

A regular meeting of the Board of Aldermen was held Tuesday, January 25, 2022, at 7:30 p.m. in the aldermanic chamber and via Zoom teleconference which meeting link can be found on the agenda and on the City's website calendar.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderwoman-at-Large Gloria Timmons led in the Pledge to the Flag.

Let's start the meeting by taking a roll call attendance.

The roll call was taken with 15 members of the Board of Aldermen present: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire.

Mayor James W. Donchess, Corporation Counsel Steve Bolton, were also in attendance.

#### President Wilshire

I'd just like to take a second to send my condolences and I'm sure that of the Board to Donna Graham who lost her father this past week. Donna's really done a terrific job for us. She's a great person and my condolences to her and her family.

#### REMARKS BY THE MAYOR

##### Mayor Donchess

First I wanted to update you, again, on the COVID situation. Currently there are two basic measurements that are used to determine the amount of transmission within the community. First, the number of new cases that have arisen per 100,000...

##### President Wilshire

Mayor can I interject. Gentlemen in the back you need to keep your masks on or leave the chamber please. Thank you. Sorry Mayor.

##### Mayor Donchess

So the measurements 1) the number of new cases per 100,000 people over the last 14 days – for Nashua that number is 3,237. Significantly higher than we met two weeks ago. The (inaudible) cases right now is 1,092 and the positivity rate that is the number of people who test who come up with the virus. It's actually gone down a little bit since the last time we met. It's now 24.8 percent but still that is a very high number. Again, the projections seem to be bearing out. The projections from the University of Washington where a lot of expertise of the projections come from said that we would be rising in January and we'd each a peak in February. The good news is hopefully they're correct in projecting that the number of cases would rapidly decline sometime after February by spring time. I know that the Board of Health and I see members here tonight have recommended we continue the mask requirement in public places that was adopted for one month. The Board of Health has recommended for one more month. I believe that's necessary given the public health, problems, crisis that we face although there is some talk that the Omicron is not as serious. Ten people have died in Nashua since the last time we met for a total of 130 people. As of yesterday, there were 60 people in the two hospitals with COVID. Still they are very stressed in terms of their ability to meet the health needs of those with COVID and all their other patients with the typical serious health conditions – heart, cancer, strokes, and all the other things that hospitals see on a routine basis.

I wanted to turn to something else Madam President. There are two projects that I hope you will drive by and take a look at that have gotten a good start. The School Street housing 150 units on School Street between School and High has begun in earnest now. That represents about a \$40 million investment of private capital. The first time that we've had from the ground up construction of apartments in the downtown in more than a century. So that is a very significant investment. The Monahan Manor – the redevelopment of Bronstein which will transform 48 units of affordable housing into over 200. That has also begun in earnest. I just wanted to stress that on that project the Housing Authority has worked with the tenants to ensure that all tenants who wish to return to that location – they've all been placed elsewhere but if they wish to return, they will be guaranteed an apartment of equal or better size. It seems that the Housing Authority did a very good job of making sure that everybody was taken care of. So that was an important step in terms of trying to make sure that we treat the people, the tenants properly, fairly, and in a way that we would hope to be treated ourselves.

Finally, I wanted to mention a couple of ceremonies that were annual but very nice. The two Martin Luther King Day celebrations that take place annual, again, occurred this year but virtually rather than in person. The First Baptist Church for decades now has held a Martin Luther King ceremony on Saturday night of the Martin Luther King Day weekend. I have been participating for a long time. That went very well. They had a lot of music. It was really good and I just want to thank the First Baptist Church for doing that every year. OBU held their annual Martin Luther King Day celebration on Monday morning which is what they do annually. Again, they've been doing this for decades. That was virtual as well. A lot of music, some good speakers, a youth speaker or a young man from Nashua South who is the School Board Rep. He did a very good job. So I just wanted to thank them and congratulate them on again holding those very important ceremonies. With that Madam President, I will conclude.

#### RESPONSE TO REMARKS OF THE MAYOR

##### Alderman Comeau

Thank you Madam President. Mr. Mayor I just a quick question if you could clarify on the COVID numbers. You mentioned that there are 60 people in the two hospitals. Do your numbers break down how many of those people are in there because of COVID versus just with it along with something else? Also on the positivity rate and the new cases, do we know how many of those people are A symptomatic?

##### Mayor Donchess

The first question, we get this information from the hospital and I think the report to us the people who are there with a primary diagnosis of COVID. So that would be 60.

Also in terms of your second question was the number that are a symptomatic. We do not have that breakdown but typically people test when they are symptomatic. I don't have a breakdown as symptomatic versus non-symptomatic.

##### President Wilshire

I understand they're not hospitalized if they're not symptomatic. Anyone else? Seeing none.

#### RECOGNITION PERIOD – None

#### READING MINUTES OF PREVIOUS MEETINGS

**There being no objection, President Wilshire declared the minutes of the special, organizational, and regular Board of Aldermen meetings of December 28, 2021, January 9 and January 11, 2022 be accepted, placed on file, and the reading suspended.**

#### COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Donna Graham, Legislative Affairs Manager  
Re: Communications Received from the Public

***There being no objection, President Wilshire accepted the communication and placed it on file.***

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

##### President Wilshire

I will let the public know that we do expect to be acting on the mask mandate this evening. So we will allow public comment on that. What I'd like to ask is that we don't repeat everything the first person, second, third, fourth, fifth person has said. If someone gets up and ten people have spoken and you're just going to get up and repeat the same thing, I would ask that you just come to the microphone and say I agree with so and so said. I'm for it or against it. We could be here four hours taking testimony. If you don't have to be redundant, please don't.

##### Lou Juris

Good evening. Lou Juris, 56 Haines Street. The mandate should be extended for at least a month. You talked earlier about the cases in the hospitals and the very least this is going to help protect those who've done quite a great job for us

in the healthcare system here in Nashua for the past two years. This includes the hospitals, long-term care facilities, and nursing facilities. We've got staff that's – this is like a (inaudible) and they're getting sick from it and even if we can just stop one or two cases – one or two people from going into the hospital over the next month is going to give them the relief and the respite that they need to keep moving forward and hopefully not leave the healthcare field. Right now we've had ten people pass away the past week. I'm sure by tomorrow or the next day there will be a couple more from this. Again if we can stem the virus from circulating in the area whether you're inside or wherever you are inside, again, save one, or two, or just a few people from going in to relieve some of the pressure from the system, that's important and it could also help somebody from getting ill as well. Thank you for your time this evening. I'm glad this is being brought up for consideration.

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. Please end this mask mandate on January 31<sup>st</sup>. First of all, I'd like to know can you provide the legal authority the Board is relying on that permits New Hampshire cities and towns to require face coverings. Does the City of Nashua need to require or mandate face coverings because of grant money you're receiving by the federal government. Given the way these ordinance are written, they're call out as an emergency act. Can you identify the emergency you're relying on for these face covering ordinances and State law Chapter 31, Section 5, requires that cities and towns obtain permission from the courts to spend money in a city emergency and have we done that?

I take objection to the Mayor's comments. His information to Alderman Comeau was not correct. The hospitals do not break out incidental cases. They're reporting incidental and COVID admissions and they are admitted. People go to the hospital to have their gall bladder out. They get there, they get COVID tested and their positive. They're admitted. They're counted as COVID but they're there to have their gall bladder removed. Two weeks ago I checked on those numbers. There were 30 something cases in the hospital. Twelve were incidental. Massachusetts has requested that hospitals break out all incidental cases. We're not doing that in New Hampshire. The doctors who came to the Board of Health meeting last week and spoke to the Board of Health, they were surprised visitors who were given public comment and the few members of the public were there were not given public comment. That is not correct. They were not on the agenda. It was a very disingenuous meeting for those of us in the public that wanted information. Those doctors came with one data point.

I had written a letter to the Board of Health and asked them to gather data and show us the whole pictures and in come doctors with one day's data point. Southern had 46 patients. A record high on Wednesday. Sunday it was 14. They changed dramatically and we need running data. I'd like to know when the first ordinance where you came up with all the statistics that our local hospitals are reporting 60 to 80 percent of the patients are unvaccinated and ill. If you're following the data now, more of these patients going into the hospital are vaccinated. In fact, the Board of Health doctors who came - the two hospital doctors said that Director Bagley asked them if more of the patients in the hospital are unvaccinated, she said no it's 50/50. They both said that.

Alderman O'Brien

30 seconds.

Laurie Ortolano

And they both said the booster makes no difference. So I do not think we need this legislation. The Mayor said a 14 day average data he gave me, that's bad data. Get the seven day data, that's what's posted on the New Hampshire dashboard. Look at the fall. It has come down dramatically and this is yesterday. Today it's down another – I just checked it. It just clicked in and it's down another five percent. Please go another week, lift the mask, peel them off everyone and be done (inaudible) this mask forever and it's time to take it off. Thank you.

Laura Colquhoun

Laura Colquhoun at 30 Greenwood Drive. I'm requesting that the Board vote against the extended mask ordinance for the City of Nashua. The real science is now telling citizens' masks are useless however, the City of Nashua Board of Health still wants the residents to wear masks. All of the City of Nashua is doing is hurting both the residents and the small businesses within Nashua. It is unbelievable that within the City of Nashua you can go to a bar, restaurant, or a casino and not wear a mask. However, if you go to any other store you need a mask. Can anybody tell me the science that states that the virus does not enter the bars, restaurants, or casinos because I've been researching it and I cannot find anything the science of this? If the Board of Aldermen will have – get the Nashua residents have had enough and they now want to live their lives. I'm asking the Board of Aldermen not to extend the mask ordinance within the City of Nashua. Thank you.

Matthew Gouthru

Matthew Gouthru, 104 Fawn Lane. Good evening Mayor, Madam President, and Aldermen. My comments this evening are concerning the extension of city-wide mandate on your agenda this evening. If you recall, I brought up at a previous meeting my disappointment on how this mandate was passed in the first place without any public comment and I told the Board of Health meeting or with this body. Emergency powers were used to get this legislation passed with a first and second reading within minutes of each other without any public input and it's almost unheard of the comments that you did hear came from members of the Board of Health who opined about how necessary this was. One member of that body said that a child died of COVID in New Hampshire that week and boldly stated that one child was too many. Later that evening, Dr. Chan our own State's epidemiologist on WMUR stated that the rumor of the child's death here in New Hampshire due to COVID was untrue.

I think the same size that you're looking for occurs right here in Nashua in our public schools where everyone has been masked since the school year starting in August of 2021. During that time the level of public spread which never dipped below substantial according to Ms. Bagley's dashboards. With all of that masking, have we seen a decrease in cases in our public schools? No. In fact, we had to close our schools for two days because of staff and teachers were out sick with COVID-19. This was during the time in which you implemented a city-wide mask mandate. Fortunately this variant is not as deadly as the one we first experienced two years ago and people can recover from its mild symptoms. The science tells us that cloth masks do not work against the Omicron variant. The CDC Director who is from New England describes cloth masks as facial decorations and compares their effectiveness as keeping out mosquitos with a chain link fence. So why are we going out of our way to mandate that everyone wears them.

In conclusion, why are decisions made with false or misleading information and no public input? If this were a true public health emergency, why isn't Bobbie Bagley and her team handing out N95 masks to protect the public health like they do with needles and syringes to recreational drug users in this city. Stop the insanity, vote no on extending the mask mandate on this agenda this evening and trust in the...

