

PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE

FEBRUARY 7, 2022

A meeting of the Personnel/Administrative Affairs Committee was held Monday, February 7, 2022, at 7:00 p.m. in the Aldermanic Chamber as well as via Zoom teleconference.

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

The roll call was taken with 5 members of the Personnel/Administrative Affairs Committee present:

Chairwoman Shoshanna Kelly presided.

Members of the Committee present: Alderwoman-at-Large Shoshanna Kelly, Chairwoman
Alderman-at-Large Ben Clemons, Vice Chair
Alderman Tyler Gouveia
Alderman Thomas Lopez
Alderman Derek Thibeault

Also in Attendance: Alderman Alex Comeau
Alderman Patricia Klee
Alderman-at-Large Lori Wilshire
Alderwoman Gloria Timmons (via Zoom)
Alderman John Sullivan (via Zoom)

ELECTION OF CLERK

MOTION BY ALDERMAN CLEMONS TO NOMINATE ALDERMAN THIBEALT TO SERVE AS COMMITTEE CLERK FOR THE 2022-2023 TERM

**MOTION BY ALDERMAN GOUVEIA TO CLOSE THE NOMINATIONS
MOTION CARRIED**

**MOTION BY ALDERMAN CLEMONS TO ELECT ALDERMAN THIBEALT AS COMMITTEE CLERK FOR THE 2022-2023 TERM
MOTION CARRIED**

PUBLIC COMMENT

Laurie Ortolano

Laurie Orlando 41 Berkeley Street. I'd like to address Ordinance O-22-002 allowing Alderman to participate in meetings through video teleconferencing to the presiding officer and conduct the meeting. I'm opposed to this ordinance. I think it's really important, particularly the presiding officers, that you have a presence in the chamber. I've testified quite a bit up in Concord. There's a lot of different legislation up there this year on remote meetings. Right to Know New Hampshire has been opposed to those types of meetings and switching to that format. I think our elected people really need to be here. I know that we've been through a lot with the pandemic. I don't anticipate that we're going to stay in it forever and I don't think we can use the fear of COVID to keep us from coming out and participating. There's a lot of good things that happen when you're in a live meeting with people, and a lot of social cues, and body language that tells you what's going on in a meeting that you don't get when they're not here. I have not liked the video conferencing done, particularly where elected people keep the video off but they're on. I think we should be able to see our elected officers.

I also think the video quality at times is intermittent. As far as the telecommunications, the verbal - the communication it's not great. The past two months have been a little spotty, a little tricky. I don't know why I'm not complaining about it. It's just the nature of the beast but I think it also makes recording minutes and having a record of the document that is so utterly important under RSA 91-A for the broadest access to public information and public meetings to be obtained. So I would ask all of you to not support that and really embrace being in this chamber, and being together, and being among your citizens who come out and want to converse with you. I think more of us will come out as things get better and that we conduct business the way we've always done business. Thank you

Laura Colquhoun

Laura Colquhoun at 30 Greenwood Drive. I'm asking you to trim down the Ordinance 22-002. I feel that it is only fair to the taxpayers that the that we elect, that we get what we're paying for, and I'm sorry to say that Shoshanna Kelly if she can't make the meetings or Ben Clemens can't make the meetings because of their social life or their business life, maybe they should resign. But at this point, the taxpayers have paid this and we should get our money back.

As far as the other Aldermen, there's a lot of Aldermen that have benefited Miss Kelly's business and I don't begrudge her that but the problem is, all Aldermen should stand up for the rest of the taxpayers and we should be able to have this money back. Also this is something that we need the people that are in charge to be physically there. If we don't have them physically there, why bother have the meetings? I'm sorry. This is something that, you know, we're trying to get more people and more residents to be involved and we need to have a physical location where all the Aldermen show up and participate with the residents. Thank you.

Chairman Kelly

Is there anyone else from - I don't see anyone online and there's no one else in the chamber. Okay moving on.

COMMUNICATIONS - NoneINTERVIEWSConservation Commission

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

Term to Expire: December 31, 2024

Chairwoman Kelly

So I would invite Maureen. The Mayor cannot be with us this evening but if you could just give us a little bit about yourself and you know why you're stepping forward for this role. That would be lovely.

Maureen Bourque

Sure. Good evening and thank you for giving me the opportunity to speak. My name is Maureen Bourque. I'm a resident here in Nashua. For the past several months, I have been volunteering with the Conservation Commission to participate in a cleanup at the Wildlife Sanctuary. I have been participating in observing in the Zoom meetings to become more familiar with how the Conservation Commission works.

I am a recent graduate 2021 of the Natural Resource Steward Program from the University of New Hampshire Cooperative Extension where we are encouraged to become involved in the community as volunteers. I am a former healthcare worker. So I'm very much used to working with a team in a collaborative approach. What I love that I learned from the Conservation Commission as well as what I have learned from the Natural Resource Stewards Program is the importance of being involved in the community and caring for those natural resources. I'm becoming more familiar with wetlands. I'm becoming more familiar with the conservation land that's already been established in this community which has been phenomenal by participating with guided hikes with one of the commission members. So I'd love to be able now that I'm retired to be able to give back to the community, to become a steward here in Nashua, to be able to help with maintenance of that land, education of the public, and the goals of the Commission in working with the city to optimize our natural resources here. So thank you.

Chairman Kelly

Thank you very much. Questions from the committee?

Alderman Lopez

So first of all in order for my final comment to be put into context, I mean not to look like a flake, I'd like to say I'm glad that you've gone to the meetings already. You've done your due diligence. I appreciate the background and the experience that you bring to it. And then finally, I also just wanted to comment that your resume is like a work of

art. It is succinct, it is specific, it has literally all the traits I'd want to see on a committee member. I was very impressed and I didn't want to let go without comment.

Maureen Bourque

I appreciate that. Thank you very much. Just a heads up. One of the things that part of the National Research Stewards Program does is it teaches us how to do very concise communication. So we try very hard and I'm also an artist as well. So thank you very much.

Alderman Lopez

I think those traits can only help the Conservation Committee and its messaging. Thank you.

Chairwoman Kelly

I agree.

Maureen Bourque

Thank you.

Chairwoman Kelly

Anyone else? Alderman Clemons.

Alderman Clemons

Yes, thank you. Madam Chair. I just wanted to say thank you very much for coming forward to serve the committee and I wish you well in your work.

Maureen Bourque

Thank you.

Chairwoman Kelly

Anyone else? I just also wanted to comment. I thought that your resume was very perfectly aligned for Conservation Commission. I served on it at the beginning of my first term and it's a great group of people. They've got a lot – a ton of knowledge and it sounds like you will be a perfect asset. So we will take up your nomination later in the meeting. Thank you for being here.

Maureen Bourque

Thank you very much for the opportunity.

Cultural Connections

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

Term to Expire: February 28, 2023

Chairwoman Kelly

Sheena could you or Shonda, Shanta - I hate it when people get my name wrong. I just did it like four times to you. Would you like to tell us a little bit about yourself please?

Shanta Bist

Good evening, everyone. Can you hear me?

Chairwoman Kelly

Yes, we can hear you just fine.

Shanta Bist

Thank you everyone for giving me this opportunity to be here today. My name is Shanta Bist and I live 4 Cobble Hill Road, Nashua. I've been living here almost 21 years now. But before that I was in Durham-New Market area. I did my Master's in chemistry from the University of New Hampshire. After that, I worked for AstraZeneca R&D Boston as a synthetic chemist for several years. I took a break in between. Since last year, I'm back to AstraZeneca again working in different role there. I support chemists.

So while doing all this, I've been involved in many committee work. I'm originally from Nepal and we have a committee called "New Hampshire Nepalese Committee. I have worked with the committee in different roles from members all the way to currently I'm the President of that committee. Since early 2018, I've been working with (inaudible) as well. So the tiered personnel, our Cultural Connection Community, and (inaudible) to volunteer with her. I had brought the people, the kids, students. Not only kids but they're all from my community to volunteer in different areas. The reason for me, and I really liked because it gives an exposure to other communities of the city where I'm living. Even though it's a big community, Nashua is a big community - many different people from diverse community live here, we hardly get to know about each other. But this community gives me that opportunity where I can connect people from my community to other community and now be involved, help each other in any way possible. That is the main reason I decided to apply for the members, thank you.

