

A regular meeting of the Board of Aldermen was held Tuesday, January 10, 2023, at 8:36 p.m. in the aldermanic chamber. President Lori Wilshire presided; City Clerk Dan Healey recorded.

Prayer was offered by City Clerk Dan Healey; Alderman Alex Comeau led in the Pledge to the Flag. Let's start the meeting by taking a roll call attendance.

The roll call was taken with 14 members of the Board of Aldermen present: Alderman O'Brien (arrived at 8:38), Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderwoman Timmons, Alderman Wilshire.

Alderman Thibeault was recorded absent.

Corporation Counsel Steve Bolton was also in attendance.

REMARKS BY THE MAYOR - None

RESPONSE TO REMARKS OF THE MAYOR - None

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Special and regular Board of Aldermen meetings of October 25, 2022 be accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Tim Cummings, Director of Economic Development
Re: Communication on potential new development project(s) for BIDA

There being no objection, President Wilshire accepted the communication, placed it on file, and referred it to the Planning and Economic Development Committee.

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING - None

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Tim Cummings, Director
Re: Communication – Approval & Place on File a Contract for Professional Services related to the Nashua Downtown Riverfront Implementation Project for HSI, Inc.

MOTION BY ALDERMAN CLEMONS TO APPROVE AND ENTER INTO A CONTRACT WITH HAYNER/SWASON, INC. (HSI) FOR PROJECT MANAGEMENT AND THE FINAL DESIGN PHASE OF THE RIVERFRONT PROJECT IN THE AMOUNT OF \$1,029,320. FUNDING WILL BE THROUGH THE TIF ACCOUNT

ON THE QUESTION

Alderman Comeau

Yes thank you, Madam President. I do support the motion. We talked about this in Finance Committee. I would just like to point out for the record, I went back and looked at a couple of items throughout the course of the last couple of years and just so everyone understands, we've spent a little north of three and a half million dollars so far on the riverfront project and haven't, as I would say, turned to shovel yet. So just so everybody has that in the back of their mind. We're spending a lot of money on consulting and engineering. But we haven't actually started moving any Earth yet. So hopefully we get around that pretty soon. But like I said, I do support this contract.

President Wilshire

Thank you. Further discussion?

MOTION CARRIED

From: Thomas J. Leonard, Chairman, Pennichuck Corporation
 Re: Special Meeting of the Sole Shareholder – January 27, 2023, Proxy Statement, and Proxy Card

MOTION BY ALDERMAN KLEE TO RECOMMEND THAT THE COMMITTEE ELECT RALPH JENKINS TO THE PENNICHUCK CORPORATION BOARD OF DIRECTORS AS A CLASS B DIRECTOR TO FILL THE VACANCY RESULTING FROM THE RESIGNATION OF JAMES DORE AND TO AUTHORIZE THE MAYOR TO TRANSMIT, BY PROXY CARD, THE VOTE OF THE SOLE SHAREHOLDERS TO THE BOARD OF DIRECTORS OF PENNICHUCK CORPORATION, BY ROLL CALL

ON THE QUESTIONAlderman Klee

Thank you. Last night we met with the Pennichuck Corporation. The reason for this filling this as it states right there is that there was a resignation. The gentleman that they're going to be put in place will, again, I think they said in May have to go through another process of that. So you're going to see his name come up again. With the resignation, they wanted to keep it there. He had very, very specialized skill sets and they are kind of (inaudible) their board of skills. Mr. Goodhue will be at the end of the year retiring. So yeah, so they're slowly kind of redoing many of their who does what and so on. He's even given up a couple of his positions and so on to this very particular position and so on. So we had a very good discussion. I think it was a good choice on their part. Again, I just want to say that you're going to say wait a minute, didn't we do this? We're going to hear about it again in May so thank you.