Alderman O'Brien

30 seconds

Matthew Gouthru

...together we can get through this without any unnecessary and get through this tumultuous time without unnecessary ambiguous mandates. Thank you.

Sonia Prince

Hi. Sonia Prince, 49 Tufts Drive. This is about the spread. Over 200 new cases in our schools, there were 400 the week before, 400 the week before that, it's ridiculous. For a perspective example of the Province of New Brunswick is in a two week shutdown because of 400 new cases and they have 700,070 people. So yes we need the mask order and yes even cloth masks are better than nothing. What's better is if we don't gather indoors in groups. That would be the best thing especially if you can't open windows but really cloth masks is better than nothing. You might gain a foot but whatever. Yes the N95s are much better especially for teachers who are stuck in these classrooms are for herding 100 to 300 kids in a gym or a library at school, which my son has experienced and I've kept him home after that. So really I do hope you vote for the mask order. It's a no brainer. It's protecting our community and our health workers. Thank you.

Beth Scaer

Hi. Beth Scaer, 111 East Hobart Street. Yeah I'm talking here about the mask ordinance. I think it should be not extended because nearby towns don't have mask mandates. It's very easy for people to drive out of town and show somewhere else and because of that, our small businesses are suffering. I think it's especially cruel to force parents to put masks on their 2 year olds, 3 year olds. I think it's completely inhumane.

I wanted to thank Alderman Comeau for surveying public input on Facebook. I think there's way too little inquiry as to what the public thinks in Nashua and way too much ancillary discussion. Thanks. That's it.

Julie Smith

Thank you. Julie Smith, 19 Bangor Street. I want you to end this egregious government overreach now. I agree with everything that Laurie, Laura, Matthew, and Beth have said and I have nothing more to add. Thank you.

Allison Dyer

Hi. Allison Dyer, 9 (inaudible) Drive. I also my comment is just in regard to the mask mandate or the mask ordinance for Nashua. As I expressed to you all in my e-mails at various points, Nashua is not an island. Our hospitals are regional. They feed all the other surrounding towns and we're two years into this. We do all have an idea of how to protect ourselves and others. We are capable to make those decisions for ourselves and I would just like to see us go forward and try to quell and calm a little bit more of this city-wide divisiveness that we have going on and the mask ordinance and let's all move forward to better times. Thank you.

Justin Rosenberg

Hi, Justin Rosenberg, 30 Kessler Farm Drive. It said that insanity is doing the same thing over and over again and expecting different results and that's a perfect way to describe what the Board of Health is overcome with – insanity. This Board is completely divorced from reality. The real virus in this community and it has been for a long time is the delusion that masks and the recommendations from this deluded group can prevent you from getting an (inaudible) virus. This Board still says to this day that cloth masks provide protection which even the most fervent mask proponents says it's useless like Dr. Leana Wen likened them recently to mere facial decorations. The Board says it wants to (inaudible) information. I'm here to tell the public and the Aldermen misinformation is coming from inside the house.

Here's the life cycle of a Board of Health recommendation. They put forth a policy proposal that's passed by the Aldermen and it doesn't work at all. They blame everybody but themselves and then it's back to square one. The Board of Health is the epitome of a self-fulfilling prophecy. They justify their continued relevance with policies that don't work so we just run the same playbook over and over again as if it will magically work despite all evidence of the past few years showing the opposite. The Board of Health speaks towards those in the public by differing and often superior evidence with the level of scorn and disdain. It begs the question how the Aldermen keep listening to them. It's like an abusive relationship. Their mask manics don't work and their response is you made me mask you. The Aldermen here tonight are not totally given over to this (inaudible) show and you will vote no on the mandate extension. If you do, I will continue to not follow it in any capacity and will encourage as many people as possible to do so as well. If all of the Board is capable of doing is parroting CDC and big pharma talking points without even a shred of doubt or questioning, then what use do we have for you? The fact that the simple questions like Laurie had cannot be answered definitively at these meetings in 2022 is absurd. That is all I have to say. This mandate should be needed. The Board of Health's (inaudible) is over. We're done.

Joann St. John

Good evening. I just would like to say that I definitely would like our Board of Aldermen to vote to maintain the mask mandate here in Nashua. I don't want to repeat what others have said. I'm hoping that going forward throughout the night though it's not one repetitive insult against our Boards and science after another. Thank you very much for your time. I hope that you all vote sensibly this evening. Thank you.

Chris Parks

Chris Parks 24 Bolic Street here in Nashua. Just wanted to comment this evening and tell you a story. One of the greatest jobs ever had in the Marine Corps. was training and teaching newly commissioned second Lieutenants. I remember a time where we were doing some urban warfare training and I sat there and watched Lieutenant send one of his squads into a building and as they were coming up to the building, they all got killed – simulated – from one window. So his next thing was to send another squad at the same window. Guess what happened, they all got killed again. So his third option he's just going to send another squad. They all get killed again. The lesson with this was that he kept reinforcing failure and that's exactly what this mask mandate is and let's talk about the mask.

Since COVID started over two years ago, we've been told hey no one needs to wear a mask – and this was from Fauci back in the day – no one needs to wear a mask. You only need one if you're a healthcare worker. You only need one if you're sick. Then we need to wear two masks. Then Fauci wants us to wear three. As everyone has stated tonight, it's been proven that they don't work. The cloth masks don't do anything to stop the spread and it's a great opportunity for people like me to sit here and look at people like the Board of Health and say I told you so. Maybe we can also – well I'll leave that for another day.

I'd like to say congratulations to the returning Aldermen and Alderwomen. You've legislated yourself into insignificance. There's a (inaudible) and shop in Nashua never wearing masks. I can tell you that no one has asked me to leave and store owners really aren't complying. Congratulations to the new Aldermen. Perhaps you'll not follow the same process as your predecessors and think for yourselves and disregard the Board of Health who have now not only made the

recommendation to continue wearing masks will still work but remember about a year ago when they also recommended curfew because COVID only comes out at 9:30 at night. Hopefully you'll continue to disregard the Mayor. He is the guy who brought us question 2. We saw what a roaring success that was.

As someone who has lead over 200 marines in combat situations across multiple continents and multiple countries, got shot at multiple countries, I can tell you that I won't let fear shake my decision making. I would hope the rest of our so called leaders would understand what that title means and do the same.

Alderman O'Brien

30 seconds

Representative Linda Harriott-Gathright

Hello President Wilshire, and Mayor Donchess, and to the Board of Aldermen. I am truly appreciative of our Health Department and ...

President Wilshire

Linda we need your name and address for the record please.

Representative Linda Harriott-Gathright

I'm sorry. Linda Gathright, 28 Marion Lane, Nashua, NH. Thank you. So as I said, I appreciate the work that the Board of Health has done and as well as the Board of Aldermen. I am definitely in for the mask continuing at least another month or so until hopefully things get much better than where we are today. I do believe in the work that the Board of Health is doing to keep us abreast of what's happening here in Nashua. Thank you.

Alicia Houston

Aldermen and Mayor, I appreciate the time. Alicia Houston, 139 Westwood Drive. I would just like to echo the sentiments of Ms. Ortolano, Ms. Colquhoun, Mr. Gouthru, Ms. Scaer, Ms. Smith, Mr. Rosenberg, Mr. Parks, Ms. Dyer, and I also would like to remind everyone that New York City actually just lifted their mask mandate. So if they're able to do that, there's no reason why we can't do that in a smaller city like Nashua. Thank you.

Brady Owens

Hello, my name is Brady Owens. I'm live at 16 Danbury Road in Nashua, NH. I just wanted to also support that I am not for extending this mask mandate. I am thankful for the Board of Aldermen and President Wilshire for allowing public comment this time. It was very upsetting the last about a month ago we were here and we weren't allowed to talk. So I'm not going to take a long time but what Laurie Ortolano said, and Colquhoun, Chris Parks, and everybody else I support everything they said. I just want to remind the Board of Aldermen you know one of you all's job is to represent us. We're here talking. We're telling you we don't want this.

I was very disappointed when at the last meeting Alderman Dowd who represents me started the meeting by saying hey I've heard from a lot of businesses. I've heard from a lot of people. Nobody wants this but yet you voted for it anyway.

We've heard the Board of Health. You can't go anywhere without hearing that stuff. We're done with it. We're here telling you the people we don't want this. As many people have already said, we're not paying attention to anyway. I haven't worn a mask yet and I'm not going to and there's a lot of businesses around town that aren't willing to enforce it. I can't blame them. This needs to be over. Thank you for your time.

Don Whalen

My name is Don Whalen, 12 Lincoln Ave., Nashua. I'm against the mask mandate in Nashua. Mask mandates have always been more about showing compliance than keeping people safe. The CDCs latest embarrassing disclosure further proves it. As outline in a recent New York Times article, the CDC concedes that cloth masks do not protect against the virus, especially Omicron, as effectively as other masks. This, again, proves that the CDC is continuing to change course on mask messaging as well as other COVID related items. What's next for Nashua N95 or KN95 mask mandates? Don't laugh, this is actually happening in California. Just this week the Los Angeles Times noted "a big push for California's to switch to N95 or KN95 masks as an updated county health order" that went into effect this past Monday. Requires employers to provide not just masks for their employees but a well-fitting medical grade mask, surgical mask, or

higher level respirator such as N95 filtering face piece, respirator, or KN95. What's happening in California is real and not a TV show or movie. In other news just yesterday, the New York Supreme Court struck down the Governor's mask mandate for schools and public areas ruling that the Governor overstepped her authority. It's hard to believe that when it comes to masks, Nashua, New Hampshire, is more restrictive than the State of New York.

As everybody probably knows, the Omicron variant is extremely contagious. As early as December 20, 2021, the CDC warned that anyone with Omicron infection can spread the virus to others even if they are vaccinated or don't have symptoms which means that vaccinated Nashua citizens can not only catch the new variant but spread it too. Unless you never leave your house, you will probably either get COVID now or later. Most experts predict that COVID-19 will become an endemic disease after the pandemic phase. Once enough people have developed immunity to COVID-19 either through vaccination or infection. In other words, COVID-19 is expected to become a recurring disease like the flu. Masks have been largely political theater from the start. Back when Dr. Fauci and team promised we didn't need masks and then flip flopped and promised we did need masks. If you want to wear a mask, wear one. If you don't want to wear a mask, don't wear one. If businesses require masks for entry into their establishment, then that is their choice and people can choose to wear a mask or to go elsewhere. Masks should not be mandated. It should be an individual choice.

#### President Wilshire

It looks like the end of our public comment period. Mr. Sewell.

#### Al Sewell

Al Sewell, 5 Lincoln Avenue, Nashua. I am gratefully impressed and blessed to see that our elected officials have offered public comment at this point in time. I'm actually appalled and embarrassed and I think if you take a look at in all honesty the mistakes that we've made in the recent past of what you did not allow in recent history for public comment. I think you would take a look at that and honestly maybe perhaps admit that that's why you were elected in the first place. You're elected by the residents and citizens of Nashua to represent our interests. Clearly overwhelmingly if you look at the Facebook poll, or talked to people in the city that we live and that we all love, you would know and realize that people can make smart decisions and they typically do. If you follow the science and follow the numbers, the numbers are going downward and trending in the right direction. People can make the right decisions and my belief it's their personal decision of whether or not they want to wear a mask or not. We should not mandate it. Absolutely should not mandate it. Thank you for your time.

