

A regular meeting of the Board of Aldermen was held Tuesday, February 25, 2020, at 7:30 p.m. in Board Room B166 at Nashua High School North, Nashua.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderwoman Linda Harriott-Gathright led in the Pledge to the Flag.

The roll call was taken with 13 members of the Board of Aldermen present; Alderman-at-Large Ben Clemons and Alderwoman-at-Large Shoshanna Kelly were recorded absent.

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

President Wilshire

I did hear from Alderman Clemons and Alderwoman Kelly, they are both away and unable to attend. Does the Mayor wish to address the Board?

REMARKS BY THE MAYOR

Yes Madam President. So I had a few things I wanted to update you on. First the Currier was in town yesterday and I mentioned before that they are seeking to do an annual project in Nashua. You might recall that when the money that previously was the endowment for the Center for the Arts was moved to the Currier, a couple of years ago, the Currier suggested that they would use some of that money to do an Art Project down here on an annual basis. So they have engaged an artist by the name of Alisa Hamilton who has done sort of community engagement type art projects in Cambridge, I believe in Boston and elsewhere to do a project up here. Her manner that she works is she gets to know the community a bit and then using, of course, her imagination, comes up with a kind of community engagement type project which she will do here in the fall.

She was here talking about the City yesterday with some people from Currier and was thinking about various things she could do. So I am looking very much forward to working with her on what I think will be a very interesting project for this coming fall.

Number two, you might have heard that Granite Pathways is being removed as the operator of the Hubs in terms of the State's Opioid Response. They are being removed as the operator of the Hubs across the State. So the State has made the decision to terminate their contract at least in Nashua as of May. Now this is important to the City's Opioid Response. We, of course, started the Safe Stations Program back in 2016, then the Hub & Spokes Model came after that and since that time, the Granite Pathways – an organization with little contact, little presence in Nashua – was the operator of the Hub here. The Safe Stations Program, of course, has worked very well. We took on an emergency situation and attracted, over the last several years, 3,500 thereabouts people to report and seek treatment.

Now the new Hub for Nashua, the new doorway, will be Southern NH Medical Center. They are going to take over as of about May 10 or May 11 and then there will be about a 30 day transition while both agencies are in place. This is good news because the hospital has a much, and I am stating the obvious here, but a much stronger presence. People understand the hospital, they understand Nashua far better than Granite Pathways ever could. They are very engaged in this, they want to work with the City, with the Fire Stations, with everyone involved to try to make the State's Hub & Spoke's approach work here. Longer term, the State is interested in trying to move all people into a single reporting location, the so-called "doorway". And when and if that occurs over time, that means that the Fire Stations could be phased out as the principal reporting locations for people seeking help and treatment and seeking to get into recovery.

In the past we have resisted that because Granite Pathways didn't really know us very well and it just seemed like the State was just going to turn the switch and all of a sudden supposedly people would have to look for some office somewhere that they could never find.

But working with the hospital, given the resources they are putting into this, given the fact that the response here is stronger overall in terms of the availability of treatment and everything else, is stronger than it was three or four years ago. I think the hospital is a good partner to be working on this. It could mean that at least the number of people reporting into the Fire Stations would go down. That is, in fact, already occurred; the peak was about 4 to 5 reports a day; now it is about 1 ½ to 2 reports a day.

In any event, I am suggesting that it is good news that the hospital is involved, someone that we can work with, interested in what we think and how the community will react to anything that they want to do. So I think our response, our community response, will only be strengthened by getting the hospital in as the primary mover of the State's approach rather than out-of-town agency that we never, even over a couple years, got to know very well. So I am sure there will be more information on that, but I wanted to update you.

More briefly Madam President, the sprinkler project at the Fire Station is going to begin about March 23rd and should take through the middle of May. You recall that we are sprinkling the remainder of the building that does not currently have sprinklers; that includes the Streeter Theater and the Lobby and the downstairs area. That will make the building far safer and will open up some other uses that haven't been allowed because of the lack of fire suppression system.

Next, the City Academy begins on March 9th. We have a number of people signed up but there is still more room if anybody would like to go, anybody that you know would like to go. It is a great opportunity to learn more about City Government. Some of the people certainly have graduated from that and have gone on to, well there is one member on the School Board and things like that. So it is a good place to learn about City Government; I would encourage anybody to think about attending that.

Finally, Madam President, JaJa Belle's, a well-known downtown institution, I want to congratulate them because they moved from their former store front on Main Street over to the corner of Temple and Main. They opened their new store for the first time today so I highly recommend to anyone who'd like to check it out, the space is really nice and, of course, they are a very important participant and contributor to Nashua's downtown.