Chairwoman Kelly

Thank you so much for that. I'm going to open up to questions.

Alderman Thibeault

Thank you, Madam Chairwoman. I just want to say I thought your resume was you had so much experience and it was pretty involved, which is great. I love also that we have a Nepalese community in Nashua and in New Hampshire. I'm glad you're stepping forward. Thank you for that and that's all I wanted to say. I just wanted to thank you for coming forward and it's great to have more diversity in our city and hopefully more in our government soon as well.

Shanta Bist

Thank you. I appreciate that. Thank you.

Alderman Lopez

So in reference to the resume, the first four pages are extremely impressive credentials suggests that you would not only be a great liaison for the community, but also a great inspiration for people looking to advance their education, their career, their degrees. Sometimes that can be difficult when you feel like you have to earn your place based on what other people think of you versus following a passion and being able to achieve success, you know, overcoming a lot of different barriers.

I was very impressed by the fifth page - the last series of qualifications or experiences particularly being a Lion Club member, being participant and participant in the cultural connections committee. Already, I think I have actually seen you in some of the meetings, but with all of the experience and the activities you have, one of the concerns due to the size of the Cultural Connection Committee is ensuring that there's quorum for the in person meetings that they have. Is the time for the Cultural Connections Committee something that's accessible to you that you'll be able to participate in monthly?

Shanta Bist

Yeah, I mean, in person. That's a very good question and that's going to be a struggle for me. I wouldn't be able to do every month. That's something I would like to know a little bit more about but I can do every other month.

Alderman Lopez

Like I said, that's understandable that on committees where there's a large membership not every member will be present. It is important, obviously, for everybody to communicate with the Chair if they are or aren't so that you don't have, you know, 12 people show up in the morning and everyone has to leave or there aren't enough people there. So it is a challenge. I was just curious because one of the things that the Cultural Connections Committee has struggled with even since when I was the Chair is when do they meet that people can go? If you go during the day, then all the city departments can represent and be effective liaisons to community issues that are being brought up.

If you go in the evening, it's more accessible to some parents but not the parents with kids and activities and night jobs. It's always tricky trying to figure out exactly when you can get the best representation. So I appreciate your willingness to stand to that position and I respect the credentials and experience that you bring to it.

Shanta Bist

Thank you. Thank you very much. My plan is to since I have some flexibility of being able to work from home as well and my company always pay from what you know, they encourage people to volunteer. So I think I can find that not every month but every other month, you know, whenever there's a more important topic being discussed. I would like to be presented with meetings and I'll try my best to be there.

Alderman Lopez

I think they can use your insight.

Alderman Wilshire

Thank you for stepping forward. This is a really important committee and I appreciate you stepping forward. If you were brought on board by Deepa Mangalat, you're okay with me. She's also a wonderful volunteer here in the city. So thank you for your willingness to serve on this.

Shanta Bist

I'll do my best and I do appreciate you giving me this opportunity. Thank you.

Alderwoman Timmons

Yes. Thank you Miss Bist for joining the Cultural Connection. I read your resume. I was very impressed as well. I do have a question. You said you're currently leading a group of kids and the community based services. Can you just give me example what you're talking about when you say you lead those group of children and community services?

Shanta Bist

Yes, yes. So you have to develop committee. The committee itself, we are mostly adults, you know, over 40 years old. We feel like, you know, if we cannot involve our kids to do more volunteer work over time, there'll be nobody to replace us. Not only that we want them to be, you know, get connected with the local community as well. So these kids mostly from our community, we have kids - we created this subcommittee called (inaudible) Nepali Youth Network. There are almost now when I started there were like 16 kids. Now it has grown up to be 30 kids. They have done different activities. Recently they're involved in winter clothes drive. Besides that for this upcoming Valentine's Day, some kids are making cards and writing letters for (inaudible) and also they're trying to send some gifts to the Children's Home and things like that. So they are doing that.

Last year some of the kids, they did culture program through the Zoom and then they collected some money. They were able to collect some fund. So they utilize part of this to donate. I forgot the name of the organization like Find Child America or something like - I'm sorry, I cannot remember the name of the organization but I think it's Find Child organization. The kids they decided among themselves to send some part of money collected to this organization. Some of the money they sent to the kids were really, you know, in the school orphanage where they're really struggling back in Nepal. These are the type of activity they're doing. So that's an example.

Alderwoman Timmons

Thank you. It's always a pleasure when I hear something positive that's going on in the community. One of my

goals is to visit Nepal in the future. There's five countries I want to do in May but yes, I am going to go to Nepal. Working with kids is phenomenal and thank you very much and I look forward to working with you.

Shanta Bist

Thank you, me too. Thank you.

Chairwoman Kelly

Okay anyone else in the chamber?

Alderman Clemons

Just briefly. Thank you very much for your service. I appreciate you stepping forward.

Shanta Bist

Thank you, I appreciate that.

Chairwoman Kelly

Thank you so much for being here. We will take up your nomination at the later part of the meeting. We appreciate your willingness to serve.

Shanta Bist

Thank you.

APPLICATION TO LICENSE HAWKER'S, PEDDLER'S, ITINERANT VENDOR'S LICENSE - None

APPOINTMENTS BY THE MAYOR

MOTION BY ALDERMAN THIBEAULT TO RECOMMEND CONFIRMATION OF THE FOLLOWING REAPPOINTMENT TO THE AUDITORIUM COMMISSION: PAUL LAFLAMME WITH A TERM TO EXPIRE DECEMBER 31, 2024;

THE FOLLOWING NEW APPOINTMENT AND REAPPOINTMENTS TO THE CONSERVATION COMMISSION: MAUREEN BOURQUE, JEDIDIAH CROOK, SHERRY DUTZY, GLORIA MCCARTHY, AND BRANDON PIEROTTI, ALL WITH TERMS TO EXPIRE DECEMBER 31, 2024;

THE FOLLOWING NEW APPOINTMENT TO THE CULTURAL CONNECTIONS COMMITTEE: SHANTA BIST WITH A TERM TO EXPIRE FEBRUARY 28, 2023;

THE FOLLOWING REAPPOINTMENTS TO THE MINE FALLS PARK ADVISORY COMMITTEE: RICHARD GILLESPIE WITH A TERM TO EXPIRE DECEMBER 31, 2024, AND STACEY VIGNAULT WITH A TERM TO EXPIRE JANUARY 31, 2024.

ON THE QUESTION

Alderman Wilshire

Also you have John Griffin under all those three or four things.

Chairwoman Kelly

Yeah I also saw Cheryl but we didn't talk to her so that's why we skipped it. We didn't interview Cheryl Lindner for new appointment to the Conway Ice Arena. We didn't interview Cheryl Lindner and then there was a new appointment to the BPW Retirement System Trustees, which is John Griffin. If the committee would wish to push those forward without interview, I'm fine with that as well but generally we interview.

Alderman Lopez

Especially when it's a new appointment, I'd prefer to interview them. I would also wonder if the replacement is time sensitive in any particular way. I know particularly John Griffin. It says he's replacing David Fredette as Treasurer. So I want to depending on when they're actually meeting, maybe we shouldn't wait. Interviewing our own, like financial officers seems a little redundant.

Chairwoman Kelly

it sounds what you're saying is that you would like to include at least...

Alderman Lopez

Yes. I'm saying I appreciate and I endorse the idea of vetting newcomers that are going to be serving on boards and making sure that we know where their backgrounds are, but like city staff, maybe not, and particularly if they're on boards that might need their expertise.

Chairwoman Kelly

Okay. What other members think?

Alderman Clemons

I agree with Alderman Lopez. I also think that in the case of Cheryl Lindner, she definitely has the background in sports management to be able to do that arena job. So I'm comfortable with both of them.

Alderman Gouveia

I feel confident as well about pushing these through just solely because they're familiar faces to all of us here on the board. I feel there's no need to really re-interview for positions we know they're qualified for.