#### Barbara Villandry

Good evening. Barbara Villandry, 127 Peele Road. I am in favor of extending the mask mandate as people are talking about the scientific statistics and what they know from scientists but not quoting the scientist. That doesn't match anything I've heard and I have watched a lot of news and a lot of medical people talking about this. It seems to me that the masks in fact do work and an extension for another month should reduce our rates and get us into summer when we can get out without the masks. So I urge you to vote in favor of extending the mandate. Thank you.

#### Tim Sennott

Thank you. I'm sorry to drag out your time. Tim Sennott, 62 Underhill Street here in Nashua. I'd be remiss if I didn't come before you and speak to those of us you're hearing a lot of opposition tonight. You're hearing a lot of stories of people who will leave the city and do their business elsewhere. I'd just like to remind you that there are those of us whether they're here to speak or not that we'll continue to do business in the city regardless of whether or not this mandate is extended or not. I am one of those people. My family is as well. I live in this city and I care for this city. I care for the businesses here. Whether a mask mandate exists, I will continue to do my business here. I think there are many that are like me.

I'd also just like to speak to comments that I heard earlier regarding the effect on children. I care for my 7 year old son very deeply. As you know since the beginning of the school year masks have been mandated in our public schools. I've not heard one peep out of my son about wearing a mask during the day. Yes it's natural that we've had spread in the schools. They can't stay on all day. Children can't eat wearing a mask. There are other things they can't do wearing a mask. They can't drink water wearing a mask. Those are opportunities for spread but to date I have not heard my son make a peep out of it other than when I asked him if it bothers him to wear a mask. He told me Dad it's really not that big a deal. I'm going to continue wearing mine and I'm going to continue doing business here in Nashua. Thank you for your time this evening.

Tyler Ramrath

My name is Tyler Ramrath. I live at 34 Tufts Drive. A component to many government mandates is enforcement. If you vote for a continued mandate what you're saying to the citizenry is that you think it is moral for you all to dispatch armed men and women from the government who is trying to force or force a mandate to only protects those who choose not to be vaccinated or choose not to mitigate in other ways (inaudible) threatened by government agents over the wear of such a garment. I very well may defend myself for the means of lesser than or equal to that which is being used to threaten me. Thank you.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Steve Bolton, Corporation Counsel  
Re: Confidential Attorney/Client Communication

**MOTION BY ALDERMAN O'BRIEN TO AUTHORIZE MAYOR DONCHESS TO EXECUTE THE SETTLEMENT AGREEMENT FOR THE PURPOSES THEREIN CONTAINED  
MOTION CARRIED**

From: Lori Wilshire, President Board of Aldermen  
Re: Amendment to Aldermanic Committees 2022-2023

**MOTION BY ALDERMAN CLEMONS TO APPROVE THE AMENDED ALDERMANIC COMMITTEES 2022-2023**

ON THE QUESTIONPresident Wilshire

I'd like to explain what happened here. When I was putting the committee assignments together, I didn't realize that three at-large members had to be on the Finance Committee and three Ward members. I didn't set it up that way. It was my error and so I spoke with the individuals that were affected by it and all agreeably to move this forward. It was my error and I appreciate both of you who were willing to accept the changes so I appreciate it.

Alderman Cathey

Thank you Madam Chairman. I would just like to echo your sentiments that I was one of the people that was asked to step down from the Finance Committee and it was completely voluntary and I was happy to do so so that we were complying with the affected ordinances. Thank you.

Alderman Lopez

I just want to observe for the public and for any just so the new Aldermen know, we can go to all the committees and some of us do. As an Alderman you definitely have a seat at the table. The Chairs are typically very respectful of people because the committee's function is to recommend things that in most cases the Board itself will vote on. The Finance Committee is a little bit different in that it has more of a workload but you can always attend. You can always pitch in if you need to.

Alderwoman Kelly

I actually just wanted to add on to that that you can attend but as a non-committee member you can't make motions or changes. You can only make recommendations or comments.

President Wilshire

Most committees will allow a non-voting member to ask a voting member to make a motion for them and that's acceptable as well.

Alderman Klee

Thank you Madam President. As a person who attends almost every meeting, I truly find it just helps me get all those because as they say, the work happens in committee and it makes me a little bit more knowledgeable when we sit through the horseshoe but not everybody has that time.



Alderman Comeau

Thank you Madam President. I don't necessarily have a problem with the revised committee assignments. I just wanted to say the other day Alderman Jette and I attended a kick off meeting for one of our liaison committees and I was disappointed to hear that in previous years they had very little involvement from their aldermanic liaisons. Just looking at the new assignments, it seems like there are a couple of Aldermen who have very heavy workloads, including their liaison committees. I just hope that they are able to perform the work that's required of all of those committees. If it's too much of a workload that maybe we can revise some of that down the road.

President Wilshire

Yes and the reason we appoint a liaison and an alternate is if the liaison can't make that meeting, then they would reach out to the alternate and say hey I can't make tomorrow's meeting are you available. We do the best we can to represent all the committees that we are assigned to but it's not 100 percent possible to always be there. I mean a lot of us work daytime and it's not always possible but we do our best. Thank you for that.

**MOTION CARRIED**PETITIONS - NoneNOMINATIONS, APPOINTMENTS AND ELECTIONS

The following appointments by the Mayor were read into the record:

Auditorium Commission

Paul LaFlamme  
28 Lutheran Drive  
Nashua, NH 03063

Term to Expire: December 31, 2024

Cultural Connections

Shanta Bist (new appointment)  
4 Cobble Hill Road  
Nashua, NH 03062

Term to Expire: February 28, 2023

Conservation Commission

Maureen Bourque (new appointment)  
37 Jennifer Drive  
Nashua, NH 03062

Term to Expire: December 31, 2024

Jedidiah Crook  
52 King Street  
Nashua, NH 03060

Term to Expire: December 31, 2024

Sherry Dutzy  
18 Swart Terrace  
Nashua, NH 03064

Term to Expire: December 31, 2024

Gloria McCarthy  
65 Musket Drive  
Nashua, NH 03062

Term to Expire: December 31, 2024

Brandon Pierotti  
14 Lochmere Lane  
Nashua, NH 03063

Term to Expire: December 31, 2024

Conway Ice Arena Commission

Cheryl Lindner  
Nashua, NH

Term to Expire: Indefinitely

Mine Falls Park Advisory Committee

Richard Gillespie  
15 Spencer Drive  
Nashua, NH 03062

Term to Expire: December 31, 2024

Stacey Vignault  
6 New Hampshire Avenue  
Nashua, NH 03064

Term to Expire: January 31, 2024

BPW Retirement System Trustees Committee  
Business & Industrial Development Authority  
Tax Increment Financing District

John Griffin (new appt. – replacing David Fredette)  
Tyngsborough, MA

Term to Expire: Indefinitely

Alderman Lopez

I don't know who has the answer to this question, maybe the Mayor even the President. I was just curious what the Auditorium Committee is and if it's the auditorium upstairs is that one that's in charge of fixing that one light?

President Wilshire

I believe the Auditorium Commission is – well Mayor you can speak on it.

Mayor Donchess

They help to organize the Keefe Auditorium and schedule it and the like.

Alderman Lopez

Okay, well thanks for the clarification.

Mayor Donchess

It's headed by Dennis Schneider.

***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

Planning and Economic Development Committee..... 12/21/2021

There being no objection, President Wilshire declared the report of the December 21, 2021 Planning and Economic Development Committee be accepted and placed on file.

Finance Committee ..... 01/05/2022

There being no objection, President Wilshire declared the report of the January 5, 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 Budget Review Committee meeting held last night regarding Resolution R-22-001.**

Alderman Dowd

Yes last night the Budget Review Committee met and we had a discussion and questions answered on Resolution R-22-001 on a contract negotiation with the Nashua Board of Ed. Supervisors/Administrators. It was approved 5 to 2 in favor of recommending final approval.

President Wilshire

Thank you.

CONFIRMATION OF BOARD OF ALDERMEN AND MAYOR'S APPOINTMENTS - None

UNFINISHED BUSINESS – RESOLUTIONS**R-22-001**

Endorsers: Alderman Richard A. Dowd  
Alderman Patricia Klee  
Alderman-at-Large Melbourne Moran, Jr.  
Alderman Thomas Lopez  
Alderwoman-at-Large Shoshanna Kelly  
Alderwoman-at-Large Gloria Timmons  
Alderman-at-Large Lori Wilshire

**APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF EDUCATION AND THE NASHUA ASSOCIATION OF SCHOOL ADMINISTRATORS AND SUPERVISORS, AMERICAN FEDERATION OF SCHOOL ADMINISTRATORS, AFL-CIO FROM JULY 1, 2021 THROUGH JUNE 30, 2024 AND RELATED TRANSFERS**

Given its second reading;

**MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-22-001, BY ROLL CALL**ON THE QUESTIONAlderman Dowd

Yes today I sent out clarification on the questions that came up yesterday. I got the answers from Mr. Dan Donovan – the CFO of the School District. I hope that answered all the questions that were before us.

Alderman Cathey

Did we get clarification from last night's meeting on when the contract date the clock started ticking?

Alderman Dowd

I had a discussion with legal counsel today and the date of starts on the first reading. I believe 30 days will be up on February 11<sup>th</sup> if I have the date correct.

Alderman Comeau

Given that the 30 days starts on the date of the first reading, it would seem that we do have another Board of Aldermen full meeting before that deadline expires. If we were to wait until then, it gives the public an opportunity to review this as well as the Committee members last night. I know they got their questions answered but we haven't allowed the public time to review that and there may be additional questions that we don't know of yet. So it think it would be prudent given that we won't be in violation of that 30 days to wait until the next meeting for final passage.

President Wilshire

Further discussion?

Alderman Sullivan

Thank you Madam President. I was going to make a motion to definitely postpone this vote until the February 8<sup>th</sup> meeting just to get a chance. It's a big contract – give a chance to the Board. We just looked at it last night for the first time. We did get answers and since we are inside the window, I would like to make that motion to see if we could definitely postpone that vote until...

President Wilshire

Indefinite postponement means we're killing it.

Alderman Sullivan

I'm sorry – definitely postponement.

President Wilshire

You can definitely postpone it to a time certain, is that true? Thank you. Until February...

Alderman Sullivan

February 8<sup>th</sup>. I want to make sure that we're inside the window so that this doesn't expire. Thank you.

**MOTION BY ALDERMAN SULLIVAN TO DEFINITELY POSTPONE R-22-001**ON THE QUESTIONAlderman Dowd

Again, just to reiterate that we're not in a position where we can renegotiate the contract. It's either a vote up or a vote down based on the cost of the contract. So I'm not sure what questions could be answered by the public that would affect this.

President Wilshire

So this is only debatable to the time of the consideration.

Alderman Comeau

Thank you Madam President. Just to agree with Alderman Sullivan, I think that we might not know what questions we want to ask yet because a lot of people haven't had time to review it. Again, some people saw this for the first time last night. I think that the definite postponement to the February 8<sup>th</sup> meeting is prudent and will give us time to make sure that it's properly reviewed and vetted before we vote to pass it.

President Wilshire

Anyone else?

Alderman Clemons

Madam President, roll call.