And with that, Madam President, I will conclude my remarks.

RESPONSE TO REMARKS OF THE MAYOR

President Wilshire

Thank you. Remarks to the response of the Mayor?

Alderman Lopez

Just to clarify on behalf of JaJa Belle's they are on the corner of Factory and Main.

President Wilshire

Microphone.

Alderman Lopez

OK so JaJa Belle's is on the corner of Factory and Main; Temple is on the other side. So just so if people get confused, it is under Graffiti Paint Bar sign. I know that they plan on moving that but I just don't want anybody to miss it. It is also encouraging to hear that we are working on the Streeter Theater, I know that you referred to it as the old fire station because that's where the original fire station was located. But it is also important because when we were talking about the Performing Arts Center bond and we were talking about the role that they would play as an economic driver, a lot of people were concerned about "what we do about the local theater companies" and "how are we supporting local arts".

So I mean Mayor you had committed to focusing on finding every possible way to restore the theater and you got Liquid Therapy in there, you've got art studios in the lower level, we are putting sprinklers in to improve the theater itself. We are looking at a Library Terrace Project. Step by step we have been doing a lot to support the local theaters, so that's very encouraging.

And then the last thing I just wanted to comment on the Granite Pathways Program. Granite Pathways was co-located with the Mobile Crisis Response Team so that was kind of their connection to the community. They employed a lot of people who had peer experience in recovery that knew firsthand what it was like to struggle and to need to connect with resources. So I hope the hospital intends to use that model as well or at least engage the employees that have done the best they can with limited resources. But I would also say that there's a much stronger peer recovery resource climate now than there ever has been in Nashua before; programs like Revive Recovery and Rise Above are really good concentrations of people working together to build positive lives. We are even starting to see business off-shoots like Rise Barbershop.

So I think we've come a long way since the opioid crisis was first identified as such. But finally, I'd like to reiterate my concern that we don't just consider it an opioid crisis, because when people enter into addiction and their life is changed and impacted by those choices and those struggles, it is not just about the individual substance that they are using. So while we may be calling it an opioid crisis, we have to remember that it takes people awhile to recover, a long time to rebuild their lives. In the meantime there are other drugs that are out there, I have personally seen a lot more people using cocaine and methamphetamines. It's a very different picture from somebody using opioids. So there still are challenges that our City faces. I think without the Fire Department we would have never have been able to do as much as we did. But I hope we look at the problem as it presents itself moving forward, rather than letting ourselves just look at a slice of it.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meetings of February 12, 2020 and February 18, 2020 accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

There being no objection, President Wilshire suspended the rules to allow for the introduction of a communication received after the agenda was prepared.

Survey by Ryan Hirsch – “Would you support resident overnight Parking Permits on Prescott Street?”

There being no objection, President Wilshire accepted the communication and referred it to the February 26th Committee on Infrastructure.

From: Joseph R. Olefirowicz
Re: PAC Project

From: Ernest DuVarney
Re: Requesting Feedback - 198 Knollwood Avenue

From: Teresa Moler
Re: In Favor of Performing Arts Center

From: Mary Theresa Freund
Re: In Support of Performing Arts Center

From: Geoffrey Norris
Re: In Support of Performing Arts Center

From: Kimberly Riley
Re: In Full Support of Performing Arts Center

From: Laura Telerski
Re: Family's Full Support of Performing Arts Center Project

From: Ruby Shabazz
Re: Advocates for the Nashua Performing Arts Center

From: Judy Blachek
Re: Support for PAC

From: Paul Shea
Re: Great American Downtown Proud to Support PAC

From: Julie Norris
Re: In Support of Performing Arts Center

From: Michael Reinke
Re: In Support of Performing Arts Center

From: Jamie Turbyne
Re: Supporter of PAC

From: Michael A. Joseph
Re: In Support of an Extension (PAC)

From: Gordon Jackson
Re: Not in Favor of Performing Arts Center as Proposed

From: Laurie Ortolano
Re: Request to Provide Documentation Showing Amount of Money Raised in Private Funds

From: Tom O'Loughlin
Re: NO to Extend Deadline on Performing Arts Center

From: Ernest DuVarney
Re: Movement of Responsibility for Parking Enforcement from the Police Department to the City of
Nashua

From: Ann McNulty
Re: Don't Spend Money on Performing Arts Center

From: Priscilla Tempelman
Re: Sidewalks

There being no objection, President Wilshire accepted the communications and placed them on file.

