

A regular meeting of the Board of Aldermen was held Tuesday, January 26, 2021, at 7:51 p.m. via teleconference.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by Corporation Counsel Steve Bolton; Alderman-at-Large Michael B. O'Brien, Sr. led in the Pledge to the Flag.

President Wilshire

As President of the Board of Aldermen, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

To access Zoom, please refer to the agenda or the City's website for the meeting link.

To join by phone dial: 1-929-205-6099 - Meeting ID: 821 2067 1668 Passcode: 223283

The public may also view the meeting via Channel 16.

We previously gave notice to the public of the necessary information for accessing the meeting, through public postings. Instructions have also been provided on the City of Nashua's website at www.nashuanh.gov and publicly noticed at City Hall and Nashua Public Library.

If anyone has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049 and they will help you connect.

In the event the public is unable to access the meeting via the methods mentioned above, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law.

The roll call was taken with 14 members of the Board of Aldermen present: Alderman Michael B. O'Brien, Sr., Alderman Patricia Klee, Alderman Richard A. Dowd, Alderman June M. Caron, Alderman Benjamin Clemons, Alderman Thomas Lopez, Alderman David C. Tencza, Alderwoman Elizabeth Lu, Alderman Ernest Jette, Alderman Jan Schmidt, Alderman Brandon Michael Laws, Alderman Skip Cleaver, Alderman Linda Harriott-Gathright, Alderman Wilshire.

Alderwoman Shoshanna Kelly was recorded absent.

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

Alderman O'Brien

Tom, what have you got floating behind you?

Alderman Lopez

I have no idea what you are talking about, Alderman O'Brien.

Alderman O'Brien

I was just a little bit concerned.

Alderman Dowd

Insurrection in his Ward.

Alderman Lopez

Everything is going fine here, we are all fine, nothing unusual happening.

Alderman O'Brien

Very good, brother.

ROLL CALL

Alderman O'Brien

Present, I am alone and I can hear the proceedings.

Alderman Klee

I am here, I am alone and I can hear the proceedings.

Alderman Dowd

Yes, I am present, I can hear everyone and I am alone.

Alderman Caron

Yes, I am here, I am alone and I can hear everyone.

Alderman Clemons

I am here, I am by myself and I can hear everyone.

Alderman Lopez

I am here, I am alone and I can hear and see everyone.

Alderman Tencza

I am present, I am alone and I can hear everyone.

Alderwoman Lu

I am here alone and I can hear everyone.

Alderman Jette

I am here alone and I can hear the proceedings.

Alderman Schmidt

I am present, alone and can hear everyone.

Alderman Laws

I am here, I am alone and I can hear everyone.

Alderman Cleaver

Present, I am alone and I can hear everybody.

Alderman Harriott-Gathright

I am present, I am finally home and I am in this room alone.

President Wilshire

I am here, I am alone and I am glad that Alderman Harriott-Gathright is at home. And I can hear everyone.

Susan Lovering, City Clerk

You have 14 in attendance.

President Wilshire

Thank you. Also in attendance this evening is Mayor Donchess and Corporation Counsel Steve Bolton. Does the Mayor wish to address the Board?

REMARKS BY THE MAYOR

Mayor Donchess

Yes, Madam President. Thank you very much. I first wanted to update you on the COVID-19 Pandemic. As you, of course, we still are suffering quite a few new cases in Nashua. Over the past 14 days we have encountered about 840 new cases. Currently we have about 560 active cases. We have several outbreaks in the City and Public Health is doing a very good job in working with those organizations where some of them – restaurants, schools, other places – where outbreaks have occurred. But we are still running about 11% positivity rate in all of the tests that are conducted in Nashua. Over the past week or so there have been about 495 tests per day and 11% of those have come up positive. We have about 30 people in the hospital, between the two hospitals, Southern and St. Joe's. So these numbers are certainly up from the summer and the fall, so we need to be very careful about our activities. We have talked many times about the importance of wearing masks.