Chairwoman Kelly

Okay. Sounds like we're in agreement to add the two.

Alderman Lopez

I would just like to point something out though. Cheryl's term is indefinite. So I wasn't sure if people would feel differently if they knew that it's an infinite position.

Alderman Clemons

I think that needs to be clarified because I believe that that is an indefinite term at the pleasure of the Mayor. So it's not in definite but it's indefinite that the pleasure of the Mayor.

Chairwoman Kelly

Okay. Sounds like a consensus. Let's included them into the (inaudible).

Alderman Clemons

The same thing is that the one with John Griffin is the same thing.

Chairwoman Kelly

Do you want to reread it and add those two since it sounds like that as the pleasure of the Committee?

MOTION BY ALDERMAN THIBEAULT TO RECOMMEND CONFIRMATION OF THE FOLLOWING REAPPOINTMENT TO THE AUDITORIUM COMMISSION: PAUL LAFLAMME WITH A TERM TO EXPIRE DECEMBER 31, 2024;

THE FOLLOWING NEW APPOINTMENT AND REAPPOINTMENTS TO THE CONSERVATION COMMISSION: MAUREEN BOURQUE, JEDIDIAH CROOK, SHERRY DUTZY, GLORIA MCCARTHY, AND BRANDON PIEROTTI, ALL WITH TERMS TO EXPIRE DECEMBER 31, 2024;

THE FOLLOWING NEW APPOINTMENT TO THE CONWAY ICE ARENA COMMISSION: CHERYL LINDNER WITH AN INDEFINITE TERM

THE FOLLOWING NEW APPOINTMENT TO THE CULTURAL CONNECTIONS COMMITTEE: SHANTA BIST WITH A TERM TO EXPIRE FEBRUARY 28, 2023;

THE FOLLOWING REAPPOINTMENTS TO THE MINE FALLS PARK ADVISORY COMMITTEE: RICHARD GILLESPIE WITH A TERM TO EXPIRE DECEMBER 31, 2024, AND STACEY VIGNAULT WITH A TERM TO EXPIRE JANUARY 31, 2024; and

THE FOLLOWING NEW APPOINTMENT TO THE BPW RETIREMENT SYSTEM TRUSTEES COMMITTEE, BUSINESS & INDUSTRIAL DEVELOPMENT AUTHORITY, AND TAX INCREMENT FINANCING DISTRICT: JOHN GRIFFIN WITH AN INDEFINITE TERM

MOTION CARRIED

Chairwoman Kelly

Congratulations to those who are still with us this evening.

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS - None

NEW BUSINESS – ORDINANCES

O-22-001

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

DISSOLVING THE SUBSTANDARD LIVING CONDITIONS ALDERMANIC SPECIAL COMMITTEE

MOTION BY ALDERMAN THIBEAULT FOR FINAL PASSAGE

ON THE QUESTION

Alderman Wilshire

Thank you. I brought this this Ordinance forward because I believe that the Substandard Living Conditions Committee, and I believed it in the beginning, is actually more of a function of the Human Affairs Committee. We had an incident back in September of 2015 with the Country Barn Motel was featured on the Travel Channel Hotel Impossible. The living conditions were deplorable. There were bloody mattresses. There were used needles. There were bedbugs. It was just terrible. I mean they rated it the worst hotel in the country. It got some makeover. They got a couple of contractors to come in and start fixing up a room and kind of showing the landlords what they need to do to invest and to keep people good people there. There was a lot of drug activity there. I think a lot of that has - I'm not saying all of it - but I think a lot of it has kind of calmed down. It seems to be going better than it had been for many, many years. So I think this committee is kind of redundant. I think the work that has, well they haven't had any business for the last few years, they haven't had any legislation. They did meet and talk to Code Enforcement and things like that but we could do that just as well at the Human Affairs Committee. Human Affairs

Committee is responsible for affordable housing and this would qualify under that. So for those reasons, I would like to dissolve the Substandard Living Conditions. Even the title isn't good. It could have been building improvement committee or something but that's why I brought this forward. Thank you.

Chairwoman Kelly

Thank you Alderman Wilshire for the explanation.

Alderman Clemons

Thank you. I agree with Alderman Wilshire. I think that the really that it should be this type of conversation should be mostly dealt with in the Human Affairs Committee with the majority of the topics that would fall under this because basically that's the committee where a lot of money goes and flows into that we might want to take advantage of to take care of some of these problems. A lot of the employees that work for the city are familiar faces to the committee members on that committee who you might want to talk to in regards to a topic like this. So I think that, you know, expanding not really expanding the role, but moving the role of this under Human Affairs kind of consolidates everything. I think it makes more sense. So I fully support doing this.

Alderman Lopez

So I just want to make it clear to the public at least as far as I'm concerned and I believe and I'm not gonna speak for other Aldermen, but we're aware that substandard living conditions do exist and continue to exist in the city. It is an area that we receive constituent concerns about and will generally work with landlords who will work with the Housing Authority. We'll try to find resolutions. As Alderman Wilshire brought up, we didn't create new legislation specific to this topic at the committee level. I chaired it for its second term I think but we were able to be a forum for people to come and discuss issues that we're facing. It was an opportunity for city departments to educate the public and the Aldermen with efforts that they were working on with challenges that they had and working on those issues. I think a lot of us on the committee didn't fully understand the ongoing zombie horde that bedbugs can represent. So Public Health was able to kind of explain that landlords can't just quickly make them go away. But there were also some roles and some issues where there really was a power disparity between landlords and residents and there are areas that the city can help with. We were able to resolve a lot of that without creating new legislation or new laws.

So the idea of the public being able to connect with us at the board in order to express concerns about things that are happening is certainly valid. I agree that it fits under the Human Affairs Committee's mission and model. I just wanted to assure the public that we are aware that there's a need for new housing, and we are working on development projects, and on economic opportunities, and public and private partnerships to try to create new housing. We are also aware that we need to maintain aging housing and that we need a community that has landlords and tenants that both have consistent ideas of what constitutes a home. I think we did a lot of good work with the committee over its lifetime and change for special committee to committee but one of the most important concerns that we had, at least the last meeting that I Chaired, was did its former mission really meet what we were doing? Because we were concerned that it did start in response and reactive to a specifically bad situation. In fact, most of the committee's work in its first term wasn't focused on that place explicitly. It was focused on other rental places that was trying to explore what exactly is the role of the city when they're working with, you know, providing housing for people on a cost effective basis what are we enabling? So there was a lot of work that was done. I think its focus needed to become more encompassing of situations that moved beyond what it was originally precipitated for. I think we were able to do that and we will be able to do that with Human Affairs as situations present themselves.

Chairman Kelly

Thank you all Alderman Lopez.

Alderman Klee

I just want to make sure the other members from the committee had spoken.

Chairwoman Kelly

You're good.

Alderman Klee

Okay, thank you. I'm not opposed. I'm not on your Committee and I'm not really opposed to killing this as long as the Human Affairs Committee will, in fact, hear cases such as what Alderman Lopez had spoken about. I was never on this Committee but I attended it and brought a lot of different issues through and bedbugs was one of my big one for bringing forward through and so on. I don't want to disparage landlords, but too often the landlords went there and they also had the frustration bedbugs are very - they didn't necessarily bring them in. They're brought in by somebody else. So who's responsible for it? During that case, innocent renters were having to deal with it themselves - children and bites, being afraid to go forward and make a complaint to the city because the city can't go in to an apartment without having a complaint from someone who's already occupying that space. So if that person got very disgusted and said that's it I'm moving and then let the city know. The city couldn't do anything because it's an unoccupied space. Then once it became occupied unless that person complained so we didn't have any mechanism. Truthfully I'm working on some way of changing that mechanism.

I just want to make sure - and I hear from everybody - that the Human Affairs Committee is a place that someone could bring these issues up and how would that mechanism work? Would it be an Alderman such as myself would go to the Chair and say this is an issue that I'm seeing, and so on, somewhat what we did with the Substandard Committee or without having to necessarily do legislation trying to get the education and so on? Having said that, I would strongly suggest seeing the Human Affairs is taking this committee, this role, that we do what we did for substandard and get city staff to come in and educate the members as to the role of the city for code enforcement for adequate style of housing and so on. Just a recommendation. Thank you.