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

| | | |
|------|--|----|
| Yea: | Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderwoman Timmons, Alderman Wilshire | 14 |
| Nay: | | 0 |

MOTION CARRIEDPETITIONS – NoneNOMINATIONS, APPOINTMENTS AND ELECTIONS

The following appointments were read into the record:

Airport Authority

| | |
|---|----------------------------------|
| Farrell Woods (reappointment) 162 Bush Hill Road Hudson, NH 03051 | Term to Expire: January 10, 2028 |
|---|----------------------------------|

Mine Falls Park Advisory Committee

| | |
|--|----------------------------------|
| Pamela Anderson (reappointment) 9 Plainfield Lane Nashua, NH 03062 | Term to Expire: January 10, 2026 |
|--|----------------------------------|

Jeff Hannigan (reappointment)
32 Houde Street
Nashua, NH 03060

Term to Expire: January 10, 2026

Steven Kenney (new appointment)
9 Sagamore Road
Nashua, NH 03062

Term to Expire: January 10, 2026

Paula Lochhead (reappointment)
4 Westbrook Drive
Nashua, NH 03060

Term to Expire: January 10, 2026

Trisha Mullin (reappointment)
275 Broad Street
Nashua, NH 03063

Term to Expire: January 10, 2026

There being no objection, President Wilshire accepted the Appointments by the Mayor as read and referred them to the Personnel/Administrative Affairs Committee.

REPORTS OF COMMITTEE

Personnel/Administrative Affairs Committee..... 12/05/2022

There being no objection, President Wilshire declared the report of the December 5, 2022 P ersonnel/Administrative Affairs Committee be accepted and placed on file.

Finance Committee..... 12/07/2022

There being no objection, President Wilshire declared the report of the December 7, 2022 Finance Committee be accepted and placed on file.

There being no objection, President Wilshire suspended the rules to allow for the oral report of the Pennichuck Special Water Committee meeting held Monday, January 9, 2023 regarding a communication needing final approval and proposed Resolution R-22-079.

Alderman Klee

Thank you. Last night we had, again, a meeting of the Pennichuck Special Water Committee. They discussed the reason for this particular thing. We'd already given all of the approvals if I'm not mistaken and there were certain – trying to find my notes here of course - there were certain items that had kind of come forward that needed to be - it was part of the closing and legal dedeed what they call a "guaranty" and that needed to be put into it. So that's basically the portion of it that we are we are voting on here tonight.

I asked the question for the purpose of the public and I will state the question and the answer about the guaranty. Does that mean that the city is on the hook if this loan is defaulted on? The answer is no. The city is never on the hook for this. It will always be the corporation and it will be their assets that are so to speak on the line not the taxpayers or the city. So this is just as I stated before, the loan and everything has already gone through the approval process. We have already approved this. It's just the closing. In Legal, they found out that they didn't they didn't have the guaranty in there and that needed to be put in this. This is for the location, I believe, in Windham. Thank you.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Housing Trust Fund Committee

There being no objection, President Wilshire confirmed the appointment of William Dolan, 71 Spit Brook Road, Unit 109, Nashua, to the Housing Trust Fund Committee with a term to expire January 1, 2026.

Oath of Office administered by Corporation Counsel.

Ethics Review Committee

There being no objection, President Wilshire confirmed the appointment of Timothy E. Bush, 378 Main Street, Nashua, to the Ethics Review Committee with a term to expire January 1, 2026.

President Wilshire

I don't believe he's here this evening. He will be sworn in at a later date.

UNFINISHED BUSINESS – RESOLUTIONS**R-22-079**

Endorsers: Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr. Alderman-at-Large Michael B. O'Brien, Sr.

**APPROVING GUARANTY BY PENNICHUCK CORPORATION OF A LOAN TO PENNICHUCK EAST UTILITY, INC.
FROM THE DRINKING WATER AND GROUNDWATER TRUST FUND**

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-22-079ON THE QUESTIONAlderman Klee

Again in reference to the previous comments, it was specifically about the closing and legal needed for the guaranty.

MOTION CARRIED

Resolution R-22-079 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES**O-22-039**

Endorsers: Alderman Patricia Klee
Alderman-at-Large Ben Clemons Alderman Derek Thibeault
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman Alex Comeau
Alderman June M. Caron
Alderman-at-Large Lori Wilshire

**AMENDING THE TAX EXEMPTION FOR ELDERLY PERSONS BY INCREASING THE MAXIMUM ALLOWED
INDIVIDUAL AND COMBINED NET INCOME AND ASSET AMOUNTS**

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF O-22-039ON THE QUESTIONAlderman Klee

Thank you so much. We've discussed this before and this was just kind of closing the loop in the exemption that had already been given. What we did before was we increased the exemption but we didn't do all of the work of increasing the combined net income and the assets amounts and that's what this does. We went with an 8% which is basically what Social Security was given. I spoke to Mr. Griffin and so on and it was basically a federal number that he felt comfortable with. We applied it to both the assets as well as the net income.