There are now more contagious, potentially more deadly strains of the virus entering the United States so we need to make sure we are careful, wear our masks, enforce our mask ordinance and ask all of all our fellow citizens to work together to protect everyone. We, of course, want our families and friends to remain safe but we also want to get the economy open again and the quickest way to do that is to follow the evidence of the scientists and their research. And they say until the vaccine is available to everyone, masks are the best way to go. The vaccine roll-out is beginning, people can – in Group 1B that includes citizens 65 and older – can register for the vaccine through the State Website. The vaccines are being administered at Nashua High South. That clinic was originally planned as a drive-up only clinic but we received, and I know some of you on the Board of Aldermen, received complaints or concern from citizens who had registered or wanted to register for the vaccine who don't have a car. So we have worked with the State of New Hampshire to make it clear that as long as the person can get there, whether or not they have a car, at the time of their appointment they can be vaccinated. Transit is working on a way to make it clear that people can get the mobile vans, the appointment vans to take them to that test site. So we are hoping that anybody who is registered can get in a vehicle, can get there and get vaccinated as quickly as possible.

Of course beyond the pandemic, Madam President, we are looking forward to the spring. More vaccinations will be done by that time. But we are also looking forward, I think, to the opening of our Main Street again to the outdoor dining. I know there will be Legislation coming to you in the next couple of weeks. I know that when I drive down through the Main Street of Nashua, I live just a little bit north and drive down to City Hall, I always miss the outdoor activity that was present through the spring, the summer and the fall. And I very much hope, want and long for it to come back. I was talking with one member of the Board of Aldermen and I don't think we've made it clear, I've told a few people privately, but using Public Works Funds, we purchased the barriers that we rented that last year for a price of \$20,000.00. And since the rental fee was \$100,000.00 it seemed worthwhile to buy the barriers for \$20,000.00. So we got 2,400 square feet, they are being store out at the landfill. Now it will cost to put those barriers up and down but at least we will own them and can use them and consider about how we might be coming forward with a proposal to you as to how we might decorate those barriers for future years.

Another matter, Madam President, is we have talked in the past about the various things the State is doing at exactly the wrong time to increase City taxes. That is increasing pension costs and reducing School Aid. Some people think the reduction in School Aid is related to a reduction in enrollment, that is somewhat true, but the vast majority of the reduction has nothing to do with the decline in an enrollment. We can talk about the details but that's about a \$7million dollar loss there. Now I know our Legislative Delegation is very committed and is working hard to try to correct these things; I appreciate their work very much. There are various bills pending and efforts are being made in the Legislature and there will be testimony and bills that will be coming to various committees tomorrow.

But one thing that I haven't mentioned is that the cities have organized, I've worked with Mayors, about 10 or 12 other Mayors around the State; Manchester, Concord, Keene, Seacoast, and have composed and written a letter to the Governor, expressing and concern because all cities are affected by this, expressing concern on both fronts, the pension and the education assistance. We hope that will help encourage the Governor to support efforts to restore funds to the cities and towns.

Finally I thought Attorney Bolton has done not only a very good job as our City Attorney but he did extremely well with that prayer, just out of memory. It shows how many Aldermanic meetings he has attended, so I wanted to congratulate and thank him for filling in on a necessary part of the meeting. And that's all I have, Madam President.

President Wilshire

Thank you Mayor.

RESPONSE TO REMARKS OF THE MAYOR - None

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meeting of January 12, 2021 accepted, placed on file, and the readings suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Lisa M. Fauteux, Director of Public Works
Re: Referral from Board of Aldermen – O-20-040

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 - None

COMMUNICATIONS REQUIRING FINAL APPROVAL - None

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

The following appointment by the Board of Aldermen was read into the record:

Citizens Advisory Commission

Jennifer Bishop-Saucier (reappointment)
359B Main Street
Nashua, NH 03060

Term to Expire: October 1, 2023

Conservation Commission

Carol Sarno (alternate to member)
15 Rocky Hill Road
Nashua, NH 03062

Term to Expire: December 31, 2023

Jedidiah Crook (new appointment alternate)
52 King Street
Nashua, NH 03060

Term to Expire: December 31, 2023

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

REPORTS OF COMMITTEE

Human Affairs Committee..... 01/11/2021

There being no objection, President Wilshire declared the report of the January 11, 2021 Human Affairs Committee accepted and placed on file.