From: David Pinsonneault, Secretary, Board of Library Trustees
Re: Request for Joint Convention with the Board of Library Trustees

There being no objection, President Wilshire accepted the communication, placed it on file, and scheduled a Joint Convention with the Board of Library Trustees for Tuesday, March 10, 2020, at 7:30 p.m. at the Nashua Police Department Classroom at 28 Officer James Roche Drive, Nashua.

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

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Jim Donchess, Mayor
Re: Contract Award of 2020-2022 Cyclical Revaluation

MOTION BY ALDERMAN-AT-LARGE BRANDON MICHAEL LAWS TO ACCEPT, PLACE ON FILE, AND AWARD THE CONTRACT FOR THE 2020-2022 CYCLICAL REVALUATION TO VISION GOVERNMENT SOLUTIONS IN THE AMOUNT OF \$1,125,000 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 Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderman Harriott-Gathright, Alderman Wilshire

Yea: 13

Nay: 0

MOTION CARRIED

From: Jim Donchess, Mayor
Re: Contract Award with Conway Technology Group for Copier Purchase and Maintenance Agreements and with US Bank for the Lease of this Equipment

MOTION BY ALDERMAN PATRICIA KLEE TO ACCEPT, PLACE ON FILE, AND AWARD THE CONTRACT WITH CONWAY TECHNOLOGY GROUP FOR COPIER PURCHASE AND MAINTENANCE AGREEMENTS AND WITH US BANK FOR THE LEASE OF THIS EQUIPMENT. CONTRACTS ARE EACH UNDER \$25,000.

ON THE QUESTION

Alderwoman Lu

Are we purchasing the copiers or are we leasing the copiers? I don't recall there being both lease and purchase? Is there one thing being purchased and the other being leased?

President Wilshire

Good question, do we know?

Mayor Donchess

Leasing.

President Wilshire

Leasing.

Alderwoman Lu

OK and we are buying the maintenance agreement perhaps. We are certainly not leasing that. Thank you.

MOTION CARRIEDPETITIONS

Petition for Street Renumbering – Almont Street

There being no objection, President Lori Wilshire accepted the Petition for Street Renumbering and referred it to the Committee on Infrastructure and the Nashua City Planning Board and schedule a Public Hearing for Wednesday, March 25th, at 7:00 P.M.

NOMINATIONS, APPOINTMENTS AND ELECTIONSAppointments by the Mayor

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

Conservation Commission

Gene Porter (Reappointment)
77 Concord Street
Nashua, NH 03064

Term to Expire: December 31, 2022

Carol Sarno (New Appointment Alternate)
15 Rocky Hill Drive
Nashua, New Hampshire 03062

Term to Expire: February 28, 2023

Cultural Connections Committee

Rosemary Ford (New Appointment)
22 Nova Road
Nashua, NH 03064

Term to Expire: March 1, 2022

Donna Marceau (New Appointment)
37 Pinewood Road
Hudson, NH 03051

Term to Expire: February 28, 2023

Cecelia Ulibarri (New Appointment)
229 Main Street
Nashua, NH 03060

Term to Expire: February 28, 2023

Energy and Environment Committee

Gary Lambert (Reappointment)
32 Columbia Avenue
Nashua, NH 03064

Term to Expire: January 31, 2023

Bob Hayden (Reappointment)
84 Dutton Road
Lyndeborough, NH 03082

Term to Expire: January 31, 2023

Sylvie Stewart (Reappointment)
44 Spring Cove Road
Nashua, NH 03062

Term to Expire: January 31, 2023

Nashua Airport Authority

Jessica Holland (New Appointment)
34 Franklin Street, Apt. 442
Nashua, NH 03064

Term to Expire: December 31, 2024

REPORTS OF COMMITTEE

Substandard Living Conditions Special Committee..... 02/13/2020

There being no objection, President Wilshire declared the report of the February 13, 2020, Substandard Living Conditions Special Committee accepted and placed on file.

Joint Meeting of Planning and Economic Development Committee and
Committee on Infrastructure 02/18/2020

There being no objection, President Wilshire declared the report of the February 18, 2020, Joint Meeting of Planning and Economic Development Committee and Committee on Infrastructure accepted and placed on file.