Chairwoman Kelly

I'm sure that Alderman Lopez will back me up as the Chair of Human Affairs, but he has a pretty storied history in this and I am sure that he and myself as the Vice Chair can make sure that there's still that mechanism. I definitely don't think we want to lose any ability to hear and support the substandard living conditions things that have been coming up over the past two years, I think it's just efficiency and being able to approach them in additional ways especially with all the rehab and stuff that we're doing so we can continue to improve housing conditions in general.

Alderman Klee

I would just like if it's possible to have a clear avenue how this gets to the Human Affairs Committee without it necessarily having to be legislation. In the past people came to the Substandard Committee and spoke and so on. I think that's how things got done. I think that's how education got done. So I mean short of us doing legislation, that's the only way I can see it happening. Just a comment. But I understand that not a lot was being done in this Substandard Committee. I think it was kind of a catch all type of thing. We weren't happening quite as much. So it does make sense to dissolve it. I just don't want to lose that aspect that we can offer to the public. Thank you.

Chairwoman Kelly

Alderman Wilshire do you want to just approach that? I mean I think that's a good logistical question.

Alderman Wilshire

Yeah, that is a really good question. I feel that this current Chair and the past Chair of Human Affairs have adequate knowledge and they know a lot, especially Alderman Lopez about what's going on in the community, who needs help, how they get it. He's connected. I think Alderman Lopez is very connected to the community, especially the people in need. Right, Tom?

Alderman Lopez

I try.

Alderman Wilshire

You do and I think you do a really good job at it. I think Alderwoman Kelly is an asset there as well. I was reading some of the Substandard minutes before I brought this forward and there was a lot of talk. Code Enforcement was here and, you know, they got a list of landlords which they hadn't had in the past, and phone numbers, and addresses, and things that the Fire Department could use, Police Department could use. Really if you go back and read some of the minutes, it's quite enlightening. So I think carrying over will just happen. This was set up as a one

item committee and we did get some good traction out of it but it didn't have the umph. It just needed to be, I think, merged into the Human Affairs Committee because we don't need another standing committee and there was never any legislation for it. I think the Human Affairs Committee is where it should have gone in the first place. So thank you.

Alderman Klee

Thank you.

Alderman Lopez

I think we can anticipate that as a topic presents itself to the Human Affairs Committee, and people attend that committee, and then discuss that topic, and more topics will follow that because generally that's how any useful effort begins. So happy to have the meeting to present like different challenges and that types of things that are happening.

I also think we have public comment at Human Affairs. So it's not a question of whether people have access to it. It's a question of whether they know that that's something that it does and that's where the more items and discussion points that we have on the topic, people will start to recognize okay, well that's the role of the Human Affairs Committee. So that may be one of the objectives of separating substandard living conditions as a distraction. If people think that that's the only place you can go to and Human Affairs is meeting regularly and has all of these things going on, they're missing an opportunity. So I think consolidating it helps clean the message. We do on the committee have to attend to issues that come up that fall into that category and keep that open format. I think if we make it about me as the Chair, and my connections, and my momentum now, we run the risk of the things I don't know. So it's wiser, I think, to make the committee absorb this type of work and activity as part of its mission of human affairs rather than specifically having a substandard level of living conditions committee designed for troubleshooting and that requires somebody be chairing it that has a specific interest and focus in this area. So I think, ultimately, it's just going to be up to us to make sure that we take on business legitimately, that addresses these concerns, and as we do that the public will recognize that this is where they can talk about things that are going on.

I would also point out that a lot of what the Substandard Living Conditions Committee did wasn't to create a new place for the public to go. It was to point out who they should be talking to. We found a lot of interesting miscommunications or misinformation points where the public believed that oh I go to the Code Enforcement Department for this and it was a public health issue or I go to, you know, the Mayor's Office for this and it's really a question for New Hampshire legal assistance. So we don't have to be the solution to every problem but it would be good for us to be available as a solution for figuring out where to go for the problem.

Chairwoman Kelly

Thank you Alderman Lopez. I agree.

Alderman Gouveia

No problem. Thank you. I do agree. I think it should be dissolved and to go off what a lot of people have said before is that as long as the issues are still being talked about in Human Affairs then I don't think there's a need for a Substandard Living Conditions Committee itself. If everybody at Human Affairs feels they can accurately still continue the business that's being done - I know it's not much - but can be at least the point of communication for residents who feel it is important, then I think it should be done but I think it is just making sure the public knows that the job really isn't done. It's still continuing just as part of another committee. It's not saying we're stopping caring about legislation for substandard living, it's continuing it just under a different committee name. Thank you.

Alderman Comeau

Yeah just to kind of echo what everybody has already said, I do think this is a good idea to dissolve this committee and roll it up into Human Affairs. The only concern that I had is not really a concern, it's pretty minor. The definition of the Human Affairs Committee just says "affordable housing" so I don't know if it would be prudent to update that description. The way the ordinance is written now, it's just to strike the Substandard Living Conditions Committee but there's no language in the current ordinance to add anything to the description of the Human Affairs Committee. I think maybe, you know, an extra line adding some of these duties of the committee that we're striking to the Human Affairs Committee just so that future reference we know exactly what the committee is supposed to handle

might be a prudent thing to do. That's all.

Alderman Lopez

In recognition of that comment, I really like it but I also think that if - I don't even know legally we can amend one committee while dissolving another one. But if we did, nobody will be able to find out where that originated. So that might be a topic of discussion at some point with the Human Affairs Committee to decide whether we need to amend it, or ask the President to change something, or edit it that way it's all in the right area.

Chairwoman Kelly

To clarify, you're thinking this is step one and...

Alderman Lopez

I think it's a very good suggestion. I just don't think it could be done this way without just causing confusion.

Chairwoman Kelly

Okay. Anyone else? Am I seeing anyone on Zoom? Anyone in the room? All right, the motion is for final passage of O-22-001 to recommend final passage.

MOTION CARRIED

O-22-002

Endorsers: Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Ben Clemons
Alderwoman-at-Large Gloria Timmons

ALLOWING ALDERMEN PARTICIPATING IN MEETINGS THROUGH VIDEO TELECONFERENCING TO BE THE PRESIDING OFFICER AND CONDUCT THE MEETING

MOTION BY ALDERMAN THIBEAULT FOR FINAL PASSAGE

ON THE QUESTION

Alderman Clemons

Okay so as we know, you know, through the pandemic we've become more familiar and in ease of Zoom with doing meetings and things like that. We've had the opportunity, I believe in the past, to be able to conduct a meeting while people are here in the chamber where the presiding officer is remote. I wanted to kind of walk people back in time a little bit to how this originally came around. So the legislature, I believe, passed legislation and I don't know I think it was 2009 or 2010 that allowed for public bodies to have members participate remotely via what they call telephone.

At the time, the legislation was silent on whether or not cities and towns would have to adopt that in order to be able to participate with it, or if it was an automatic thing, or whatever. So we at the Board of Aldermen at the time decided to adopt in our ordinances per the State law that we would allow Alderman to participate via telephone. Of course, we follow the State guidelines on that.

One of the one of the things at the time that we added to our own rules on that separate from the State law was that we weren't going to let the presiding chair participate. You could participate as the chair in the meeting and you can vote but we wouldn't let you be the presiding officer if you are participating via telephone. Now, if you all think about that, that makes a lot of sense because if I pick up this phone and I've got it like this, I don't know what's going on. I have no eyes, ears, or anything in the chamber. I don't know what's happening. So at the time, that prohibition made sense because you were strictly on a telephone and there was no video. There was no interaction really back and forth. You actually had to like hit a key in order for, you know, the beep you had to do that in order for the chair to recognize you or call on you.