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

Yea: Alderman Sullivan, Alderman Jette, Alderman Comeau,  
Alderman Gouveia, Alderman Cathey

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Nay: Alderman O'Brien, Alderman Klee, Alderman Moran,  
Alderman Lopez, Alderman Clemons, Alderwoman Kelly,  
Alderman Dowd, Alderman Thibeault, Alderwoman Timmons,

Alderman Wilshire

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**MOTION FAILED**

**MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-22-001**

**MOTION CARRIED**

UNFINISHED BUSINESS – ORDINANCES - None

NEW BUSINESS – RESOLUTIONS

**R-22-004**

- Endorsers: Mayor Jim Donchess
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Patricia Klee
- Alderman-at-Large Melbourne Moran, Jr.
- Alderman Thomas Lopez
- Alderwoman-at-Large Shoshanna Kelly
- Alderman Alex Comeau
- Alderman Richard A. Dowd
- Alderman Tyler Gouveia
- Alderman John Cathey
- Alderman Derek Thibeault
- Alderwoman-at-Large Gloria Timmons
- Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE OF \$40,000 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF SAFETY "STATE HOMELAND SECURITY GRANT PROGRAM" INTO POLICE GRANT ACTIVITY "2021 BOMB DETECTION TECHNOLOGY EQUIPMENT"**

Given its first reading; Assigned to the HUMAN AFFAIRS COMMITTEE by President Wilshire

**R-22-005**

- Endorsers: Mayor Jim Donchess
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Patricia Klee
- Alderman-at-Large Melbourne Moran, Jr.
- Alderman Thomas Lopez
- Alderwoman-at-Large Shoshanna Kelly
- Alderman Richard A. Dowd
- Alderman Derek Thibeault
- Alderwoman-at-Large Gloria Timmons
- Alderman-at-Large Lori Wilshire

**AUTHORIZING THE FILING OF APPLICATIONS AND EXECUTION OF GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF TRANSPORTATION FOR GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, FOR FISCAL YEARS 2023 AND 2024**

Given its first reading; Assigned to the HUMAN AFFAIRS COMMITTEE by President Wilshire

**R-22-006**

- Endorsers: Mayor Jim Donchess
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Patricia Klee
- Alderman-at-Large Melbourne Moran, Jr.
- Alderman Thomas Lopez
- Alderwoman-at-Large Shoshanna Kelly
- Alderman Richard A. Dowd
- Alderman Tyler Gouveia
- Alderman Derek Thibeault
- Alderwoman-at-Large Gloria Timmons
- Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE OF AN ADDITIONAL \$377,873.50 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO TRANSIT GRANT ACTIVITY “FEDERAL TRANSIT AUTHORITY (“FTA”) OPERATING GRANT”**

Given its first reading; Assigned to the HUMAN AFFAIRS COMMITTEE by President Wilshire

**R-22-007**

- Endorsers: Mayor Jim Donchess
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Patricia Klee
- Alderman-at-Large Melbourne Moran, Jr.
- Alderman Thomas Lopez
- Alderwoman-at-Large Shoshanna Kelly
- Alderman Alex Comeau
- Alderman Richard A. Dowd
- Alderman Tyler Gouveia
- Alderman Derek Thibeault
- Alderwoman-at-Large Gloria Timmons
- Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE OF \$98,250 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO POLICE GRANT ACTIVITY “FY2022 COVID-19 VACCINATION AID GRANT”**

Given its first reading; Assigned to the HUMAN AFFAIRS COMMITTEE by President Wilshire

NEW BUSINESS – ORDINANCES

**O-22-003**

- Endorsers: Alderman-at-Large Melbourne Moran, Jr.
- Alderman Patricia Klee
- Alderman Thomas Lopez
- Alderman-at-Large Gloria Timmons
- Alderman-at-Large Lori Wilshire

**RELATIVE TO REQUIRING FACE COVERINGS THROUGH FEBRUARY 28, 2022**

Given its first reading

**MOTION BY ALDERMAN O'BRIEN TO SUSPEND THE RULES FOR A SECOND READING OF O-22-003**

ON THE QUESTION

Alderman Lopez

How does this work with sponsorships?

President Wilshire

Oh, you can sponsor. Do you want to be added as a sponsor? I'll take co-sponsors before that.

Alderman Lopez

I was just always confused.

**MOTION CARRIED**

**O-22-003**

- Endorsers: Alderman-at-Large Melbourne Moran, Jr.
- Alderman Patricia Klee
- Alderman Thomas Lopez
- Alderman-at-Large Gloria Timmons
- Alderman-at-Large Lori Wilshire

**RELATIVE TO REQUIRING FACE COVERINGS THROUGH FEBRUARY 28, 2022**

Given its second reading

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF O-22-003**ON THE QUESTIONAlderman Clemons

Roll call please.

Alderman Moran

Thank you Madam President. I was fortunate enough to join the Public Health meeting as an alternate because Alderwoman Timmons could not attend. We heard some data from the doctors at the local hospitals and the medical staff. This seems like a very pragmatic ordinance to temporarily extend this for thirty days. I will have to acknowledge everyone that spoke on both sides, I think it is very important that the public have public input whether you agree with something we do or not. I think public dissent is American and we should be doing that as much as we can. We may not always agree, but we need to listen to each other.

Masks and COVID for me is very personal. I lost my father to COVID. He was 52 years old. So I take any precautions as you can as serious as possible. With that being said, I also understand that the medical community is not always right and I am part of the medical community. I'm a healthcare worker. Sometimes we have a tendency to have a white coat mentality and we tell you what is right and we don't take into your opinion. Fortunately science is pretty black and white. Yes the efficiency of cloth masks is not as effective as N95 but we're trying to do something to relieve the burden of our healthcare workers in the hospitals.

I can say that it seems like that the endemic is in sight and that we all want to get back to living as normally as possible without masks. I believe that and I hope this is the first and only vote that I would make to extend this mandate given the data that I've been seeing and that I can read and understand myself without having the Board of Health explain it to me. We are going to have a sharp decrease very soon but I do think the current decreases that we are seeing are in part due to these masks that we're wearing today. That's all I have. Thank you.

Alderman Lopez

I've been volunteering with the United Way to help the hospital workers that need to be tested in COVID because they're spread very thin. They're already being supplemented by FEMA doctors. They're already being supplemented by National Guards people. They're struggling too. I empathize with the healthcare workers that have to make decisions about what risk to put their families in while continuing to practice their careers and work in their practice. I hear and see many healthcare practitioners considering different areas of work opportunities to be educators, opportunities to work in healthcare fields that are a little bit more voluntary, particularly hospital workers that are being pushed very hard. As difficult as COVID-19 has been on all of us, it has been very difficult for hospital workers who didn't get a summer off, didn't get that return to the way things were we all enjoyed when our community transmission was low. They've been working throughout the whole year wearing mask their whole shift – sometimes 24/7 depending on what roles there are.

I know multiple residential care facilities have created an isolation model where staff have been recruited to stay on site for two weeks or one week at a time to minimize the number of people coming in and out of those sites. That comes with it some financial opportunity but also some serious personal sacrifice. I think the medical community has been doing as much as it possibly could to offset the impact of the COVID-19 epidemic. I think as politicians, we probably could have done more many, many opportunities and many, many times if we'd known, if we had better perfect information, better insight. What we do have, we use.

Scientific data is helpful in predicting outcomes and theoretical models. We rely on those for everything from testing the weather to organizing mass transportation. Those models say or have said that we were going to see the surge that we saw in January due to holiday in home interactions and we did. The onset of Omicron did start to coincide with that but there was a prediction that it could get much worse, much faster if we didn't intervene so we did. We did implement the mask mandate.

In the original legislation for the mask mandate that we're discussing tonight, the Board of Health did reserve the right to revisit it in February because the models show that there was likely the possibility that this surge wouldn't be low enough that it couldn't just return. So as usual, we have the choice between us to stop or keep going. Do we stop what's working and potentially let a resurgence happen, let our hospitals face even more overwhelming, oversubscribing I think that was used in the Board of Health meeting, or do we just assume that everything will go away like a miracle. I don't see miracles. I think we need to do everything we can to protect the people that we love. I think we need to do everything we

can to protect people we don't know. If that means wearing a mask, I think many people will chose to do that because of the leadership that the city shows. There will always be people who will not follow laws. We don't make laws for people who are going to break them unless we're specifically trying to target them with penalties. Most laws are designed for people who are going to follow them out of a sense of responsibility to their city and a sense of responsibility to their community. So while we did hear from some people tonight who are unwilling to follow rules unless they agree with them, we also heard from a lot of citizens who are willing to do what is necessary to help other people and who will abide with uncomfortable situations if necessary.

Alderman Jette

Madam President would it be in order – I noticed that the Chairman of the Board of Health is here. Would it be in order to allow him to explain to us why the Board of Health is recommending that we extend the mask mandate?

President Wilshire

Dr. Storage are you willing to give a few minutes since you are here?

Dr. Anthony Storage

Good evening. Thank you for allowing us to be here. One of the things running it across and I think is important is the fact that this is something unique that has never happened to us at this magnitude. Yes this managed to kill a lot of different people but times were different, techniques, education was minimum. We're writing this book as we're going. I apologize if there's a lot of confusion because there's a lot of confusion for us too as well as we listen to information coming down. I apologize. There's probably been a lot of politics involved in it as well but we and science don't like that at all.

I can tell you that the masks do work. I've worn one for 40 years – 10 to 12 hours a day. I've never had a patient say hey doc take it off it doesn't work. It does work. Yes the Omicron and the Delta particles are small and can get through but one of the things that all of us wearing the mask help protect is it knocks down most of them and that helps us.

I'll also bring your attention, without naming names, the last time we were here one of the Board of Aldermen came down with COVID. I think that that was the only person, and you can correct me if I'm wrong, but I believe truly it was because we were all wearing masks. Yes how did we get, how did he get it, I don't know. I don't go home with him. I don't watch him. He's not on surveillance. We know that this last variant – and there's other variants out there – but luckily it looks like they're dying out. This last variant had the bad news extremely infectious. The good news, not as (inaudible) as Delta. The vaccines that we gave out who I've know many people who have been vaccinated who have gotten Omicron. So that happens. I know one person in particular personally who's gotten COVID three times. I personally think he should be a study model for the case. While that's true but each one of those cases was verified by a nucleic acid test which is very, very sensitive to what is going on.

So we know it's there. We predicted the surge. We were getting tired. We got a little bit lax. We went out and partied at Christmas and Thanksgiving and we told you there would be a surge and even a spike on top of the surge. They were thinking that by mid-January based on the models from the University of Washington, also from John Hopkins, thought that this would kind of crest in our area by the second weekend of January. Now they're predicting it's more like the first weekend in February. Yes if you go on the CBC website and you look at the graph, you'll see we're coming down. When you look at those graphs, you have to remember it's also like looking at a stock graph. Is it going down? Should I buy? Oops is it going back up or is it flattening out? We don't know. We just don't know. We're hoping it's going in the right direction. The bad news is it's not going in the right direction fast enough that we feel comfortable saying take the masks off, we can go ahead, there will still be some spread but it will be reasonable.

One of the things we feel the masks have done significantly is help the hospitals and we know that that's a problem. We have National Guards in our hospitals here in Nashua filling in for people. It's been a tough road as Mr. Lopez has talked about. Yes there's financial gain but there's a huge personal price you have to pay when you work those hours under that kind of stress, etc., etc.

I'm not a pediatrician so I can't answer any of your questions regarding the schools. The school mandates for masks come from the School Department. I have some of the staff here who'd be more than happy to share the data if you're data driven. If you're tired and you don't want to hear it, that's okay too. I understand. I look at the data every day. Like I've said last time, studying for infectious disease for the last two years just to try to keep up and watch the changes. One week we hear one thing. The next week we hear something totally different or a variation on that. That's the book being



written and the sound you hear is the person erasing what was just said the last week before. Again, it's changing. Any questions you might have? Thank you for consideration. Again if you want to hear from the staff, please.