Finance Committee 02/19/2020

There being no objection, President Wilshire declared the report of the February 19, 2020, Finance Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS - None

UNFINISHED BUSINESS – RESOLUTIONS

R-20-002

- Endorsers: Mayor Jim Donchess
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Patricia Klee
- Alderwoman-at-Large Shoshanna Kelly
- Alderman Richard A. Dowd
- Alderman Thomas Lopez
- Alderman-at-Large David C. Tencza

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$294,000 FROM THE COMMUNITY DEVELOPMENT FINANCE AUTHORITY INTO CAPITAL PROJECT GRANT ACTIVITY “INVESTMENT TAX CREDIT PROGRAM FOR THE PERFORMING ARTS CENTER”

Given its second reading;

MOTION BY ALDERMAN TENCZA FOR FINAL PASSAGE OF R-20-002

ON THE QUESTION

Alderman Lu

Thank you Madam Chairman, could someone clarify for me, when these are purchased, do the buyers indicate where or have they already been appropriated or, I don't know the words, but have they already been promised? Have the credits been promised to the Performing Arts Center?

President Wilshire

Yes they have.

Alderman Lu

Thank you, so this is just a formality? Thank you.

Alderman Lopez

I am happy to accept money.

President Wilshire

Duly noted Alderman Lopez.

MOTION CARRIED

Resolution R-20-002 declared duly adopted.

R-20-003

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

AUTHORIZING THE FILING OF APPLICATIONS AND EXECUTION OF GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF TRANSPORTATION FOR GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, FOR FISCAL YEARS 2021 AND 2022

Given its second reading;

**MOTION BY ALDERWOMAN CARON FOR FINAL PASSAGE OF R-20-003
MOTION CARRIED**

Resolution R-20-003 declared duly adopted.

R-20-006

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$290,000 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF SAFETY INTO POLICE GRANT ACTIVITY "FY2020 OPIOID ABUSE REDUCTION INITIATIVE (OARI) GRANT"

Given its second reading;

**MOTION BY ALDERWOMAN KLEE FOR FINAL PASSAGE OF R-20-006
MOTION CARRIED**

Resolution R-20-006 declared duly adopted.

R-20-013

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$24,972.80 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY INTO POLICE GRANT ACTIVITY "PROJECT SAFE NEIGHBORHOOD"

Given its second reading;

**MOTION BY ALDERWOMAN HARRIOTT-GATHRIGHT FOR FINAL PASSAGE OF R-20-013
MOTION CARRIED**

Resolution R-20-013 declared duly adopted.

R-20-014

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderwoman-at-Large Shoshanna Kelly
Alderman June M. Caron
Alderman-at-Large Ben Clemons
Alderman Thomas Lopez
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$35,196 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, EXOTIC SPECIES PROGRAM AND AUTHORIZING THE TRANSFER OF MATCHING FUNDS

Given its second reading;

**MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-20-014
MOTION CARRIED**

Resolution R-20-014 declared duly adopted.

There being no objection, President Wilshire suspended the rules to allow for a second reading of R-20-15.

R-20-015

Endorsers: Mayor Jim Donchess
Alderman Thomas Lopez
Alderman Patricia Klee
Alderwoman-at-Large Shoshanna Kelly
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman-at-Large Ben Clemons
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Brandon Michael Laws
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

AUTHORIZING THE WAIVER OF CITY BUILDING PERMIT AND INSPECTION FEES FOR THE RENOVATIONS TO THE NASHUA POLICE ATHLETIC LEAGUE BUILDING AT 52 ASH STREET

MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-20-015

ON THE QUESTION

President Wilshire

We did hear today from Shaun Nelson, the Director of Nashua PAL, that he has some contractors that are lined up and ready to start the elevator work on this renovation, the Building on Hope Program that they presented to us a couple weeks ago. So they are anxious to get this started and they have the contractor lined up which is why they are asking for a second reading of this and final passage this evening.

Alderman Jette

So last night at the Budget Review Committee meeting, we discussed this. We thought that this wasn't going to be taken up for another couple of weeks, but I understand the urgency. But I had a question about the Resolution, the analysis provided by the Legal Department, Attorney Bolton, had language in there saying that there's an Ordinance that talks about the permit fees and that the Ordinance does not provide authorization to waive those fees. So I questioned if we are not authorized to waive the fees, can we, in fact, waive the fees by Resolution overriding an Ordinance. I put a call into Attorney Bolton's office today, I don't know if he was in or not, but I haven't received any answer. I was wondering if he could address that question that we had.

