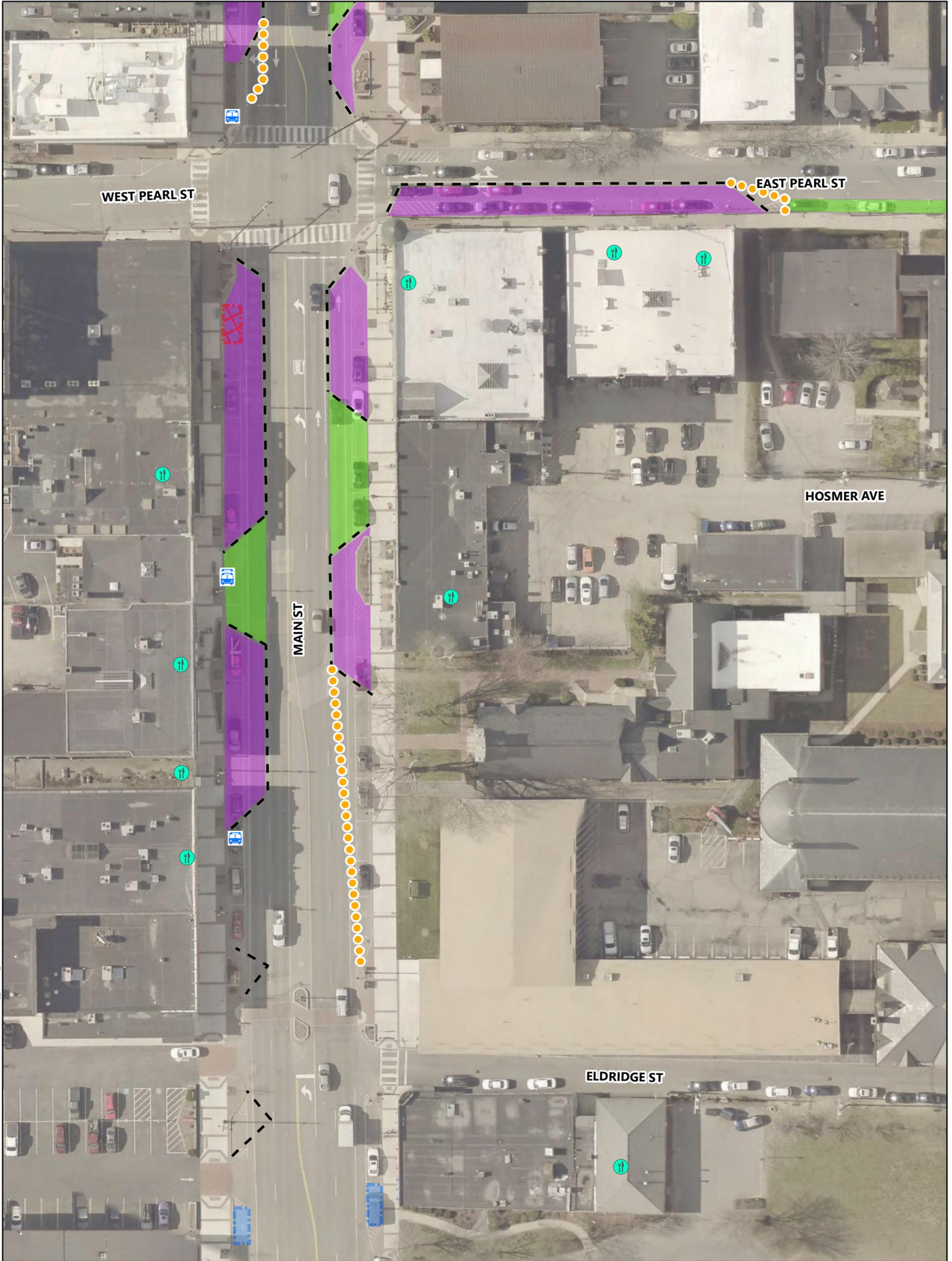
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Proposed Lane Closures for Downtown Dining | Downtown Nashua, NH

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Proposed Lane Closures for Downtown Dining | Downtown Nashua, NH

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Downtown Dining Accommodation Plans
Page 3 of 3



ORDINANCE

AUTHORIZING FREE PARKING AT METERS AND PAY STATION SPACES THROUGH NOVEMBER 15, 2020

CITY OF NASHUA

In the Year Two Thousand and Twenty

WHEREAS, Governor Sununu's Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, and 2020-09 declared a state of emergency due to the Novel Coronavirus (COVID-19);

WHEREAS, Governor Sununu's Emergency Order #40 extended and modified Emergency Order #17 (Closure of non-essential business and requiring Granite Staters to stay at home), which discusses a gradual re-opening of the State in a safe manner; and

WHEREAS, the City is seeking to assist that gradual, safe re-opening by providing free parking in certain locations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Nashua that the parking fees for all public metered parking lots, garages and metered on-street parking in Zones I, II, and III, which are normally established by NRO Section 320-47, A, shall not be enforced through November 15, 2020. Monthly parking passes are not affected. Time limits as well as other parking violations will continue to be enforced during this period.

This legislation shall take effect immediately upon its passage and shall remain in effect until midnight November 15, 2020. All ordinances or parts of ordinances inconsistent herewith are hereby suspended while this ordinance is in effect.

The City Clerk is directed not to codify this ordinance in the Nashua Revised Ordinances but to designate it as **Covid-19 Emergency Measure No. _____** (City Clerk to assign appropriate number upon passage) and publish it and any subsequent emergency measures on the city website.

LEGISLATIVE YEAR 2020

ORDINANCE: O-20-017

PURPOSE: Authorizing free parking at meters and pay station spaces through November 15, 2020

ENDORSERS: Alderwoman-at-Large Shoshanna Kelly

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: Lost parking revenue during this period is estimated to be between \$108,000 (low end based on March/April trend) and \$204,000 (high end Pre COVID-19). In addition, the reduction in parking enforcement revenue is estimated to be approximately \$32,000.

ANALYSIS

This legislation authorizes free parking at all metered and pay station parking spaces from date of passage through November 15, 2020. Monthly passes are not affected. Time limits as well as other parking violations will continue to be enforced during the free fee period.

Approved as to form: Office of Corporation Counsel

By: _____ /s/ Dorothy Clarke

Date: _____ May 20, 2020