Alderman Klee

Thank you Madam Chair and this question may be for Corporation Counsel. I've gotten a lot of phone calls relative to the previous mandate and this is basically just an extension of it. Defining businesses and so on and did that also include churches and private schools within the city limits obviously?

Steve Bolton, Corporation Counsel

We in the Legal Department have discussed this and we believe it would not include churches or would include private schools.

Alderman Klee

Thank you.

Alderman Comeau

Thank you Madam President. In preparation for the meeting tonight, I have been doing a lot of thought to the term "representative government" and how to interpret that. I know it's not feasible or practical to entertain the idea of sending every ordinance and resolution to the public for a vote every time that we discuss something so they depend on us to do that for them. There's basically two ways that I've come up with that you can look at that. The first is that they ask somebody to go and make their decisions for them and the second possible interpretation is that they ask somebody to go deliver their voice. So which one are we? I think that it's probably both. The right answer to most things is it's in the middle. It's both. It depends on the situation. If there's a topic that we're debating that we feel that the public is 50/50 on, I think they expect us because they voted for us to vote our conscious, our ideals, and our values.

However if there's a topic that's overwhelmingly lopsided, I think that we're doing a disservice to the public when we ignore their very loud voice. So I've done a little bit of looking at some of these numbers and I know that we all get the same e-mails. So we've all been reading them over the last week or two. Over 90 percent of the e-mail correspondence that we've gotten is for us to vote no on this. I personally have received 100 percent of the correspondence to my personal e-mail that was asking us to vote no on this. I kept track of the speakers tonight. It was about 70 percent against and I did do a very, very informal poll on the Nashua Scoop which is the largest social media site in Nashua. They have membership from every ward, of every political belief. They are roughly 50 percent larger than the next largest group with 15,000 members and over 70 percent of the respondents to that poll are opposed to this mandate with hundreds of responses in the last 12 hours.

I think that it's our responsibility as public servants to serve the public. I'm not going to debate whether masks work, or the science, or anything like that because I'm wildly unqualified to do so. We've been asked to represent the public and it's very clear what the public wants. I don't think there's any debate about what the majority of the public wants us to do and it's our responsibility to do that. Thank you.

Alderwoman Kelly

Thank you. I actually wanted to start out the gentleman from the Board of Health really did an incredible job and you started off by saying I'm sorry. I just wanted to say thank you not just for serving but for really putting out why you put this ordinance in front of us.

It's going to come as no surprise to anybody that I support this. I support our health workers. I support our Board of Health and the job that they are asked to do. They are experts in their field and they are here like any other department head whether it's the Chief of Police, the Chief of Fire. If they're telling us that this is the appropriate thing to do, then I 100 percent am going to be backing that. Thank you.

Alderman Dowd

Yeah I'm just going to make a couple points. One is I don't think anybody likes wearing masks. I think if you took a vote, nobody likes wearing masks. So that's a given. I know I don't like wearing masks. However, a couple of points. One – we had a big scare. We had a family gathering and one of my 12 year old granddaughters came down with COVID. It put the whole family in lockdown. Fortunately she had been fully vaccinated and it was a mild case. No one else came down

with it in the family and they were all tested. The big concern was one of my daughters has a 3 year old and a 1 year old that were exposed. That really concerned the heck out of me because they're susceptible and for them to get sick, and go in the hospital, and god knows what can happen. That scared the heck out of me.

I've always said that if we're not going support our Board of Health, why do we have them. They're making recommendations to extend. I wish we could extend it for only two weeks and see what happens, but they're asking for a month. I would hope at that point in time the trend is coming down. The reason New York is coming off the mandate is because they're trend is down. They have turned the corner. We haven't.

The other thing is recently I've had the opportunity to talk to several physicians – most of them at Dartmouth Hitchcock. They all say please keep the masks for now. When we're at a point where we see the numbers coming down, then we can terminate it. I wish we didn't call it a mandate. There are no police going around trying to arrest people for not wearing a mask. The people that are talking against masks, they're not going to wear them anyway. That's up to them. They won't wear them. The people that are currently wearing masks even with or without a mandate are going to keep wearing masks. So it's just more of the Board of Aldermen's supporting the Board of Health and making a stand that says we're concerned about COVID. We're concerned about our hospitals being loaded and overworked. So I will be supporting this.

#### Alderman Gouveia

Thank you Madam President. It's been very clear to me. Ward 1 has spoken loud and clear against the proposed ordinance for various reasons whether it be over a call, text, or in person, at the grocery store I've talked about this. I think the big thing that I was hearing from a lot of the constituents was there's no enforcement. What is the point of an ordinance without enforcement? It sounds almost useless to me. As it's been said, people who want to wear mask are going to wear one with or without this mandate. People who do want to wear one are going to wear it with or without this mandate. For those reasons, I will be against the ordinance tonight. Thank you.

#### Alderman Thibeault

Thank you Madam President. I just want to first off say are we really masking 2 year olds? I hope we're not masking 2 year olds. So I'm going to vote for this extension on mask mandate. I don't like masks and to be honest and pardon my language, they suck. I hate them. I hate coaching basketball in them. I hate coaching baseball in them. They're awful but my vote is not out there to control people's health or their political agenda. It's a compassionate vote based on the advice of the Board of Health that has doctors that we trust. When I see a medical professional even though I don't agree with them and I don't because they call me obese, but I have to trust that what they're telling me is accurate and they're trying to help me. Like Alderman Dowd said, what do we have them for if we're not going to take their advice?

We've heard a couple of Aldermen say about their Ward. Well my Ward, I'm getting 99 percent to my personal e-mail – maybe 95 percent – saying that they actually want the mask extension. We support the people of Nashua but there's 90,000 people in Nashua. There's not 300 people on Facebook, or 50 e-mails coming to us, there's 90,000. How many 80 year olds are on Facebook and how many of them do we have in the city? They're not voting. They're not voting anywhere. We've got to protect them as well. They're people. There's probably a lot of 17 year olds that aren't on the Scoop or these other Facebook pages taking informal polls. We have to protect everyone and we have to be here for everyone not just people voting on these polls. I thank you to Ward 8. Their e-mails have been extremely respectful even if the few that have said that they do not want an extension have been extremely respectful and I thank that. Some of the ones coming from to us generally have not been as nice.

If we do not extend this mask mandate, it doesn't impact the schools. That's a completely different unit. The Board of Education has to follow that. So we won't be changing that. City Hall's not going to be changing. A lot of businesses will keep their employees masked up. If they have to be masked for 8 hours a day, I don't know why going to Shaw's for an hour and a half is such a deal for us to put on a mask. I really don't. Again, I'm not having anybody tell me politically how to vote. I'm voting my conscious based on what my Ward wants, and what I believe they want, and what I believe the Board of Health is telling us. Again I'm not going to debate the science of it because you can go down and pretty much find anything on the internet that you want. The numbers did go down in schools this week a little bit and I'm hoping that that means there's going to be a change soon that we see these going down and we can actually get rid of the masks hopefully. Hopefully at the end of the four weeks. I also agree with Alderman Dowd about I wish we could address this in the next meeting as well if numbers go down. Maybe we could get rid of it in two weeks. I'm going to be for it. So thank you very much.

Alderman Timmons

Thank you President Wilshire. I'm also going to support the mask mandate. It's not surprise to anybody that I would not do this. I have children that works in Elliot and one works at Southern Regional. They were masks all day long. They see people dying all day long. They say masks work. I believe it works. In the last couple of weeks, I've been taking care of a sick grandchild that had COVID. By the way I'm not COVID free because I'm in a gen study. I have two boosters already and in the gen study, anybody knows gen is Johnson and Johnson. I've been in that study for the last two years. In the last two years, one of the things they say in the study 1) I can get vaccinations before most people. I got the second booster already. Who in this room got a second booster already? During my study, they say you need to keep on wearing a mask. It's important. So I will be supporting mask mandate because I do believe they do. I go to Mass General so that's in Massachusetts and anybody want to follow up on that, that's why I would support this.

Alderman Cathey

To me, the primary issue is does COVID and more specifically the Omicron variant warrant a mask mandate? If it does, I'm going to need some people to show their numbers, show their work because the Omicron variant is 91 percent less likely to kill you compared to Delta. That's from Kaiser Permanente. A board member and the former FDA Director recently said that we need to end mask mandates. As we know that we heard before, New York is ending their mask mandates. England ended their mask mandates. The CDC came out and said natural immunity meets the vax mandate against Delta. The CDC came out with its own study that said there's only 1.8 percent change in case rates of people who wear a mask versus people who do not wear a mask. That means out of 90,000 people who live in Nashua, we're trying to protect 1,100 people not from dying, not from going to the hospital, just from catching the case alone maybe. No other public policy would dictate a mandate over an entire populous over such a small rate of change. It doesn't make any sense.

We've already heard that the masks don't work. The microns of the virus get through. The Board of Health put in a mask mandate in May of 2020 or June of 2020 – I forget the exact date - I apologize and we had it for a year yet cases still surged in the winter. This year had a mask mandate – cases still surged. That's two bites of the apple for a mask mandate and it didn't work because it doesn't work. Mask mandates historically across the world, in multiple cities, in the US, Europe, wherever you check once a mask mandate is in place, the cases still surge regardless of a mask mandate because it's not about the mask. It's about what the virus does. It's a virus. It's going to do what viruses do. It has an infection rate of 7 to 10 people. If you get Omicron, you're going to affect likely 7 to 10 people around you. That's like a measles rate.

So whether you're vaxxed, whether you have a mask, you're going to get Omicron. The mask mandate is not the thing. That's not the thing that's going to stop it. It's a seasonal thing now. We've seen it twice two years. It's going to go up. It's going to come down. So masking is not the one size fits all approach that needs to be used here. Much like a doctor would not prescribe the same medicine to every patient, or fitness instructor would not prescribe the same routines to anyone who's using their health services. It's all about the individual. It's all about what they need. We are trying to one size fits all this and make a mask mandate for an entire city that is unwarranted by the data and I don't think that it is right or correct. It's especially unfair to businesses who have to enforce it either upon their employees or customers who walk in the door. Thank you.

Alderman Sullivan

Thank you Madam President. We heard a lot tonight. There's a lot of information out there. I'm going to rely on my eyes and my ears. My eyes tell me that since we instituted the mask mandate in late December, cases shot through the roof and now they're coming back down regardless of the mask mandate. My ears tell me that the city doesn't want this. That's all I need to hear. I think the policy that we set tonight dictates the direction of this city. I think we have to move away from a culture of mandate and move to a culture of responsibility where we take care of each other.

If you are worried about a bad outcome from COVID, we now have effective vaccines. We have therapeutics. We have two years going on three years of information. With all due respect to our healthcare workers, to everybody who's on the front lines of this, let's think of everybody that's been affected by this. There's been millions of people that have been cast into poverty because of this pandemic. There are countless people in this city that have lost their jobs because our economy stopped. Let's all go back to March, April, and May of 2020. This economy stopped and people lost their jobs. People are tired. They've been vaccinated. They've done what they've been told and COVID doesn't care. It goes up, it goes down. It goes up, it goes down. I'm going to be voting against extending this tonight and I think we just have to move to a cultural responsibility. Thank you.