So we've moved on from those times. We're far advanced now to the point where a chairman can have a point person in the room and can really conduct the meeting effectively, in my opinion, as long as they do it via teleconference. So this keeps the restriction for the phone so you can participate via phone. If you're like me and you like to go camping and maybe telephone is the only way that you can participate in a meeting, you still have that

option. But in this case what it's saying is if you're the chairman if you have access to zoom, you'll be able to continue to run the meeting. So I just think what this does, in my view, is bring us into the 21st Century. The other thing about it is true. My opinion on this is we give it a test run. There's nothing that says that if in the future it becomes a disaster. We can't take it back. The other part of that is we're all adults. We're responsible people. If we're having connection issues if I'm the chairman of a committee and I'm having connection issues, I'm going to say to my vice chair, you know what take over the meeting for me. It's not going to work for whatever reason. I think we're all adults. I think we can handle ourselves appropriately. I think that's what the people elected us here to do and I hope that, you know, we can try to move ourselves forward into the next century. So that's why I think this is a good idea but I'm happy to hear other people's opinions.

Alderman Lopez

So I want to begin by saying Aldermen Kelly has been targeted several times in public comment with regards to her attendance. This was related to the legislation that we have every year to oversee attendance. I would like to point out on her behalf if it's okay, that she had children with COVID, she was restricted from coming in. A lot of her absences were understood by the Board in general that the public may not be fully aware of. The previous year she had a child and was out for a couple weeks for that as well. So there are circumstances where Aldermen are not gonna be able to attend in person.

There are also Aldermen who at the last two terms that I've served on, we've had Aldermen with extremely acute medical conditions who it was dangerous for them to come in but they are an elected official. They're capable of doing the job as long as you make a reasonable accommodation for them. So I don't think this legislation is an indictment of teleconferencing and I don't think it should be seen as the effort of specific Aldermen to avoid actually having to come in and be an Alderman or be accessible to the public.

I think it has some merit in terms of it recognizing advances in communications but I have some concerns as well. The first is when I go to Honduras, or when I go on vacation, or I go elsewhere and I participate in a meeting anyway, I consider that because if it's accessible to me and I can still represent people of Ward 4, I will make the effort to do so. I wouldn't necessarily consider my positioning and my capability to participate to be on the level of being a chairperson. Being a chairperson takes a lot of preparation, it takes attentiveness and attention to the meeting, and focusing that attention and that input through teleconferencing can be difficult. So personally, I would be reluctant to try to chair a meeting remotely if I were on vacation or something to that effect. I think that would be where I would at least have my vice chair do it because they're focused on the moment, they're focused on the situation.

I'm also concerned that in a situation where people are present physically and a chair is participating remotely, there's not equal access to the people in the room. You can see right now we have the last speaker's pictures up on the Zoom. Your visual observation of the room is centered on the speaker. So we have to make allowances and changes to that and make sure that the chair can actually see the whole room, and can see hands going up, and make allowances for that, and that's an extra step. That's extra contingency planning and adjustments that need to be made. We did successfully do that during the 2020 pandemic and when we were forced by the Governor's emergency meeting not to meet in person. So it is possible to do that but that's when most of the members are going to be online or also virtual because the entire format shifts. I think having virtual chairmanship of an in person meeting I'm not sure that that's entirely consistent.

I would like to see personally this ordinance amended so that if a meeting had its pejorative of its quorum as remote and there was such an emergency condition in place that we couldn't all meet and it was going to be virtual meeting, then it was clear that that could be chaired and managed in that circumstance. I don't know that this should necessarily be a business as usual way of doing things. I think Zoom is important. I think teleconferencing is important. I think some of our public commenters tonight were able to access our meeting that may have had difficulty otherwise because of that opportunity. So I appreciate the value that it brings. I just would be concerned about those barriers for a chair to effectively chair a meeting, especially when technology or the logistics of it can become a new challenge.

Alderman Wilshire

Thank you. I'm concerned about this legislation for a number of reasons. First is a quorum issue. It kind of puts the burden on other people to show up, and Alderman-at-Large - well it's only an Alderman-at-Large that can make a quorum. So I think it puts a burden on other Aldermen if the chair is not here. But we also have a vice chair. So you know to me if the chair can't be here, the vice chair should be called upon to run the meeting.

The other thing I don't really like is the trouble and the disruption we have with Zoom. It's not a great science. It's okay. We can get by with it, but to run regular meetings at all times through Zoom I don't think it fits. I don't think it's a good fit for us here. I would just assume go back to full time everybody here meetings. I think I'm waiting for the day where they say we don't have to wear masks and people would have to call in but I wouldn't be surprised if we just get rid of Zoom. It's a lot of work for the videographer. They don't like it. It's too much trouble for them, especially when they have people at home and a lot of people if we have a contentious subject and a lot of people show up or a subject that isn't contentious that everybody wants. They have a hard time managing it too. I've talked to Kim Kleiner about it and she said Jeff is struggling. It's a lot of extra work for them.

So those are my concerns. The capacity for phone calls, we only have two. So there are only two lines available. So there are only two Aldermen that could call in and that's how it always was in the past. But my concern really is this technology doesn't fit. That's just my two cents.

Alderman Gouveia

Thank you. I have to agree that I just don't think this is the right kind of move to make to be the presiding chair over zoom. Would that mean that the vice chair has to be in person? Because if both were via Zoom and say the connection went out, who would run the meeting at that point? That was one of the major questions I have. To go on to that point is the point of having a vice chair is to carry out the duties if the presiding chair wouldn't be able to make it. So I think we kind of have the fallback there forum. So I think that would be the whole point would be to have the vice chair run the meeting when the chair can't be there.

I feel just reading the room as a lot of us do when we have people in the gallery is very important. I don't think you could get that full feel via Zoom when you're looking at either the last speaker or whoever else might have spoken more recently. You have their picture popping up. I'm all for people participating on Zoom. I think you can be a very active member on Zoom. You could be a good board Alderman or at large on Zoom. I just don't think you could be a presiding member on Zoom.

Alderman Thibeault

Thank you, Madam Chairwoman. I'm going to be a little wishy washy and I'm sure my detractors will love this. I come from, you know, working at a health insurance company for a long time, and leading teams, and when we started to do at home meetings or Zoom meetings way before the pandemic, I didn't love it. The thing with those big companies is people aren't in the same State so you couldn't meet necessarily in the same room. There was always issues with them. To me if you guys have seen me, I've been at these meetings even before I was an Alderman sitting live in the crowd as much as I could. I like meeting the people. I like being here. I think people should be able to meet the public. Right now we're just meeting Laurie every time because no one else is coming. But at some point hopefully they will be. For me personally I do like that. I love that interaction with people and I like seeing everybody in here.

For everybody that said things with challenges with Zoom, I do agree with that. We do have issues with that. The flip side is, you know, on nights like this but the thing is, we all got to deal with the same thing, right? We're all dealing with the ice, or the snow, or whatever so why should one person get to stay home and everybody else has to come in for a quorum. I will say I do think it should go to the full Board for a vote. So I think it deserves everybody's vote on it. So I will probably say yea to tonight. I may change my mind tomorrow, but I'm probably going to go against it unless I can be convinced or unless I really think about everything everybody said tonight and decided that I should vote to pass it tomorrow or whenever it gets on the Board. Thank you.

Alderman Klee

Thank you, Madam Chair. I'm not for this and I'm going to give it a perfect example. While I think you are an incredible Chair and I've complimented you for when you were on Human Affairs and you will do a phenomenal job on this, there was one meeting where you did preside via Zoom and it was difficult to say the least. I was your point person and while I think I'm a very competent person, I just felt like I was stumbling trying to balance who was on Zoom that wanted to speak versus to who was there. I think the Chair who runs and controls the meeting, when I was chair of State Federal Relations and Veterans Affairs, one of the things that would always say is my room my rules because I had to control the room. I had to control if we had a rowdy gallery. I had to control if for some reason the members were getting out of line. So the chair is not only conducting the meeting, and you do a phenomenal job, but also policing the meeting. I think it's extraordinarily important for that person to be here.

I would suggest much what many of the members said here if for some reason the chair couldn't make it, and I believe we would all have good reasons that we could not physically be here. I don't believe anybody is making a mistake and I think it's unfair that you've been attacked in any way, shape, or form. But the bottom line is, I think it should be pushed to the vice chair and if the vice chair couldn't do it, I have no idea how that would happen. I know that the President has and has sat in that seat many times. So I think that we should go with that. I personally am getting very weary of Zoom.