Substandard Living Conditions Committee..... 01/14/2021

There being no objection, President Wilshire declared the report of the January 14, 2021 Substandard Living Conditions Committee accepted and placed on file.

Planning & Economic Development Committee..... 01/19/2021

There being no objection, President Wilshire declared the report of the January 19, 2021 Planning and Economic Development Committee accepted and placed on file.

Finance Committee..... 01/20/2021

There being no objection, President Wilshire declared the report of the January 20, 2021 Finance Committee accepted and placed on file.

Special Personnel/Administrative Affairs Committee..... 01/21/2021

There being no objection, President Wilshire declared the report of the January 21, 2021 Special Personnel/Administrative Affairs Committee accepted and placed on file.

CONFIRMATION OF BOARD OF ALERMEN'S APPOINTMENTS

Deputy Treasurer/Deputy Tax Collector

Patricia L. Barry

There being no objection, President Wilshire confirmed the appointment of Patricia L. Barry of Hudson, NH, for an effective date of March 1, 2021 as the Deputy Treasurer/Deputy Tax Collector for an indefinite term.

Oath of Office to be administered at a later date.

UNFINISHED BUSINESS – RESOLUTIONS

R-20-102

- Endorsers: Mayor Jim Donchess
- Alderman Richard A. Dowd
- Alderman June M. Caron
- Alderman-at-Large David C. Tencza
- Alderman-at-Large Shoshanna Kelly
- Alderman Thomas Lopez
- Alderman Patricia Klee
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Jan Schmidt
- Alderman Linda Harriott-Gathright

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$35,000 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITY "COVID-19 VACCINE GRANT"

Given its second reading;

MOTION BY ALDERWOMAN KLEE FOR FINAL PASSAGE OF R-20-102, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

Resolution R-20-102 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES

O-20-40

Endorser: Mayor Jim Donchess

INCREASING SEWER USE FEES RATES AND CHARGES

Given its second reading;

MOTION BY ALDERMAN CARON FOR FINAL PASSAGE OF O-20-040, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

Ordinance O-20-040 declared duly adopted.

O-20-044

Endorser: Alderman Thomas Lopez

RELATIVE TO A BAN ON CERTAIN INDOOR ACTIVITIES FOR CERTAIN BUSINESSES STARTING AT 9:30 PM

- Tabled at Full Board – 12/22/2020

NEW BUSINESS – RESOLUTIONS

R-21-110

Endorser: Mayor Jim Donchess

Alderman-at-Large Michael B. O'Brien, Sr.

Alderman Patricia Klee

Alderman Linda Harriott-Gathright

Alderman Skip Cleaver

Alderman Richard A. Dowd

AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO CONCESSION AGREEMENT WITH GRANITE DIAMOND, LLC

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

R-21-111

Endorser: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH FUEL MEDIA HOLDINGS FOR ADVERTISING SERVICES

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

R-21-112

Endorsers: Mayor Jim Donchess
Alderwoman-at-Large Shoshanna Kelly
Alderman Tom Lopez
Alderman Richard A. Dowd
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright
Alderman woman Elizabeth Lu
Alderman Jan Schmidt
Alderman-at-large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman June M. Caron
Alderman-at-Large Brandon Michael Laws
Alderman-at-Large Lori Wilshire

RELATIVE TO AMENDING THE FY2020 HUD ANNUAL ACTION PLAN TO ACCEPT ROUND 3 CDBG-CV FUNDING UNDER THE 2020 CARES ACT

Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE and SCHEDULE A PUBLIC HEARING ON MONDAY, FEBRUARY 8, 2021, AT 7:00 PM DURING THE HUMAN AFFAIRS COMMITTEE MEETING, by President Wilshire

R-21-113

Endorsers: Alderman-at-Large Ben Clemons
Alderman Thomas Lopez
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Skip Cleaver
Alderman Jan Schmidt
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman Linda Harriott-Gathright

AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDMENT TO THE 14 COURT STREET LEASE FOR UNIT B WITH LIQUID THERAPY, LLC

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

NEW BUSINESS – ORDINANCES**O-21-045**

Endorser: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman Jan Schmidt
Alderman Skip Cleaver
Alderman Tom Lopez
Alderman Linda Harriott-Gathright
Alderman Patricia Klee

AMENDING THE BUILDING CONSTRUCTION ORDINANCES AND INCREASING THE BUILDING DEPARTMENT FEES

Given its first reading; assigned to the PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING ON MONDAY, MARCH 1, 2021, AT 7:00 PM, by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT - None

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Lopez

Thank you Madam President. First I'd like to thank the Mayor for clarifying the access to the COVID-19 vaccination clinic for people who aren't able to drive. As a non-driver personally it wasn't necessary for me to Segway my way through this one because I have been registered at a clinic as a healthcare provider. But I know a lot of people who were very concerned about their access to those clinics. I have also been working with Director Bagley to see if we can do some site specific ones for places where there are a large population of elderly people and people who are less likely to be able to travel to those sites. So Director Bagley has been very, very helpful in that area.

Particularly tomorrow is the Point in Time Count, it is the annual time of year where we count all of the homeless people that we are able to locate. So with that in mind, anybody who is currently homeless, either unsheltered, couch surfing, or staying in a shelter, please make sure you participate. You can call 211, you can participate at the Soup Kitchen or the Rescue Mission; anywhere where you are able to make contact with people. Tomorrow is a snowy day so I know it's going to be difficult for people but in addition to that, Director Bagley has arranged with the State to get a limited number of advance inoculations for the homeless population, specifically because they are so at risk and they are transient. So she has arranged for a special clinic at the Soup Kitchen to take place between 10 and 12, only for people who are homeless. So please everybody let's stick with our sign in plans and all that kind of stuff. This is for people who won't necessarily have regular phone contact or contact with people, because we thought it is extremely important to count the people who are unsheltered right now and it is also extremely important to engage them and try to get them vaccinated if possible.

So I want to thank Director Bagley for all of her efforts on that end and the Mayor as well for all the things that he's been helpful with. Thank you.

Alderman Clemons

Thank you. I want to just also echo Alderman Lopez. I want to thank him and Director Bagley for all of their efforts with the vaccination sites because I myself got a few phone calls from people who are concerned who didn't have vehicles that they were going to get turned away and we cleared that up pretty quickly and actually are turning that around and maybe even, you know as Alderman Lopez said, working on different sites, specific things. So I want to thank both of them for their continued effort on that.

I also want to thank the Mayor for the news about the barriers; I think we got a great deal on them. And I think that program is going to be very successful this year and with what President Biden had said today, he said that hopefully we will be able to have vaccinations done by the end of summer. So I think that it is going to be important that we continue our COVID-19 protocols through the end of the summer anyway and keep our best efforts and one of those that we did in Nashua was the barriers and the success that we had. So I am looking forward to having that discussion and getting those out and moving that forward. So thank you very much, that's all that I have.

Alderman Klee

Thank you Madam President. I want to echo the comments of my colleagues about the efforts of Director Bagley and Alderman Lopez and the Mayor, etc. for getting extra clinics set up for those that do not drive. I think that is extraordinarily important and I thank everybody's efforts.

Just veering off the COVID for just one second, I'd like to recognize and thank Alderman and State Rep Linda Harriott-Gathright for her efforts on the MLK Event that we had a week ago. It was incredible considering it was done virtually, it is usually a breakfast that they have. I was eating my breakfast while listening and being part of it. It was amazing and they did a phenomenal job.

And back to the COVID, I've heard from a lot of people who've had a little bit of a difficulty with trying to log in, get appointments and so on and I just want to let the public know that there are two emails that they get; the first one is from the State and that basically just states that yes, we have confirmed that you have registered. And that is obviously after you have registered. The second one is from the CDC and the VAMS and when you get into that there will be a link, when you get into that the very first question is, no you have not registered. So many people are hitting yes that they've registered because they've registered with the State. But you haven't registered with the CDC and that has been the biggest stumbling block that most people are falling into.