Alderman Klee

Thank you Madam President. Again I have another questions and again it's probably to Corporate Counsel. The next time that the Board of Health I believe comes together would be on 2/9. That's after our February 8<sup>th</sup>. If they decided at that time that the numbers were coming down and that we could lift this mandate, do we all have to come together or do we have to wait until the next meeting, or is it something that the Mayor can cancel? We have to come together as a Board of Aldermen and vote on that. Is that correct?

Steve Bolton, Corporation Counsel

That is correct.

Alderman Klee

Okay, thank you. That answers it.

I just want to make a side comment. I, too, like surveys and I listen to my constituents. The truth is the majority of my constituents have said they are for it. I can't say that it's 99 or 95 percent but I would definitely say a strong majority have said that they were for. One thing I do find out especially on social media is that people have a tendency to speak out when they don't like something or they're upset by something. Those that are for something such as this mandate feel bullied and they're afraid to do it.

At the beginning of this pandemic, I think the people that didn't want to be masked and didn't want to be vaccinated, they felt bullied because they would get bullied in grocery stores and so on – put on a mask, put on a mask. I think that the tables have turned and those that are for masks are feeling bullied. I had a number of people that contacted me and very specifically said please don't use my name but I am for it. I've had a few other people that said that I could use her name or forward their e-mail. The truth was I just got tired of everybody being bombarded with e-mails and didn't forward all these e-mails to all of us but they are. They really do – I think it's a mixed. I think the city is split and I think we literally walked around and knocked on every door, we would find that we have a 50/50 within the city. I'm not saying 95/10. I think really a 50/50 and as such, I think we have a Board of Health. If we don't listen to them, why have them. Thank you. I will be voting for it.

Alderman Lopez

I just had a question for Attorney Bolton. A question was made are we receiving grants that are requiring to put this mandate into effect? I'm not aware of a grant being able to compel aldermen to vote a certain way. Is there anything that was being alluded to that you're aware of that would compel members of this Board to vote?

Steve Bolton, Corporation Counsel

There is nothing. The motivation for this is not because we're compelled by any federal grant. It's never been brought up by anyone other than those opposed to this. There were a couple other questions that were asked that I can provide responses to. Someone said it was telling that no one could provide a response. The fact is, I can fully respond.

One of the questions was by what State Statute do we have the authorization to the Board of Aldermen to enact something like this. The answer is RSA 47:17 XV which authorizes city councils which in Nashua's case is the Board of Aldermen to enact ordinances which they deem to be for the wellbeing of the city. You tested that last year when we had an ordinance requiring face coverings. We went to court and NH Superior Court upheld this Board's decision to enact such an ordinance and cited that provision of State law.

The other Statute that was raised by one of the speakers is RSA 31:5. Chapter 31 is the powers of towns. It's specifically not applicable to cities and other municipalities who can appropriate funds through a Board of Aldermen, city council, or town council. It only applies to towns that appropriate funds by way of a town meeting. 31:5 speaks to such a town petitioning the Superior Court to enable it, to hold a special town meeting to enable a supplemental appropriation. For those of you who have been on this Board for any length of time knows that routinely when necessary the Board has the authority to have meetings where supplemental appropriations are made. That's not what this ordinance is. There's no appropriation in the ordinance at all. So for both of those reasons, RSA 31:5 doesn't apply at all. Thank you.

Alderman Lopez

I just had a follow up question to - a cultural responsibility was referenced earlier. The earlier mask mandate required

business – well it stipulated that businesses were required to have face masks on all customers, clients, patrons, whatever. The new mandate that we've recently enforce to emergency 1, it requires businesses to post a sign but it requires the individuals to be wearing masks. Am I accurate identifying the distinction?

Steve Bolton, Corporation Counsel

There is a distinction. I don't know that you're quoting precisely the language of the prior ordinance as compared to the one before you today. There is a distinction much as you have outlined.

Alderman Lopez

Thank you.

Alderwoman Kelly

Thank you. I just wanted to respond to a few things that have been said. One of the things that has been asserted is that we have to listen to our citizens and I agree with that. I 100 percent agree with that. However, we also have the responsibility to protect those who don't have a voice or can't have a voice. My two year old son he is unable to be vaccinated. He is not here at the Board of Aldermen telling us how he feels about this and you prefer he wouldn't because he would be destroying the room but he doesn't have a voice in this and he cannot protect himself right now. Those are the people – him, and there's lots of other people we are supporting through this. Someone said in public comment they almost mocked the idea that one child death is too many. One child death is too many and so is one grandmother, or one brother, or one friend. Thank you.

Alderman Comeau

Thank you Madam President. I would just like to add my oldest daughter is currently a nurse in a long-term care facility right here in Nashua. So she's also on the front lines of this. She opposes the mandate herself. Both my children have had COVID. So I certainly understand the sensitivities to it. My doctor has also told me that I should lose weight and I still get to decide whether I want to eat that steak or not. So I'm choosing whether or not to take that advice. When I get on my motorcycle, I know the right thing to do is put my helmet on. Sometimes I do, sometimes I don't. I apologize to my daughter if she's listening but that's we have the right to do. We get to choose for ourselves. We should be able to choose for ourselves on what to do.

As far as listening to the public, I just feel that if members of this body go ahead and vote their conscious against the will of the people, that's a disservice to the public and it goes against what they've put us here to do for them. Thank you.

Alderman Cathey

Thank you Madam Chairwoman. I have a clarification for Corporation Counsel. Earlier when it was asked the definition of "business" and if it included churches you were affirmative or negative on that?

Steve Bolton, Corporation Counsel

I said it is the opinion of the Legal Department that the word "business" does not include churches.

Alderman Cathey

Does not include churches. Okay. Thank you.

**MOTION BY ALDERMAN CATHEY TO AMEND ORDINANCE O-22-003 TO INCLUDE A PROVISION BETWEEN NUMBERS 10 AND 11 THAT STATES THAT CHAPTER 1, SECTION 12, OF THE NASHUA REVISED ORDINANCES REGARDING THE PENALTIES FOR VIOLATION DO NOT APPLY**

ON THE QUESTION

Aldermen Clemons

Can the good Alderman or Corporation Counsel explain what that amendment does?

Steve Bolton, Corporation Counsel

The cited section is in your code – your big black book if you will which basically says that the penalty for violation of any ordinance where no other penalty is specified is a maximum fine of \$1,000. So the amendment would basically eliminate that from having any applicability to the ordinance under consideration.

President Wilshire

Further discussion on the amendment?

Alderman Lopez

Can I request it by roll call?

President Wilshire

You can request a roll call.

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

Yea:	Alderman Sullivan, Alderman Moran, Alderman Clemons, Alderman Comeau, Alderman Gouveia, Alderman Cathey	6
Nay:	Alderman O'Brien, Alderman Klee, Alderman Lopez, Alderman Jette, Alderwoman Kelly, Alderman Dowd, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire	9

**MOTION FAILED**Alderman Thibeault

Yeah I have of points. One clarification. Just to make sure. I said 95 percent of the e-mails I was getting from my Ward not 95 percent of my Ward. I don't want my Ward 8 freaking out. I'm getting more – like I said, 95 percent of my e-mails and probably most of the people I talk to have said they are for the extension. So I don't know if it's just the part of the city, is it the specific people I'm talking to? I'm trying to talk to anybody. It doesn't matter political party. It doesn't really matter. Id' like to talk to everybody in my Ward if I could and I got almost 10,000 people or over 10,000. You can't get to everybody but that's what I'm kind of getting. I just wanted to clarify that.

Alderman Lopez

It's worth noting some people may not have noticed it because it's very subtle but a large number of the e-mails that we received very early this year were actually a form bot. All of the e-mails were identical. People's names were inserted into it, in caps sometimes, and sometimes multiple times. Additionally, I do look at the e-mails that come through specifically to see who's weighing in from Ward 4 that I might not know or may not have reached out to me before. None of the ones that I received that were forwarded to the Board at large were from Ward 4. The majority of them were not from Nashua.

Alderman Thibeault

Sorry. I remember what I was going to say. So one of the Ward 8 people that I did talk to wanted me to mention this. I'm just going to throw it out there. If the Athletic Director is listening if we could have – I agree that kids playing sports inside – basketball if they could take down their masks to play because they're running back and forth, back and forth. I think it's taking a lot of them air out of their lungs. I wish at least that we could do. I know we can't debate on it but I would like to just throw that out there because I think that's a concern. It's not an outdoor sport where you can kind of get the air. Thank you.

Alderman Comeau

It may shock him as much as it shocks me but I agree with Alderman Thibeault. I just watched my son wrestle in a mask and I don't know how they do it.

As far as the Facebook comments that I made earlier, I was trying to do some due diligence in reaching out to the public. I've listened to many meetings going back months regarding a lot of topics. It seems like there's always been mention of sentiment on Facebook one group or the other, polls, public opinion surveys. I would find it interesting if this was the topic that we were supposed to discount the opinion of people on social media where we give weight to that voice on other topics.

Like I said earlier, I'm not going to rehash everything that I said because we'll all be here til midnight. We shouldn't be debating the science whether masks work, whether they don't. That's really outside of our purview. The only thing that I keep coming back to is whether we should be mandating them. You can believe that masks work. You can want to wear a mask. You can want everyone else to wear a mask and still be against a mandate. That's more or less where I fall. Like I said, my daughter is in the healthcare field. We wear them when we have to and then we don't wear them when you don't have to. It should be everyone's individual choice to do that on their own without being told that they've had that voice taken away from them. Thank you.

Alderwoman Timmons

Yes thank you President Wilshire. Is it possible to move the question because it's just going around and around.

**MOTION BY ALDERMAN TIMMONS TO MOVE THE QUESTION  
MOTION CARRIED**

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF O-22-003, BY ROLL CALL**

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

Yea:	Alderman O'Brien, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderwoman Kelly, Alderman Dowd, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire	10
Nay:	Alderman Sullivan, Alderman Clemons, Alderman Comeau, Alderman Gouveia, Alderman Cathey	5

**MOTION CARRIED**

Ordinance O-22-003 declared duly adopted.

PERIOD FOR GENERAL PUBLIC COMMENT

Laurie Ortolano

Laurie Ortolano, 41 Berkeley Street. Just a couple things. Thank you for your thoughtful discussion tonight on the mask mandate. I certainly was a proponent of lifting it and it doesn't really bother me because I know that our surrounding communities are available to go to to do your business. I choose to do that and then I don't have to use the mask. I have been a mask wearer very avidly and a big supporter of it but I changed my views about six weeks ago and I don't use it anymore because I did research on my own. I really feel that it's not the right thing. I appreciate the thoughtful discussion.

I would like to address Alderman Moran. When you talk about the responsibilities we carry because of our hospitals, I think it's unfair to put that on Nashua people. These hospitals are supported by all these other communities. It's a regional hospital. I'm not responsible for what goes on in the hospital and I can't do anything about it. We as citizens don't get any data on the hospitals. Nothing comes to us with any consistency at all. Apparently it goes to the city but they don't put it out to us. All these surrounding towns don't have ordinances and they put their people there. So I don't understand why I'm responsible for the Nashua hospitals or I have to feel badly because I'm not doing enough. When you leave restaurants, bars, casinos, and clubs open, and those were where contract tracing showed when we did that that there was an issue. Then what's the point? I don't think kids doing sports doing sports should be in masks at all. I think it's more harmful to their health.