While I think it's great that the public can interact and so on, I, too, have gone back and forth with poor Jeff, and the rest of the staff, and they are at their wits end. Every day they're here an hour to 45 minutes ahead of time trying to set everything up, trying to troubleshoot, and just think about how many meetings that we've had that have been delayed just because Zoom wasn't working. CTV was working. We were all happy here but Zoom wasn't working. So I hope as the masks go, and as COVID goes, so does Zoom. That's just my opinion, thank you.

Alderman Comeau

Well you guys are all really lucky because I had a really long set of prepared remarks. I no longer have to say that. I can't argue with anything that was said tonight. That's basically how I feel. I don't understand how you could possibly chair a meeting from Zoom. You can't see when people have their hands up, you can't see what's going on in the gallery, and with respect to what Alderman Clemons said if you need to have a point person in the room to manage the meeting for you, then that person should just chair the meeting. We all have constraints on our time. I don't think that any of us think that people on Zoom are staying home because they want to attend the meeting in their pajamas. We all have lives outside of City Hall. In two weeks, I'm going to be away for business so I'm going to have to zoom into my Finance Committee meeting. I don't think I can clerk it via Zoom so that's going to be something that we're going to have to discuss.

The technological difficulties, you know, we had a Budget Committee meeting two weeks ago that I zoomed in. We couldn't hear the chamber, the chamber couldn't hear the Zoom. If something like that happens when we lose the chair to just get the very least is going to hold the meeting up. I think it adds a level of complication that we're really not solving a problem here with a vice chair and with Aldermen-at-Large that can step in.

The other issue I had that Alderman Wilshire brought up was the issue of quorum. If we have too many members on Zoom, are we even legally holding a meeting Or is that something we would have to address in the code? So I definitely don't think that this is a great idea. I know I don't vote on it tonight but if it comes before the full Board, I would not support it as currently written. I just think that it's not solving a problem and so why do it. That's all.

Alderman Clemons

Thank you. I appreciate everybody's comments. It's funny because one of the things I took one of those tests that basically was actually a financial test and said how risk averse are you? I'm not at all. I don't have any fear. Apparently like I am one of those people that I'm willing to try anything and see if it sticks to the wall, which I'm willing to try this as well which is why I was willing to sponsor it and see if it would work. So I certainly think that we can figure this out but I also respect my colleagues who have are a little less ready to just go with the flow, I guess.

I will say a little bit off topic though and since other people brought it up. I do want to make sure that Zoom is something that is here to stay. Because I think it is good for the public, I think it is good for people to be able to participate that way, I think it's mostly good for the public. If you're not able to get down here to City Hall, you can still offer your opinion and I also think it's good for our city employees who might have other things going on but need to attend a committee meeting and can do so from home. So since others brought that up, that's my opinion on that. I hope that's something that's here to stay regardless because I do think it's been a useful and helpful tool. Thank you.

Chairwoman Kelly

I think that this has been a great discussion. I think that there's a lot of points that we've all kind of been batting around here. It has been brought up that I own my own business and I've been seeing the nature of work change in general. I didn't want this necessarily be referendum on Zoom, but I think it has something that has become part of our lives in this pandemic and we figured out how to do it and we've done it pretty efficiently. Yes occasionally things go down. Is it hard to train people over Zoom? I'll tell you, yeah, I have employees that that's been a piece that I've had to work through. But I think that the nature of this piece is literally just to say, the way that this was written was when we use phone. We don't just have phone anymore, we have Zoom. Zoom does offer some of the opportunities and things that we've talked about.

I would echo Alderman Clemons and I would like to see it continue. I know it has its quirks but I do really appreciate somebody who has said a long time I want to hear from everybody that it allows somebody who may not be able to get back in time but want to put in, you know, some public comment to do it in the way that or if they have a mobility issue. Maybe they can't go out in the ice, maybe it's hard for them to get up two flights of stairs but they really wanted to talk about substandard living conditions. I think that there's opportunities that it allows us to do and we really have been able to work through. Is anything perfect right away? No definitely not but we have just proven that it does work.

I also would like to say that I don't want it to be the norm. I can't imagine that I would want anyone to be chairing every single time. But in the times that when it has come up, there have been meetings where I was unavailable, the vice chair was on available, and now you're scrambling to get information and people there, and I just reject the thinking that someone can't effectively chair on Zoom. We did it for two years and can do it in this chamber. Is it best to come here in person? Sure, it's much easier to be able to see who's in the gallery and that is definitely the preference. I don't think someone should be barred from being able to do the job that they are very (inaudible) as well. So if you are the chair, you're going to (inaudible) on the agenda. That is just I think that that knowledge transfer, for whatever reason, your kid has COVID, you have COVID, you have a death in the family. There's extra steps there that also that you're missing if you try to pass it off to someone.

Alderman Wilshire

Thank you. I agree that Zoom has had its benefits, its pluses. I think that sitting here and getting a presentation from someone out in California who we want to buy police vests for or something where we don't have to bring people in, or pay for travel, or hotel, whatever you know it has its benefits even for the public. Like you said if someone's got mobility issues and can't come, then - but I don't see it as a permanent thing for running meetings. It just doesn't work. It doesn't work for the aforementioned things, you know, quorum issue. If you have a committee of five, you have to have three people present to hold the meeting and then if you don't, you have to depend on other people who may not even be on that committee.

So there are some things I think are good about it and some things that I think are bad. I'd like to see it stay for the purposes of getting presentations and that kind of stuff but as the norm, I don't think so. And, you know, I don't begrudge Alderwoman Kelly or Alderman Laws for having families and lives. That shouldn't even be a discussion. People aren't out because they want to be out. She just ran. She just ran again so she wants to be here. It just doesn't feel right. I think we should be in person, we should be in in the chamber, and that's just my take. I'm sorry.

Chairwoman Kelly

We have Alderman Sullivan has joined us on line. I'm gonna let him weigh in.

Alderman Sullivan

Thank you, Madam Chair. Great discussion. I came up with a word tonight. It's called "pandemic creep" and I wanted to make sure that as we wherever we are in this pandemic if we're still in the middle, or towards the end, I hope we're towards the end, that we have to start navigating back towards what normal looks like. When I ran for office, there was a couple things that I said to myself as I knew what the job description was and here I am, oddly enough, speaking to you over Zoom, which has been a great tool to better understand city government, to better understand what's going on. It brings more people into the tent, which I think is a very good idea.

However when I ran for office, I knew what was required of me and I signed up to do it. If I can't do it, then I would resign and it to me would be in person as much as possible. Now obviously I tripped out of the starting gate because I got COVID and had to attend virtually. However, the other piece of it is I think in order to run a committee, you want to be as effective as possible. I want to be an effective Alderman for Ward 9. That means for me to be in person as much as possible and that's why I think it's important. If I couldn't be there or if there were certain issues with work or whatever and I would raise my hand and said please don't have me chair a committee because I won't be able to be there reliably. So I just think that - I'm going to vote no tomorrow night when we do get it. But I just wanted to put my two cents in that I think we need to kind of put some guardrails up on the pandemic creep and start to move back to normal. Thanks.

Chairwoman Kelly

Thank you Alderman Sullivan.

Alderman Thibeault

Thank you, Madam Chairwoman. So I echo Alderman Clemons with the not getting rid of Zoom. I think it has to Alderman Sullivan's point brought more people under the tent. It's great to have more community involvement in these meetings. For people who can't make it for whatever reason, it's great to have them on Zoom and at least be able to hear what goes on. My wife's probably watching right now she's probably saying this is boring but for people who are actually interested in it, they can listen. I know you can watch it on TV as well but you can't ask questions through your TV. So I think it's really important that we keep Zoom. I wish there was a way we could do this where we could use it for exceptions only or emergency be you can't put a cap on it. That would be too hard to do. I mean I get it because I try to go to every meeting even if I'm not on a committee, but once spring and summer comes and I'm not doing stuff with my kids and I come home and I'm filthy from coaching baseball, I'm not going to run to a meeting. I can just jump on Zoom and watch it. Now I'm not chairing any committees so for me it's fine. I don't know. I just wish there was some kind of compromise where it could happen in a rare circumstance. I just don't know what that is and it would be probably too difficult to kind of define that. But that's what I would like to see if I had a magic wand, so thank you.