I'm going to ask Attorney Bolton if I have this wrong to please correct me. One of the questions that had come up in the

past was why do we have single and married under the same amount? If I'm not mistaken, the answer that was given was because if we didn't and one person had passed, we would have to revert them down to the single and previous boards had agreed that it was better to keep that continuity so they didn't lose that credit. Am I accurate more or less in my description?

Steve Bolton, Corporation Counsel

More or less.

Alderman Klee

Okay. I may not be perfect on that but I agree. Other communities do have a different single and married. When I did contact some of those other communities and I asked them, you know, what have they had in the past and there have been some that have lost it. Often times they don't, they do a grandfather in. I think the way that we're doing it is the best way to

do it. That is not acknowledged in here. I'm just giving that as ancillary information. So thank you, Madam President.

MOTION CARRIED

Ordinance O-22-039 declared duly adopted.

NEW BUSINESS – RESOLUTIONS

R-23-080

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr. Alderman Patricia Klee
Alderman-at-Large Gloria Timmons

REGARDING THE CARE AND CONTROL OF SCHOOL BUILDING PROPERTIES

Given its first reading; Assigned to the COMMITTEE ON INFRASTRUCTURE, by President Wilshire

R-23-081

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr. Alderman Richard A. Dowd
Alderman-at-Large Gloria Timmons Alderman-at-Large Lori Wilshire

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A CONTRACT WITH ATA OUTDOOR MEDIA FOR TRANSIT ADVERTISING SERVICES

Given its first reading; Assigned to the FINANCE COMMITTEE, by President Wilshire

NEW BUSINESS – ORDINANCES

O-23-040

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr. Alderman Patricia Klee
Alderman-at-Large Gloria Timmons

AMENDING THE LAND USE CODE REGARDING PARKING SPACE REQUIREMENTS FOR MIDDLE AND HIGH SCHOOLS

Given its first reading; Assigned to the PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE, PLANNING BOARD, and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING at 7:00 PM ON TUESDAY, FEBRUARY 7, 2023 in the aldermanic chamber, by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT - None

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Timmons

Happy New Year.

Alderman Dowd

Yeah, I just want to say that I was at that same presentation that the EPA gave on those containment. They are very secure and will have the containment of that materials such that it won't be impacted at any time. It can withstand a number of things, including an earthquake without destruction.

Alderman Comeau

Yes thank you Madam President. So the last time we were all together I shared the sad news of the passing of Coach and Teacher Bill Munson from Nashua South. Tonight I'd just like to send my thanks to Nashua South administration, particularly Lisa Gingras, Athletic Director. They put on a celebration of life ceremony for Coach Munson. Based on my sloppy math, there were over 1,000 people there to celebrate Coach Munson. There were family, friends, former students, former athletes. It was over an hour of people sharing stories about how he touched their lives. It was very moving and I was really glad that I went. I wanted to thank the staff at South for putting that on. It was a great event. It was great for the students. I greatly appreciated that. Thank you.

Alderman Jette

Thank you Madam President. I just wanted to say that I was impressed with the presentation made about the site over by the river. I was very pleased and I found it very interesting that the developer volunteered that these homes would not be heated by natural gas but by some alternative fuel system, which I thought was very enlightening and very encouraging. I applaud

them for making – evidently, that's the way that things are going and I'm glad to see that. Thank you.

Alderman Lopez

So for Ward 4 residents who are following the Mohawk Tannery development projects, it will be one of the topics that Mayor Donchess addresses at our January 25th at 6 pm the Mayor's Town Hall at Ledge Street School. So definitely check that out. Feel free to attend. The more people are in the room, the more ideas there are, the more the Mayor has to explain his policies. So definitely a good time and a great opportunity to meet your neighbors.

Additionally speaking of neighbors, I want to thank everybody who came out and supported the Veterans - the Holidays for Veterans Programs we were doing through Operation Enduring Welcome. It went out really well that Veterans did an amazing job decorating and they had great holidays. I think it meant a lot that the community would kind of rally for them in that particular manner. Every year is stressful. Like you step forward and you're like we're gonna organize this stuff and then you get up to the last couple days and you're like, I really want this to work out. So personally, I'm grateful to everybody who helped manage that.