This is a business owner – Buckley. We have SURF and MPs on the top – mask required. Three miles away, we got the two other restaurants in Hollis and in Merrimack. Come in without out. Is that a business owner that doesn't care and isn't responsible to his duties to protect everyone in the hospitals? Should this business owner be doing business here to do that? That's what you put the business owners in. Now there's a few stores I've gone in to Nashua, and I do mean very few, and they actually let me not wear a mask. I went into a pet store and I literally was putting my mask on and the ladies said

you're the only one in here. You don't have to put it on. I don't feel like I'm breaking any big rules and I was literally the only one in there. I went to another business, small one, the owner doesn't wear a mask at all. He said you don't have to wear a mask. I don't wear a mask.

Alderman O'Brien

Thirty seconds.

Laurie Ortolano

I did it that way. Our data is coming down and the Mayor is not giving us the kind of information we deserve. You cancelled in the last five meetings on masks, you cancelled public input three times. Two Board of Health meetings cancelled and one Board of Aldermen meeting cancelled on masks. You want to know why people send e-mails that maybe are not so nice, because you cancel us out. I'm okay with this mandate. I'm not going to fight it.

Alderman O'Brien

Time.

Laurie Ortolano

I have other places to go. Thank you.

Sara Dobbins

Hi, my name is Sara Dobbins. I'm at 1 Gettysburg Drive in Ms. Klee's Ward I believe, right? I just want to start by saying that I have a whole bunch of neighbors and we were not of the like mind. I understand that these Wards are huge and they're encompassing a lot of people and I get that. My thoughts are a little scattered. I sat here and listened to the whole meeting with an open mind. I tried to be as open as I could about it. I'm a mother of two. One in the Nashua school system. I just tonight went to pick her up and there's – sorry I'm having difficulty regulating my breath with this and being anxious but beside the point, right? So I pick her up and there's dividers on the cafeteria tables. I had no idea. I e-mail my Principal prior and they said it was something that had been done last year and carried over into this year but there was no notification that that was being done. I get precautions need to be taken but where is the communication?

On that vein of thought, I want to thank this Alderman. I am so sorry that I do not know your name. I only know a few, a handful as I've been journeying my path of getting to know how the city politics work better. That's basically my goal of attending all of these meetings. Not all of yours but the meetings that I have been attending.

I just wanted to say thank you for the opportunity to shed voice on it because quite honestly as I've attended meetings, I've seen more outrage about public comment being taken out than compliments or instances of public comment being given or an opportunity for that to be given. I wonder is there a better more constructive way to get the input of the public so that we can have these silent majorities that everybody is discussing to be able to input in a way that they feel less bullied. Sorry for my – I'm just trying to be quick. I think that everybody should have a voice. You're right, everybody should have a voice. So let's find ways to do that. Is that not our job here in this committee as a whole?

So moving on, I wanted to say thank you for collecting any data and I hope that even a couple hundred voices means something versus thousands because I do know that some of the groups that that poll was posted in had 15,000 members. So you can't tell me that it was all one way or the other but only 300 decided to participate.

Alderman O'Brien

Thirty seconds.

Sara Dobbins

Blew my mind. If no things will change, why are we mandating? I hear a lot of talk about a lot of stuff. If you don't want it to beat the efficacy because you can't find anything on the internet, how are people getting information to, for, against, or whatever to back up a mandate? It makes no sense. I heard way too many cases of vaccinated individuals passing onto unvaccinated people. I'm an example of this and my infant son who is five months had COVID and it was brought into our house that way.



Alderman O'Brien

Time.

Sara Dobbins

Thank you. Sorry. I wish I could say more.

President Wilshire

Anyone else in the chamber that wants to give comment? I'm going to go to the people on Zoom.

Beth Scaer

Hi. It's Beth Scaer, 111 East Hobart Street. I wanted to just tell Alderman Thibeault that the mask ordinance does apply to age two and up and I'm disappointed that he didn't read the ordinance before voting to extend it. I think it's inhumane to do that to little kids and to the parents trying to care for them.

Also hopefully the Mayor is listening. One of the cases he cited for taking down my (inaudible) and sports flag off the he citizen flag pole was the case of Boston taking down or refusing to fly a Christian flag on city hall plaza and I wanted to let him know that that case is in the Supreme Court and it's not looking good for Boston. If Boston loses, I will likely be seeing him in court to get my (inaudible) sports flag back up there on the citizens' flag pole. Thank you.

Sonia Prince

Hi, I'm Sonia Prince, 49 Tufts Drive. I just wanted to thank everybody on the Board for listening to the health professionals, for listening to the science. A lot of Aldermen spoke to the most vulnerable who don't have a voice – the little ones, our seniors or may or may not be on Facebook, and on these big Facebook groups (inaudible) who are not from Nashua. So it's not really a good sample but yet all the e-mails help but very few people are active to send e-mails which is unfortunate 90,000 people, we should have more people. The same thing during municipal elections – a lot of people don't vote. It is what it is. But just to say that 50 e-mails do not represent the whole city. I appreciate you doing the right thing and looking out for the most vulnerable and our medical community. Thank you so much.

Chris Parks

Hey I'd like to thank especially some of the new Aldermen that got elected tonight in voting to end the mandate. I moved here from California so I can to the Live Free or Die State to where I would be free to make my own choices. Apparently we can't do that. I'm really not even mad because I'm not going to comply or pay attention to it. You can't do anything to me and I really don't care.

I would like to congratulate the ones – the 9 or 10 – that did vote to extend it to continue to legislate yourself and significance. I will continue to shop in Nashua because I care about Nashua business. I care about the small businesses in our community. They don't have a choice that they fall under your little made up rules. I just don't acknowledge your mandate. There is one thing I'd like Ms. Klee asked the question about churches and private schools. I (inaudible) said no searches but they said that private schools do stand a chance of falling under it. My kids go to private school because of some of the things that have been enacted via the Board of Education and the Nashua Teachers' Union. I pay for that and if you think that you or any of you all are going to try to come in and force something in a private school in Nashua, get ready for a fight because that's when you're going to see my indifference turn to anger.

My entire family just had COVID like three weeks ago. The best we can figure out is that I got it from a double vaxxed and booster individual. So yeah the vaccine is doing fantastic. So you know it was great. I was really worried considering they had a fever for about six hours and I had a fever for about twelve. Really terrifying. So I tell you I congratulate the new Aldermen. Thank you. You did a fantastic job tonight minus mine. I don't know who you talked to in Ward 8 Thibeault but it's not anybody I know. So maybe you should expand your group. All right. Thanks have a great night. Bye.

Matthew Gouthro

Thank you Madam President. Matthew Gouthro, 104 Fawn Lane. I wanted to thank you for allowing public comment for this mask ordinance. Although I'm disappointed with the outcome of this vote, it means a lot that you're finally listening to your constituents. It's a bad look when you legislate these items like you have in the past without zero public comment. You the one thing I heard repeated over and over again by our elected Aldermen tonight is why do we have a Board of Health if we

don't listen to them. I must say to that comment as I, and Laurie Ortolano, and many others have said that the Board of Health does not offer public input. If our Board of Health doesn't listen to our residents and stakeholders, why do we even have a Board of Health? Thank you.

Justin Rosenberg

Thank you Madam President. Justin Rosenberg, 30 Kessler Farm Drive. I'd just like to say thank you for actually allowing public comment during this meeting. We should not have any other meetings where public comment is not allowed. I hope this is the last instance that we have this issue.

To the Aldermen that voted no on this ordinance, the citizens of Nashua and I we thank you for your recent vote and we remember these things at the ballot box. Thank you.

Linda Harriott-Gathright

Thank you Madam President. First I want to send condolences to Donna Graham and her family. I didn't get information but hopefully we can send out information that we might be able to send cards or something of that nature because she was instrumental in my success within the Board of Aldermen.

I also want to thank the Board for their commitment today to continue with the mask ordinance. So I'm happy about that vote. Until the next meeting, thank you.

Alicia Houston

Thank you. Alicia Houston, 139 Westwood Drive. I've heard a lot of talk about the Board of Health and I appreciate the new Aldermen who (inaudible) position of extending this mandate. It's unfortunate that the others have voted for it because it doesn't seem to me like you're actually listening to the total population. I did want to mention something that in November I had actually sent a Right to Know request to Ms. Bagley who is the Director of Public Health system here in Nashua. There was question one – does Nashua, New Hampshire, isolate this SARS-CoV 2 virus from all other viruses in testing? Ms. Bagley responded and I quote, "In response to question one, Nashua Division of Health and Community Services does not isolate SARS-CoV 2 virus. We don't have lab capacity to do this type of work. Therefore (inaudible) any documentation that states we isolate for a (inaudible) virus." So for those who have voted in favor with the Board of Health, I would like to remind you not just that Ms. Bagley has come across and literally said we do not isolate the virus, you have another Board of Health of member who's on vacation in a different country where they've been for two months, and you have another one who is a dentist.

President Wilshire

Okay, that looks like it wraps up our public comment period.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Thibeault

Yeah I have a few. I appreciate that me and Alderman Comeau actually agree on something. That's a start I guess. I apologize to Ms. Scaer. I know the mandate. I just for some reason thought it was five years and up so thank you for clarifying that. That is all on me.

To clarify Facebook, I'm not against people doing informal polls. It's more that social media sometimes you don't know if it's that person or like somebody said, you don't know where somebody lives. You don't know whose following that site and not site. So to me it's just not – the information just isn't as good as talking to people on the phone, or seeing an e-mail from someone you know, or someone in your Ward that you can verify. One thing I wish is that the public comment for that public hearing was explained why. I don't think people understood – the citizens didn't understand why there ended up being no public comment last time where as opposed to this time, there is. This is because it's a regular Board meeting. There's two public comments. One for the agenda and one for anything they want to talk about. The other one was a public hearing. Very different and because there was a second reading right away I believe, they went into voting. I wish that was more explained to citizens that were outraged about no public comment.

I talked to a lot of people in Ward 8 and I'm sorry if Mr. Parks feels differently. He was a candidate prior. I knew exactly where he stood so I didn't need to talk to him. I knew he was anti-mask. He said on many Facebook pages before he was never going to wear one. So why would I need to talk to him about it. I knew his answer. Like I've said, I've spoken

to a lot of Ward 8 people. My Ward may be different than some of your Wards here. Maybe it's we're closer to Massachusetts. I don't know. I can't explain that. Maybe the people that are talking to us are talking to us based on what our political party was. That could be the case too. I will speak to anyone even Mr. Parks.

The last thing I want to actually talk about something good because people want to just be negative. On Sunday my sons were watching ESPN and they were able to see the number one play of the week was from a Nashua South unified basketball player – Zach Ostrowski. It was wonderful to see that as the number one. It was also wonderful to see my two sons going to the TV, put ESPN on instead of Nickelodeon and actually watch this kid steal the ball from Nashua North and make an incredible basket that made, again, the number one play on ESPN on the weekend. So jumping into the arms of kids that I've coached before from Nashua South when they were younger, it was fantastic. It was a great moment for Nashua to be recognized nationally and a great thing for Zach. I think unified basketball is a great way for the city and the city sports to really do something good for kids that need something good. I just wanted to put that out there. Thank you.

#### Alderman Cathey

Thank you Madam Chairman. First I'd like to also offer condolences to Donna and her family. I'd also like to offer condolences to – I just found out that there was a member of my Ward whose family member came down with COVID just around Christmas and that family member has not returned home yet and has caused quite amount of distress to the family. If that family wants to reach out to me, I'd love to talk to them. I offer that family my condolences.