Alderman Comeau

Just real briefly just to touch on what several of the others have said over the last couple of minutes. I'm with Alderman Wilshire. One of the things that I would most like to see before the end of my term is a return to all in person, ideally maskless meetings. I think that, you know, we're closer to the end than the beginning. So hopefully we get there at some point. So I do think that as elected officials we should be here as much as possible. I remember during the campaign saying variations of the phrase, "when I get to City Hall". I never told my constituents when I get home and get on my laptop. So I think that there is an expectation that we're going to be here.

To the point of the public, I love that they have the availability to Zoom in and ask questions. I think that it opens up access for a lot of members of the public that normally wouldn't either be able to get here or think of getting here for every meeting but can log on and ask questions and have their concerns addressed. So I would like to see the Zoom option kept for that and also for presentations like Alderman Wilshire said you know, people that it's not feasible for them to get here but for us - for the 15 of us I think if it is feasible for us to be here and that should be the goal. If it's a COVID concern, you know, like I said, I hope that we're closer to the end than not. So hopefully, that's something that's going to go away and I'd hate to make a permanent change to the process based on something that we hope is close to being over. I know that Alderman Clemons said that we could undo it later but you know, that's just more process. If we're going to undo it, then why do it.

We're not solving a problem like I said before and Alderman Thibeault mentioned a compromise and I think the compromise is that every chair has the vice chair. So it's not like if Alderwoman Kelly wasn't here tonight, the meeting wouldn't happen. We'd still be able to have a meeting. So those processes are in place. The mechanisms are there for us to conduct business as usual and that should be what we aim to do. Thank you.

Alderman Clemons

I'm glad you all agree with 2010 Ben. At least you agree with one of me.

Alderman Lopez

I feel like we might agree with 2020 Ben, too, because I don't believe you're a huge fan of switching the video in the first place. But back in 2020, we've been given away free airtime to Zoom by the way. It's not the only teleconferencing app out there. We explicitly, and actually President Wilshire could probably confirm this if she recalls of it. If I recall correctly, we arrived at using Zoom because we were trying to run a meeting in a virtual format. There were a lot of security concerns with other platforms. There's Microsoft Teams and the City Hall has access to the Microsoft suite. There's Google meet and that has its own accessibility features. Zoom particularly was chosen and a lot of the difficulties and technical glitches that we experience, we experience because we can't use all of the zoom features because we're trying to run the meeting and make sure that it's not interfered with while it's running.

Now if we have a presenter who's coming in and we're able to open up a Zoom channel explicitly speaking to that person, or allowing them to present, that is a much more straightforward process. Likewise, if we're trying to have public comment, even that's easier because we can admin the public comment before and after sections but we don't have to allow aldermen who may be calling in on the phone, or maybe in and out connection, disconnecting,

and reconnecting but central to the meeting and essential to the quorum and the documentation of the meeting. They need to keep all of those balls flying in the air. They don't even necessarily need to use Zoom as the recording platform for the entire meeting, maybe just the public comment. So a lot of opportunities, open themselves to using teleconferencing to allow meeting access once we simplify the roles that are involved. So if we can meet in person, and we can manage things, and we have a setup with all the computers configured for what we need, and we're not trying to replicate that at home but a different home whenever somebody else is chairing the meeting, and IT only has remote access, and we're adding all of these variables, then we're not distracting from the actual meeting.

So I think it's possible for the public to watch all of our meetings live on TV. You can watch it on CTV. I recommend doing some sort of thing like folding or monotonous activity when you're watching that's not really that engaging. But it's already online and there is access. People can't comment on those through those forums though and so that's what I think the teleconferencing preserves. Then if we have presentations from staff members who are in different areas or if we have it from contractors, we can get more accurate information and we can bring people into the chamber that normally wouldn't be able to come into the chamber. So a lot of opportunities for teleconferencing but I think we're in a crisis. We had to make things more complicated because we needed to record meetings, we need to make sure there's access for up to 600, people who had an opinion on whether or not we should be at home or not, is a very difficult time with very difficult circumstances. As was pointed out, pandemic creep, we don't need to operate under emergency conditions all the time. I think when we do, we'll find out we probably learned things from emergencies and we discover these teleconferencing apps and things and how they can be enhanced, we just need to put them in perspective.

Chairwoman Kelly

I just want to put a point on that because that's really the point here. We will all have talked about pros and cons here. We are the Personnel Committee and I think one of the things that has always gone through my mind with Zoom is that these City Hall department heads sometimes they're here as late as we are – 1 – 2 in the morning waiting to give us that sort of feedback. So when you think about, you know, allowing them the ability to have a different quality of life, to be able to go home, make dinner, hop back on, and give their spiel, I think that's important to keep in mind in terms of keeping (inaudible) because they work really hard too and they didn't run for us. So I think their service and that ability is important too.

Alderman Gouveia

Thank you. No, I agree. I think Zoom should be here to stay and I'd even take it to a step where I'm fine with alderpeople attending meetings via Zoom and voting via Zoom. I just don't think you should be a presiding officer solely because I'd rather have that input and I'd rather have that voice than not have it at all. Obviously, yes it comes down to a quorum number and we need to make sure we have enough people here but if we have enough people in the chamber, I don't have a problem with any of us taking it on Zoom. Would I rather have all of us here? Absolutely. I'll take that every day of the week instead. But I know realistically, it's just unlikely to happen at times. So I think Zoom should definitely be here to stay or some other video conferencing application like Alderman Lopez said that could be more to our needs. But yeah, I think it should definitely be here to stay. Thank you.

Alderwoman Timmons

Thank you. After listening to all your comments, and I kind of agree with almost every single one of you guys, I think that we should have Zoom here to stay. However, we need to be there in person if you have to be. But there's sometimes there's circumstances where you can't. If you can't, there should be a vice that is guaranteed to be there when you cannot be there. That's the point. Somebody has to be there and we shouldn't have to beg Aldermen-at-Large to come to a meeting.

So the chair, sometimes it just won't work out that way. You never know what can happen. I can be a chair and something happened to me, I'm not able to go. I might be stuck in the emergency room. Who knows? All I know is that it's good to have the Zoom here but it's also good to be there in person all the time if you have to be. So everybody had valid points then. I don't know how I'm gonna vote tomorrow, but I think we should have Zoom. I was exposed to COVID. Didn't know till today. I would have been there otherwise but then I was told that I was exposed to COVID. I will tell some of you guys that I was around that I was exposed to COVID. That was my choice to come in to be here on the Zoom versus coming there and exposing you guys. So Zoom will work in a good place when you cannot be there otherwise, we should be there. I totally agree. We should be there. Make every effort possible to be at every meeting that your committee on or that you're chairing.

Alderman Wilshire

Thank you. We did start out with WebEx and they had a lot of problems with WebEx and we ended up going to Zoom. One of the concerns I mentioned earlier is the videographers aren't really Zoom people. That's not their job and with the amount of work added work they've had because of that, you know, 12 hour days. I think Jeff has been putting in and some of them when we have especially during budget season. We may have to hire someone part time or whatever just to do that because Kim told me that it's too much for the videographers to take this on permanently. I think that's all I had, thank you.

Alderman Klee

Thank you, Madam Chair. This conversation has gone away from whether or not the chair should be able to do it. It's kind of to talk about creep, it's kind of gone into whether or not we should have Zoom. So I'm just gonna make it go a little further. As a State Rep. and up in the State House, I attend my committee meetings there. Zoom is not allowed for anyone for the public, for presenters, for anyone. However, they have created a newer system where you can get on to the system and you can upload your opinion so that the public can go in and put their name right there. And I as a State Rep., I can go in and see immediately. It doesn't have to go through the administrative person and it does all become part of the notes, and the minutes, and so on from it. That's the way it's done there in the State. I'm not saying that we should be like the State. I'm just saying is that we can still give access to the public even if we didn't have Zoom. They there are other innovative ways of doing it.