Attorney Bolton

The analysis perhaps could have been worded better. The intention was to explain why it was necessary to adopt this Resolution and why the waiver provision in the Ordinance itself did not apply to this situation. Board of Aldermen has the authority to do away with the entire building code in the City of Nashua, not that I would advise that. So the much lesser measure of waiving permit fees in a particular case for a good cause, is within your authority so long as you are not doing it out of any illegal motive, discriminatory basis or something like that. I don't think that applies here.

Alderman Jette

OK could I speak further? As I said last night at the Budget Review Committee meeting, this is a wonderful project. The people who are coming in, this Building on Hope Organization, has done wonderful things throughout the State and they are coming in and providing volunteer labor, design, talent, material, at no cost to the Police Athletic League. You know, renovating a building in an area of Nashua that needs renovation. It would be, you know, the end result is going to be a great thing for the City. After I thought about this, you know, the amount of the building fees are estimated to be between I think \$1,300.00 and \$1,800.00 which is not a large amount of money. Certainly it is not going to break the bank for the City to waive that. But it is also an amount that probably could be raised privately. I am wondering about, you know, this is a wonderful organization, the Police Athletic League is a wonderful organization.

But there are a lot of wonderful organizations in town; Habitat For Humanity is a great organization. They are building projects all over town. You know the Soup Kitchen is renovating a former school building and that's going to be a wonderful project. I am sure there are a lot of non-profit organizations that do wonderful things in the City and to you know – Rivier University is a non-profit organization. I am just wondering if we are going to waive the fees for this project, are other organizations going to wonder why they would not be eligible for the same type of waiver. And if we are going to waive fees for non-profit organizations that are doing wonderful things in the City, you know, should we amend the Ordinance to provide that the fees be waived for non-profits? Or if we are not going to do that, you know, I mean I think we ought to have a discussion about whether these organizations should raise the money for the fees or whether we are going to waive all the fees. So for those reasons, I have trouble, although I think this is a wonderful project, I have trouble supporting waiving the fees in this case. I don't know if I am missing something, I don't know if people have other knowledge about what our policy is for other non-profits. Is this an exception or is this something we do all the time?

President Wilshire

It is not something we do all the time Alderman Jette. This is the first time I've seen this actually.

Alderman Jette

That's what I thought.

President Wilshire

Further discussion?

Alderman Laws

I'd just like to go on record as saying I will co-sponsor Alderman Jette's Legislation waiving the fees for all non-profits that are doing wonderful things in the City. Thank you for that idea.

Alderman Lopez

I just would want to observe that the Ordinance right now is specific to this situation. In the presentation, they did make it clear that they had fund raised and they'd done a lot to try and do that and they just didn't foresee having the bandwidth, they were struggling to cross the finish line and they were asking the City for a specific situation, which is what I think we granted them. We took the specific situation into account, we crafted legislation specific to it and that's one way of approaching this issue, where if a non-profit can make its case, then we could look at it, we could evaluate it on its merits and the specific project they are doing. Another way is to create an Ordinance that does kind of allow non-profits to apply on a more consistent basis for this kind of thing.

I am not necessarily opposed to that either, but I don't think that's what this Ordinance specifically does. I think, as was noted, this is a very useful service to the City that Building on Hope is providing, through a non-profit that does things that the City benefits from. It enhances the City's offerings for after school programs for at-risk students. It creates athletic programs that we can be very proud of. Mike Fontaine is for example, continually competes for Golden Gloves. And having a program, a boxing program in the inner City where kids can work to earn that level of prestige and visibility and build that kind of positive self-esteem, I think is invaluable. PAL is very involved in many other programs as well such as Cross Country, Football and I wouldn't want to see them divert resources which are targeting particularly needy children and offering them that opportunity to get into athletics. So I think for this situation we are doing the right thing and it is our job as Aldermen to look at each situation specifically. I do think there is an opportunity to consider a more broad reaching policy. But I think this is very specific for tonight. What can we do for PAL and how can we help them cross the finish line?

Alderman O'Brien

Thank you Madam President. As making the motion for final passage I obviously feel very comfortable in making that motion. The reason is I would hate to come up with anything that blankets all cases, like an Ordinance or something like that. We are a sitting Government Body and to echo what we just heard just a few minutes ago from our Corporate Counsel, I think this Board can look at the different organization that would perhaps maybe come before us. I don't think Rivier College, I understand that they are a non-profit.

Alderman Lopez

University.