Secondly, I'd also in that vein I learned that information from a member of my Ward who called me out rightfully so for not attending a Finance Committee meeting because I did not want to wear a mask. Truth is, I didn't want to wear a mask and I probably should have said "protest" or "protest the mask mandate or mask requirement in City Hall". I have come to change my position on that and will be attending all my meetings if possible in person because it gives me the best opportunity to represent my constituents and talk to other members of committees, and boards, and get that semi face to face conversation going about whatever the businesses of the committee or the Board of Aldermen. So I apologize for not representing my Ward in the city well in that manner and to that member of my Ward who e-mailed me, I think him for bringing that to my attention and moving forward regardless of how I feel about the mask and now for the vote we know. I will be in attendance.

Thirdly, I'd like to mention – and this probably goes without saying but since I'm new I will say it anyway. I tend to probably come across I'm going to say passionately when I disagree with something or agree with something. I offer that to it's not personal and I respect every one of the Board but when I don't like something or I definitely do like something, I'm pretty extreme in that way. You'll probably know about it but its all respect in trying to get things done for the city. I thank you.

#### Alderman Gouveia

Thank you Madam President. I would like to thank everybody over the last couple of days in the week who have reached out about the mask mandate either for it or against it. It was very important to make your voices heard and I do appreciate everybody who has reached out to us.

Secondly, I would like to thank the Nashua Police Department and its leadership for allowing me to a ride along last night in the City of Nashua. It was very informative and it's safe to say we're all in good hands here. So I do appreciate that. Thank you.

#### Alderman Dowd

Two quick things. One – Thursday the Joint Special School Building Committee at Nashua High North at 7:00 p.m. We're going to be presenting to anyone from the Board of Aldermen or the Board of Education that's not already on the Joint Special an overview of the middle school project so you know how it started, where it is, and where it's going.

The other thing I've been on boards for over 40 years now. The one thing that makes a board successful is agreeing to disagree. So when the meeting is over whichever side you're on, don't hold any grudges against the other side, move on to the next topic. We vote for certain reasons but it's not certain in deference to any other Aldermen. So thank you.

#### Alderman Comeau

Thank you Madam President. I would also like to offer my condolences to Donna and her family. I would also like to offer my condolences to Alderman Moran. This is the first time I've heard that you lost your father. I'm sorry for that as well.

I'm thankful to members of the public that spoke tonight. I am also thankful that it was in general a lot more orderly and respectful than some previous occasions. I think that we can get a lot more work done that way than the alternative.

#### Alderman Clemons

I, too, want to give my condolences to Ms. Graham and her family. I also wanted to mention a constituent who passed away. Her name was Lucille Soucy. She lived in Nashua for a very long time. She was from Manchester but her grandson is my best friend. I always knew her as Memere. She was a wonderful, kind, caring person. She lived to be 97 years old. I just wanted to send my condolences out to the Soucy and Pawlowski family. I hope that these troubled times will pass soon. Thank you.

#### Alderman Jette

I just wanted to acknowledge all of the e-mails that I, too, received about the mask issue. I did read them. I did consider them. I hope the people understand that I feel that part of my responsibility as an Alderman is to protect the public health. Since this started, I know that we have received very conflicting information from all kinds of sources. As I've said before, I understand the legal issues but I'm incapable of analyzing these medical issues. I think it's my responsibility to turn to the people who I feel have the best expertise available to guide us in this very important issue and those people are our Board of Health who is charged by our Charter and State law to protect the public health. When our Board of Health says that wearing masks is an important tool among others. Wash your hands, keep your distance, get vaccinated, get boosted, and wearing a mask is another tool that they feel that they recommend is important in trying to deal with this virus. It's no news. It's killed millions of people. I hope people understand that I made the decision based upon what was recommended to us by the Board of Health who have my greatest respect and appreciation. I just can't imagine how they feel when they've analyzed this issue and looked at all of the studies and examined it to the extent that they have to be dismissed by people who have seen something on the internet or on some TV show. You have my appreciation. Thank you for advising us and thank you for coming. Thank you Madam President.

#### Alderman Lopez

I just wanted to pass on to the public that the United Way is looking for volunteers to support some of the needs in hospitals and of healthcare workers. You can contact Sara Ceaser at the United Way if you're interested in learning more.

I wanted to express my condolences to Donna Graham and to her family for their recent loss. There have been a lot of Aldermen and people in the community that have been experiencing tremendous loss this holiday season particularly. So I just wanted to remind people to quote a great American poet Tupac Shakur – "If you can make it through the night, there's a brighter day."

#### Alderman Moran

Thank you Madam President. I would just like to thank everyone who spoke tonight whether we agree or not. I think, again, reiterating my comments from earlier is very healthy to have a dialog. As you can see here versus the last vote from the Board of Aldermen, a much different vote of representative of government.

I will say I did think I heard one speaker say something about the Public Health Department. I think I read something similar to that and I don't know if Bobbie Bagley can correct but I think the Public Health doesn't test. So you can't actually break out that SARS information. I think that's the response. I just don't want that to be misconstrued as misinformation. We don't actually do the testing. That's hospital's labs.

For wrap up, I did hear a lot of people talk about shopping elsewhere. I own and operate a small business. I have many people from Hudson, Merrimack, Mason that come to me. They see the sign on the door. They respect the people in Nashua and they put the mask on. I just wanted to reiterate that our neighborhood communities respect us and we can respect ourselves. Thank you.

#### Alderman Klee

Thank you Madam President. I, too, would like to send my condolences to Donna Graham and her family. I know a loss of any kind but a parent is very difficult. I remember when I lost both my parents. I turned around and at 50 years old said to my husband I feel like an orphan now. It still takes its toll.

I also want to thank everybody who spoke regardless of what side you're on. I tell everybody I learn more from those who don't agree with me than from those who agree with me. When we have a civil conversation, we can start to hear what the other side feels. I voted the way I voted because I voted with our Board of Health. They made this recommendation and I trust them and so on.

I'd like to thank Alderman Comeau. Your post that you put on Facebook asking people to be for civility regardless of what side they were, that's wonderful. I think we all need to keep reminding people. So thank you for doing that.

To Alderman Cathey, you're going to learn that I'm very passionate too. So I completely understand and as most people already know, I have a gift for gab and I cannot shut up.

As far as the ride along Alderman Gouveia, I wanted to thank Alderman Sullivan here. I, too, will be having my moment tomorrow. So I'm looking forward to it and thank you Madam President.

#### Alderman O'Brien

Thank you Madam President. I, too, would like to be on record to offer condolences from the O'Brien family to Donna Graham and her family in this very difficult time of losing her father. That's basically it. Thank you.

#### President Wilshire

I'd like to thank the Board of Health for being here and for the work we've done over the last few years. It's not always been popular or easy but due respect that you do the work and that you bring it to us and that we are able to act on it. So thank you very much. To the other members if you'd pass that along, I'd appreciate it.

I'd also like to thank Alderman Jette for sending me a few e-mail reminders this week of things that when you're busy a few things slip by. One of them was about the group photo and that it didn't make sense to do it tonight because everyone would be there with masks on. Thank you Alderman Jette for that.

I supported the mask ordinance for several reasons. One because the Board of Health is our advisor and I appreciate their advice. I also learned today that my 88 year old mother has COVID. She's in a long-term care facility. She's been fully vaccinated. So I'm keeping my fingers crossed on that one.

Also with masks, February is a short month, right? We're lucky. It's the shortest month so if that's any consolation which it probably isn't but I just thought I'd throw that out there.

Committee announcements:

#### Alderman O'Brien

Thank you Madam President. Wednesday, January 26<sup>th</sup> at 7 p.m. here in the Chamber will be a meeting of the Committee of Infrastructure. Of course everybody else is welcome. Just so everybody knows, barriers are not on the agenda. It will be more of an organizational. Anybody wanting to bring the tea and cake, feel free.

If you think you got off easy on Infrastructure, how about another one. Joint Public Works and Infrastructure on Thursday, January 27<sup>th</sup>, at 5:30 and I think that will be over where the Public Works usually meets upstairs in the auditorium. So it will be at 5:30. Thank you.

#### Alderwoman Timmons

Yes Cultural Connections is meeting tomorrow morning at 9 a.m. I will be there and it's my first meeting with them and I look forward to meeting with all those people. Anybody that wants to be here by 9 a.m., my colleagues, please just show up here in Room 208 tomorrow. Learn something different.

#### NON-PUBLIC SESSION

**MOTION BY ALDERMAN O'BRIEN THAT THE BOARD OF ALDERMEN GO INTO NON-PUBLIC SESSION BY ROLL CALL PURSUANT TO RSA 91-A:3 II (d) CONSIDERATION OF THE ACQUISITION, SALE, OR LEASE OF REAL OR PERSONAL PROPERTY WHICH, IF DISCUSSED IN PUBLIC, WOULD LIKELY BENEFIT A PARTY OR PARTIES WHOSE INTERESTS ARE ADVERSE TO THOSE OF THE GENERAL COMMUNITY, BY ROLL CALL.**

**SECONDED BY ALDERMAN MORAN**

*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 Cathey,  
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire 15

Nay: 0

**MOTION CARRIED**

*The Board of Aldermen went into non-public session at 10:10 p.m.*

**Present:**

President Lori Wilshire, Vice-President Michael B. O'Brien, Sr., Alderman John Sullivan, Alderman Patricia Klee, Alderman-at-Large Melbourne Moran, Jr., Alderman Thomas Lopez, Alderman Ernest Jette, Alderman-at-Large Ben Clemons, Alderwoman-at-Large Shoshanna Kelly, Alderman Alex Comeau, Alderman Richard A. Dowd, Alderman Tyler Gouveia, Alderman John Cathey, Alderman Derek Thibeault, Alderwoman-at-Large Gloria Timmons

**City employees present:**

Mayor Jim Donchess  
Steve Bolton, Corporation Counsel  
Tim Cummings, Director of Economic Development  
Susan Lovering, City Clerk  
Matt Sullivan, Planning Manager

**Board of Aldermen entered non-public session under RSA 91-A:3 II (d) "consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community."**

The Board discussed purchasing real property located at 15 Bartlett Street which was presented by Director Cummings.

After discussion and due consideration the Board took a straw vote which resulted as follows:

Option A – city acquires the 13.07 acres

Option B – Conservation Commission to contribute money for the purchase of the property and bond the rest

Option C – P3 – public/private partnership forming an LLC

Option D – shelve the idea

Straw vote:

Option C - Klee, Lopez, Clemons, Kelly, Thibeault, Timmons, and Wilshire 7

Option D - O'Brien, Sullivan, Moran, Jette, Comeau, Dowd, Gouveia, Cathey 8

Majority voted to not purchase the property.

*The Board of Aldermen came out of non-public session at 11:26 p.m.*

**MOTION BY ALDERMAN O'BRIEN THAT THE BOARD OF ALDERMEN SEAL THE MINUTES OF THE NON-PUBLIC SESSION BY ROLL CALL UNTIL SUCH TIME AS THE MAJORITY OF THE COMMITTEE VOTES THAT THE PURPOSE OF THE CONFIDENTIALITY WOULD NO LONGER BE SERVED BY ROLL CALL**

*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 Cathey,  
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire

15

Nay:

0

**MOTION CARRIED**

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE JANUARY 25, 2022, MEETING OF THE BOARD OF ALDERMEN BE  
ADJOURNED  
MOTION CARRIED**

The meeting was declared adjourned at 11:26 p.m.

Attest: Susan K. Lovering, City Clerk