I can tell you anybody here go talk to Jeff. He and his crew - I'm here early and anybody who's been here early sees exactly what he goes through with Zoom. Zoom is not the only technology but it was the one that worked the best, and that's one we have license for, and we would have to recreate and relearn everything else and I'm not sure we really want to go down that path either. There are alternatives to Zoom. As I said, in the State House I can literally sit at meetings and now how many people are for it, how many people are opposed to it in the public, and written testimony that they've put in there as well as things that do come through email and so on. So there are ways of the public being able to be heard to get the attention that they need. There are like I said little voting mechanisms. I'm not saying we adopt them all but those may be some of the things that we need to look at too to make sure that the public gets their voice heard.

I would rather, my opinion, is to keep Zoom to just those employees that have to do presentations. Because we do ask a lot of them. Oftentimes, I've been here and I see Director Kleiner here early in the morning and here late at night. I see the same thing for Director Cummings, Mr. Griffin, and so on. We asked a lot of them and I could go with the presentations there. I do think there are alternatives to make sure that the public is heard without necessarily having to be here or didn't have to be speaking. There are other alternatives and we're doing it in the State House and it's successful. I'm finding it as a State Rep. I get real time information right there on my screen and it gets literally attached to that piece of legislation. I pull up a piece of legislation, I see what people's opinions were, I see how many people from the public voted. It's a great tool. So just putting it out there just to add to the creep.

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

Yea: Alderman Clemons, Alderman Thibeault, Alderwoman Kelly 3

Nay: Alderman Gouveia, Alderman Lopez 2

MOTION CARRIEDAlderman Clemons

Just a point and this might be for you to the President. I believe by the way that - and I'll only bring this up because I think one of the Aldermen mentioned it being on the agenda tomorrow night. I don't think it will be until the next meeting in February. So to anybody listening or whatever, this isn't gonna be on the agenda tomorrow night. It's gonna be at the next meeting in February. Just so everybody is clear.

Chairwoman Kelly

That's a really good point Alderman Clemons because we meet the night before aldermanic meetings.

Alderman Clemons

Right and this isn't time sensitive.

Chairwoman Kelly

This is not time sensitive so it'll be up in two weeks. Correct. Thank you for that.

Okay everybody all set?

Alderwoman Timmons

No I have a question. Yes on the Board of Aldermen we would amend the agenda? Do they do that with the Board of Aldermen? I'm not - just a question.

Chairwoman Kelly

I'm sorry, what's the question?

Alderwoman Timmons

The question is can they amend the agenda? It's not on the agenda for tomorrow, but we all periodically amend the agendas. So I was wondering if they can amend the agenda. I don't see that in the book that you cannot amend the agenda - to put it on the agenda for tomorrow if need to be.

Alderman Wilshire

There's nothing urgent or time sensitive about it. The Legislative Manager has to type the minutes and people haven't seen them. There's nothing time sensitive. There's nothing urgent, so I would not recommend that.

Alderman Clemons

Thank you. Just to go further so the new members know. So sometimes you'll see where if we have, for example, the union contract I believe that we passed, right, it was time sensitive in a way. If you have a meeting the night before, like this one before or a couple of days before the next Board of Aldermen meeting, what will happen is the President will ask the committee chair to do an oral report of that committee and what happened. Then the Board of Aldermen has to suspend the rules to allow for that legislation to come forward. We do that from time to time when it's things that are very time sensitive - union contracts, if there's another contract that if we don't buy it now the price goes up 10%. Stuff like that we will do that for. For this where it's more of an internal what kind of rules are we going to follow that type of thing, we tend to let the agenda go. You'll see often that at this committee just because of the way the timing works, that things come before this committee often wait another two weeks for the following Board of Aldermen meeting. It can be frustrating on this committee, but it's always been a timing thing. So from time to time if there's appointments that need to get done or whatever or other legislation, you'll see that process happen. But generally speaking, we let stuff go following the regular agenda. So just that's kind of how - I think that answers your question I hope.

Alderwoman Timmons

Yes, it does. Thank you.

TABLED IN COMMITTEE - None

PUBLIC COMMENTLaurie Ortolano

Laurie Ortolano, 41 Berkeley Street. Just wanted to give you, you know, something that came across my phone right now that was from the Atlantic because I get the electronic subscription. New Jersey, Delaware, and Connecticut will end their mask mandates in schools next month. I'm particularly excited about that and would like to see the Nashua schools follow suit.

I'd like to share with you - I liked the discussion on the meetings. I'm going to send some written testimony and I think Zoom should be maintained. I think my experience up at the State House for the last month plus five weeks has been awesome being able to go live without a mask and talk to people. I talked to people elected representatives before and after meetings and they have sought me out to come participate in other bills and do a lot of work up there and that would never happen if it was Zoom. So I'm really appreciative of that.

I wanted to let you know that I did file a pro se lawsuit regarding email and data storage. I want to share a little information about that. I've had a lot of concerns with data and records in the city and because I have a captive or audience of elected people here, I want to talk about it. I got the ruling from the court today and the Judge ruled in my favor. I tried to get two months of emails from an employee left at Christmas time last – November - December and the city denied them as not reasonably accessible. It didn't give any reason why and that's what concerns me is I got no reason. So the court said first to the extent the city contends that it need not search the backup tapes because that added time renders the search unduly burdensome, the court disagrees. As discussed above, the city has the technological capability to retrieve responsive documents from backup tapes and has already done so with respect to an unrelated record request. Mr. Miseirvitch also testified that the time it would take to restore a backup tape that would have located those responsive documents to the petitioner's request should only take a couple of hours. This additional time does not render the results search so time consuming as to obviate the city from having to perform the search. Then the court said there is nothing in the record to indicate that there are no practical obstacles to assessing the backup system in order to comply with the petitioner's request. For instance, the city is not alleging it would need to heavily redact the emails once located. It says finally the court disagrees with the city that is not required to search the backup tapes because such a search is incompatible with the old document retrieval system. The court did not find...

Alderman Thibeault

30 seconds.

Laurie Ortolano

...searching the backup tapes would be incompatible with the city's retrieval system. Based on the foregoing, the court finds that the city has not met its burden to show that the search of the backup tape was not required. It did not perform an adequate search. Per 91-A and the court grants the petitioner's motion to compel the city to conduct a search. It then concluded that I could submit a record to ask the court ordered the city to undergo training and that I could submit a record within the next 30 days to do training and, you know, I think we have a lot to do with our record retention system here in the city. A lot of work to do. Thank you.

Chairwoman Kelly

I would appreciate if you would put that in written because I know you're trying to get it in your three minutes but there's a lot of information there. So make sure you submit that please.

Laurie Ortolano

Say that again?

Chairwoman Kelly

I didn't hear everything because you said you were going to follow up with written testimony. So I was just hoping that you would do so.

Laurie Ortolano

Oh, yeah on the Zoom. I will. I'm going to do it and I'm going to do it to the Board meeting when you do it.

Chairwoman Kelly

Perfect. Thank you very much.

Laura Colquhoun

I didn't give my address right, no. Anyway, I just wanted to say that Zoom went blank after John Sullivan.

Chairwoman Kelly

Can you please state your name and address for the record.

Laura Colquhoun

Laura Colquhoun, 30 Greenwood Drive. I just wanted to say the Zoom picture went blank after John Sullivan. So all you see is a blank screen. So Zoom isn't the best and that's a problem because sometimes it's very difficult. Alderman Kelly was very difficult to hear through the Zoom. Yes, I'm waiting to get back to City Hall once the mandate on the masks are over with. Thank you.

Chairwoman Kelly

Thank you. Am I a little bit better there. My computer is in the way. I'll make sure I lean into my microphone next time. I don't see anyone else in the public.

GENERAL DISCUSSION - None

REMARKS BY THE ALDERMEN - None

POSSIBLE NON-PUBLIC SESSION – None

ADJOURNMENT

MOTION BY ALDERWOMAN KELLY TO ADJOURN

MOTION CARRIED

The meeting was declared closed at 8:39 p.m.

Alderman Derek Thibeault
Committee Clerk