Alderman O'Brien

It's a university. So I think we are talking a little apples and oranges to some degree there, no pun intended, degree, get it, college? But anyways I think the authority of this Board to look at the each individual based upon the merits of that organization that comes up. If we look at what we are talking about, we are talking about PAL and it is sponsored particularly by the Nashua Police Department, which is an organization that is under our umbrella with the City. The PAL is not a City Organization per se, granted. But they do use the name sponsored with our friends in the Nashua Police Department that does the world good.

So I put full trust on this particular bill to look or for this Board to look on a case by case basis, when they do come up. It's a rarity when they do. But we will be able to make the independent decision as they come forward and act accordingly.

Alderwoman Lu

Thank you Madam Chairman. I had hoped to gather my thoughts for another meeting on this. But since it has been raised, I'll try to gather them quickly. I've thought about this and you know I look at the ... I feel as though this is a situation where we are opening our purse strings and we, in this body, that's part of what we do. But rather than being in the position to be able to please people and dole out money when they ask, my feeling in this position is more I feel that I am protecting the money that residents have put into the pot. So I looked at the, I thought about the Building Department, and I thought about the fees we charge when people are, for building fees, permits, etc. And that Department does not take in as much as we pay in salaries. So when we waive fees, we are basically saying, "someone else will pay for the time that our City employees are going to put toward making, you know, carrying out that permit process, and that inspection process".

I also thought about Police Athletic Organization and LEAK. And they have substantial support from the Nashua citizens through, there's a Police Officer that is on duty that is paid for by the residents of Nashua. And there is an allotment from our City grant, not sure what they are called but it is a substantial amount that goes towards that organization. And I feel as though this is just a situation where an enterprising, well let me just say, I was at the meeting when we had the presentation from the PAL representative. And I don't recall a case being made that they were just stretched and didn't have the fees. My recollection or my feeling is that it was just an enterprising, shot in the dark, and I just feel, I prefer not to waiver one group that just had the chutzpah to ask for their fees waived. Thank you.

Alderman Klee

Thank you Madam President. I was at that meeting also and if I recall, they did speak about how they were getting the funds and raising the money and that if we could do this, it would help put them over the edge to the point of being able to accomplish that particular job and so on. Just as a side note, I would not want to see an Ordinance of any sort that said, "all non-profits". I think they should be on a case-by-case, I think saying that someone who had the "chutzpah" to come is kind of, not as kind as it should be. I think the fact that they came to us asking us for help and so on and I think, if I remember correctly, one of the things that they asked us to kind of push this quickly was because they were on a timeline. All of these people are volunteering their time, they have come forward. All these different independent contractors are willing to do their piece and so on. But they are doing it in their off time and off hours.

So that's why this was kind of rushed a little bit. I am not opposed to other non-profits, I would just be opposed to any kind of blanket, I think we should look at everything on a case-by-case. And this particular thing, and I look at the fiscal note on this, we are looking between \$1,400.00 and \$1,800.00. And I do also respect the tax payers and the tax payer's money. But we do other things; for instance we have elderly credits, we have Veteran's credits. We have all these other things that we do and we have taken into consider. So I think on a case-by-case and they've come to us. It doesn't mean that you should necessarily feel in your heart that it's the right thing to do. I will support this but I do think that they did ask us and they did ask us to rush because the contractors are waiting. And as we heard the elevator, they are ready to do the elevator and so on.

Alderman Lopez

So this mission of PAL is really to inspire positive interaction with the Police. That's something that I would consider directly beneficial to the City. In very diverse communities where there's a lot of people of different economic levels and different cultural backgrounds, it may not always be apparent, but Police are not always viewed the same way, whether it is because a family came from a country where Police were not an ally or they were not as altruistic as our Police here in Nashua are.

Or whether it was just the experience of having a father or an uncle or a brother or a neighbor even arrested. That can be a traumatic and a defining moment in someone's life. And I think when PAL was started, there was great foresight in their minds that there needed to be a way to inspire positive interaction and help Police be identified as neighbors and coaches and mentors and not just, you know, enforcers of the law who come in you know the night and break into the house and make a whole ruckus and whatever. Police can be very scary if you don't have the context. And I think PAL does a very good job of building that context. I think it makes better Police Officers to be engaged in the community and they need a mechanism for that too. It's not quite as easy, just walk into a neighborhood full of strangers and just dribble a basketball and start shooting it with them. But PAL provides that opportunity for our Police. It allows for community policing where, you know, officers can talk to kids about what is going on at home, what kind of things are they seeing on the street, what scares them.