Another one that they are stumbling into is the role of the person; you can leave that one blank. That's one of those fields that you can leave blank. You are going to get to the end and it is going to ask you where you want to go. If you say you are going to stay within 20 miles it will bring you to Nashua. They are booking up until the end of March for Nashua right now. I think I helped five people today and all of them were March 23rd. So I am willing to help but I am sure that there are other State Reps and so on that will help. But 211 is a phenomenal source, they are really helping people to register and so on. And I can tell you first hand, my husband registered, we had a little problem with his so I know all the pitfalls but he got his vaccine today and we got in line, it was the smoothest, amazing process that I couldn't have even imagined. Everybody was incredible, the National Guard, a very young, female National Guard Private gave him his vaccination. She was professional, she was incredible, we sat there for 15 minutes and knock on wood he hasn't had any reaction to it other than a sore arm he said.

I think that we can get through this; I think it's important for us to get the vaccines and as each phase, I think I am looking at probably June or July for my phase, but I think every person that gets vaccinated that is one less person that's going to get sick. So please don't give up, if you are frustrated call 211 or call a neighbor or someone that has done it; they can help you. Thank you.

Alderman Jette

Thank you Madam President. For the Ward 5 Residents out there, the City is in the process of doing a study on overnight parking; whether or not the current Ordinance which prohibits parking on most streets for more than 2 hours between midnight and 6:00 a.m. is being studied by a firm to see whether or not they are going to recommend whether or not it would make sense to make any changes to that. So if you have any thoughts about whether, you know, how you feel about overnight parking on your street, there's a Town Hall Meeting for Ward 5 residents this coming Monday at 6:00 p.m. And you can get the link from the City Website, if you go to the Parking Department you can get it there or you can get it from the Ward 5 Community Facebook Page or the Ernie Jette Ward 5 Alderman Facebook Page. And I welcome you all to come and express your opinion and hear what other people have to say about it. So if you have thoughts about it, this is your opportunity to be heard. So please come this Monday at 6:00 p.m.; it's via Zoom. Thank you.

Alderwoman Lu

Thank you Madam Chairman. And along the same line, our Ward 6 Zoom Meeting for the Parking Study is tomorrow at 6:00 p.m. Thank you.

Alderman O'Brien

Thank you Madam President. Earlier while the Clerk was having some of the sound glitches there, until it got rectified, I really must compliment Alderman Lopez who had in his background screen shot a fully

involved dumpster in a flooded situation floating down the street. It played out and that was what my comment was. I wish you played it longer, I was waiting for the City Fire Boat to chase it down the street but it didn't occur. But I would like to compliment Alderman Lopez for his particular, it was a true fire and water event and I did...

Alderman Lopez

I have no idea what you are talking about Alderman O'Brien, my background is clearly something different.

Alderman O'Brien

There you go. Thank you.

Alderwoman Lu

Thank you, I have my days mixed up. So Ward 6 Parking Study Zoom is 6:00 Thursday. Thank you.

Committee announcements:

Alderman Dowd

Yes, this Thursday Joint Special School Building Committee, January 28th, 7:00 p.m. via Zoom.

Alderman O'Brien

Yes tomorrow night at 7:00 p.m. January 27th will be a Zoom Meeting of the Committee on Infrastructure. We only have one item on the Agenda so therefore we made a little bit of space for Director Cummings. He wants to come in and brief us all on the barrier situation. So if any members of the public or any members, of course, of the Board, you are welcome to please attend. Thank you.

Alderman Caron

Yes thank you. The regular meeting of the Personnel Administration Committee will be held on Monday, February 1st, at 7:00. We have one interview and then we have the user fees for building code. Thank you.

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE JANUARY 26, 2021, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED, BY ROLL CALL

A viva voce roll call was taken to adjourn the Board of Aldermen meeting which resulted as follows:

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	14
Nay:	0

MOTION CARRIED

The meeting was declared adjourned at 8:31 p.m.

Attest: Susan K. Lovering, City Clerk