Then finally, I wanted to acknowledge a pretty historic announcement today was made by Fortin and Gage right around the corner here. It's nearly 100 years old. I think they're in the 94th or 95th year and their new owner will be Amber Morgan. Anybody who's been there recently over the past year or so, maybe two years, has seen her working there. Anybody who has held office for more than two years, probably worked with her on the Master Planning Committee. She chaired that for the city. She currently chairs the Animal Dog Park Advisory Committee. So Amber's very committed to Nashua. She's very involved. She was born a couple of blocks away. She's a tree street alumni. So it is encouraging to see. As the Alderman for downtown, I see stores changing hands. I see new restaurant owners taking over from old ones. Norton's becomes Caribbean Breeze, the Amsterdam - I think it was couple generations ago - becoming Kaycee McGee's. It just goes to show that our downtown is vibrant. Where some owners are ready to kind of start moving on with their life and taking on other projects, there's someone who's excited about the future of downtown enough to step forward and invest personally their time, their effort, their energies. So I just want to wish Amber Morgan and Jody Gage best of luck in their future endeavors. Thank you.

Alderman Moran

Thank you, Madam President. I would just like to extend my condolences to Alderman Thibeault and his family, especially his wife Lauren who lost her sister just a couple days ago. My thoughts and prayers and thoughts and prayers of my family are with them. Thank you.

Alderman Klee

Thank you, Madam President. I want to echo Alderman Lopez's comments about Amber Morgan. She's one of my constituents. I know how excited she's been about moving forward with this. I think it's great. Jody Gage has been incredible for the city. He's always been our go to person for so many and I know Amber will continue that process. She's an amazing lady.

I just don't mean to step on Aldermen Dowd's toes but your Ward meeting has been postponed, canceled. So I just wanted to make sure that you Ward people knew that it has been postponed.

Adding to the thank yous for the Dalainis House Christmas party and so on, my constituents who stepped up and helped with gift cards, I want to thank them. They did a phenomenal job and we were able to meet the need of those Wards. There were a lot of people that stepped up but at the last minute when I contacted my constituents and said we need help. With just one or two days, they rallied and I thought that was wonderful. As Alderman Lopez said moving forward, we'll have better plans so we're not in that crunch anymore and so on. Thank you so much.

To Alderman Thibeault and his wife Lauren, my condolences. Thank you.

Alderman O'Brien

Thank you, Madam President. I, too, would like to jump on a bandwagon and say that it was an excellent presentation. Unfortunately, I've had quite a track record over the years professionally with the Mohawk Tannery being on the Fire Department. It was odorous and I've been there many times, many different forms of fires. I think this Board's got to realize the owners walked away and left us with pretty much holding the bag here and that's not good. There's a neighborhood that we affectionately call "Little Florida" – Daytona and all that area that I can see great benefit as we continue on with this particular project. So it's not just the development itself, it's the adjacent neighborhoods and everything else and I'm quite excited. I know we're in the very early stages. That's why I didn't ask too many questions because I don't think the surface is just being scratched at this particular time. There'll be another time when we can get deeper into the project. The fact that this

seems to be something that will go against, you know, in conjunction with the EPA is good. We do have another super site. The first one and I think one of the only ones in America was down off of Gilson Road. We all can drive by that vacant piece. To do something as positive as this, I think it really behooves the city to get on board with it. Thank you.

President Wilshire

So I had a co-worker come up to me the other day and say so should I sell my house? She lives on Vilna Street which is right off Fairmont - right abuts the Mohawk property. I said no why would you sell your house? Things are getting better in this neighborhood. Right? I mean it's gonna be cleaned up. She was more concerned about the traffic. They told us tonight, the traffic's not going through that neighborhood. So that was that was encouraging. I'm going to reiterate to her tomorrow keep your house. Don't sell.

My condolences also to Derek and his family.

Committee announcements:

Alderman O'Brien

Yes, tomorrow evening at 7:15 there'll be a meeting of the Infrastructure Committee. We do have a couple Infrastructure items on the agenda. Immediately following afterwards will be a joint meeting of Infrastructure and PEDC. If you're bored, come on down.

Alderman Dowd

Just to reiterate one more time, the Ward 2 meeting with the Mayor Wednesday has been canceled due to his illness.

Alderman Comeau

Postponed.

Alderwoman Timmons

Thank you. Tomorrow the Board of Health meeting at 12:30 here upstairs, third floor.

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE JANUARY 10, 2023, MEETING OF THE BOARD OF ALDERMEN BE
ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 9:02 p.m.

Attest: Dan Healey, City Clerk