That's a very good, and very healthy relationship to have and PAL does it for us essentially for free. We do award them CDBG money, grudgingly as we do everybody else, because there isn't enough of that to go around. So every project that they propose isn't just given, it is very, very carefully vetted and publicly run through the gristmill I guess. There is a Police Officer who is posted there, but he's not a babysitter, he's not there to serve them. He is there to be a Police Officer, that site operates as an actual sub-station. And it benefits the Police Department to have these positive relationships with youth and in the community and with families both ways. So I think, while it is a very valid point that the City staff that are involved in doing building inspecting are likely going to be paid through a different revenue stream, I think PAL is one of those agencies that really does a lot for the community and we get more than our money's worth. And I would encourage people to look at safe holding the money people invest in their taxes, but also safe holding the money that people invest in their local charities, because in a lot of cases we are saving tax money by having these charities operating for us. So it's not quite as cut and dry as, "we are only in charge of this pot", because we have a whole community to represent. And I think PAL is a huge part of that.

Alderman Dowd

Well first of all I agree with what Alderman Lopez just said but since liaison to the Police Department I see if these kids are on the street versus being involved with PAL, I can tell you that when they are on the street getting in trouble, it's a huge expense, compared to what we are paying here. So it's well worth the expense.

Alderman Laws

Everyone kind of just said the same things I was going to say. But I just wanted to clarify I was only being half-serious earlier. I feel like it is definitely worth investigating.

Alderman O'Brien

I appreciate your Irish humor.

Alderman Laws

I also just wanted to make one last point that Building on Hope is an organization that may, in the future, want to do projects in Nashua again. And we want to send them the right message that this minimal investment on behalf of the tax payers will produce an amazing return on that investment for years to come. And we welcome this kind of private investment into our community. So thank you Madam President.

President Wilshire

Well said Alderman Laws.

Alderman Harriott-Gathright

I have a question. My question is, who owns the PAL building?

Alderman Lopez

Nobody. It is owned by a non-profit which is basically, there's a Board of Directors that oversees it, but there isn't anybody who owns it.

President Wilshire

The non-profit owns it.

Alderman Lopez

OK the non-profit owns but there's not like Shaun Nelson is not owning it, it's a shared responsibility.

Alderman Harriott-Gathright

Just curious.

President Wilshire

Further discussion; the motion before us is for final passage of Resolution 20-015.

Alderman Jette

Did we vote on suspending the rules, did we already do that?

Attorney Bolton

The President says, "unless anyone objects" and no one objected so that's the same thing as a unanimous vote.

Alderman Jette

Thank you.

President Wilshire

The motion is for final passage; further discussion?

Alderwoman Lu

Would it be possible to amend the Resolution to transfer money from a contingency to the building department to cover those fees? Do we have money in contingency?

President Wilshire

Why would that matter, it's still, it's a wash. It would be a wash.

Alderman Dowd

The monies that we are talking about are in lieu of revenue coming in. So expending money out of, it's going to be like a double hit. We are just not realizing an income because we are waiving the fee.

Alderwoman Lu

I thought that in a fiscal year there would be some type of effect on the bottom line if salaries were being paid and fees were not coming in. So certainly the predicted income is going to be affected by waiving fees. I know it is infinitesimal.

Alderman Dowd

The revenues in any department are estimates and we usually exceed them anyway. So it will not affect the budget.

Alderwoman Lu

Thank you.

President Wilshire

Further discussion?

MOTION CARRIED

UNFINISHED BUSINESS – ORDINANCES - None

NEW BUSINESS – RESOLUTIONS**R-20-016**

Endorser: Mayor Jim Donchess
Alderman Linda Harriott-Gathright
Alderman Tom Lopez
Alderman-at-Large Michael B. O'Brien, Sr.

AMENDING THE PURPOSE OF A FISCAL YEAR 2020 UNLIKE ESCROW FOR THE COMMUNITY DEVELOPMENT DIVISION

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

R-20-017

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

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$50,000 TO FUND A FEASIBILITY STUDY FOR THE FUTURE REUSE OF THE ELM STREET MIDDLE SCHOOL BUILDING

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE and schedule a public hearing for Monday, March 23, 2020, at Nashua High School North, Room B166, by President Wilshire

NEW BUSINESS – ORDINANCES**O-20-008**

Endorsers: Alderman-at-Large Ben Clemons
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Tom Lopez

CHANGING THE STARTING TIME OF THE OVERNIGHT PARKING TIME LIMIT RESTRICTION IN CERTAIN LOCATIONS

Given its first reading; assigned to the COMMITTEE ON INFRASTRUCTURE and PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE by President Wilshire

O-20-009

Endorsers: Alderman-at-Large Richard A. Dowd
Alderman-at-Large Ben Clemons
Alderman Linda Harriott-Gathright
Alderman Patricia Klee

RELATIVE TO PUBLIC COMMENT

Given its first reading; assigned to the PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE by President Wilshire

O-20-010

Endorsers: Alderman-at-Large David C. Tencza
Alderman Tom Lopez
Alderman Patricia Klee
Alderman-at-Large Lori Wilshire

CLARIFYING THAT COIN DEALERS ARE NOT SECONDHAND DEALERS

Given its first reading; assigned to the PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT

Laurie Ortolano 41 Berkeley Street. I came out tonight because I knew you were going to approve the contract for Vision to start their Measure & List. I wasn't certain if they were going to be here because KRT had presented to you in 2018 before they started, and I actually thought Vision was going to be here tonight to talk to you. I know the Board of Assessors is holding a special meeting on Monday at 4:00 with the DRA to present the process and hopefully allow some public input.

But I wanted to speak to you a little bit about a couple things with the contract. I know you are all aware that my belief was that the contract we had last time was not complied with well. There wasn't a lot of oversight and I do believe this time around there will be more. But what I notice about the contracts when they are written, and I think they are largely developed by the DRA is they are very boiler plate contracts. The one that is presented now is very similar to the one that KRT used. That's fine but we still have to make certain that there's compliance within that contract. One of the specific areas I am concerned about and interested in is the informal second hearings that were held by KRT that are also going to be held by Vision, not only when they do the update but I believe as they go through and make changes to these properties each year at the third of the City. I would imagine there will be some process where people could question the changes they are making to the segmented properties they are looking at.

When KRT came to the Board and talked to you about that, there were a couple Aldermen, Alderman O'Brien and Mary Ann asked good questions about that informal hearing process. Alderman O'Brien wanted to know specifically what that was and to go over so the public could know what the process is, what the hearing type is about and they can understand what is going to happen there.

The President of the Company told the Board, "sure they come in, we go through their property record card to make sure that there is no discrepancy with the data. We can explain how the value is arrived. If they have comparable sales or what they feel are comparable, they can bring in and show them to us or comparable assessments. If there are neighbors that have very similar houses and their values are very different, it is those things that we can look at. So we do put together, for the tax payer, a little mini-manual and we explain the whole process on how we develop the values, how the neighborhoods were delineated". It gets into pretty good detail.

Now anyone of you, if you went out and attended that informal Hearing, none of that happened. And that was a bone of contention with me. First of all, we didn't even know we were supposed to bring our property record cards. The letter that was mailed to the home owners about these hearings never said, "get your property record card". Property record cards weren't on-line so unless you called City Hall and said, and there were 2,050 people that went to these second hearings, most of them represented residential property owners in each Ward. So that was roughly 5% of the residential property owners that came out. So if each one of them didn't call the Assessing Office and say, "Print my card and leave it over at the meeting for me when I come out", you were really lead to believe, or you would have been led to believe as an Alderman seating here, that there would have been a computer there or the appraisers at the meeting would have had access to a computer screen to pull up your property record card to go over it with you.

In fact, none of that was available. And this concept that they provided a little mini-manual or delineated how these assessments were done was absolutely false and that was a big issue for us. What they did is sit there and tells you, "we created a very sophisticated model, our model is very powerful". That's exactly what they told residents during the abatement process who came in to talk about the abatements last summer, June. We have a powerful model. That's not compliant with the State rules on addressing assessments and level of assessment.

As a matter of fact, IAAO and the State calls it out specifically says, "Never say we have a powerful model", because the taxpayer doesn't understand that and they don't have access to the model. You have to go to a fee appraisal basis and you have to present properties within the neighborhood and show them that this really is in line with what they think it should be. That's what we know and that never happened. And no one called them on that. So I appreciated the Alderman who addressed it, but I think this time around we have to hold them, Vision when they come in, accountable in these informal hearings to value, defend and justify the information that they are giving to us. And if they say they are going to provide us with mini-manuals and explain the assessments in our neighborhoods to justify our values, then by God do it. Because we walked away with nothing and we walked away from an abating process with nothing; two rounds of it. They proved nothing. "We have a powerful model".

There was something else I wanted to raise and I didn't write it down. I can't recall. So we will end it on that. But I hope, I don't know if Vision is going to come to this Board; I hope when they do, you ask a lot of questions. Because of each one of you represents a Ward and I think that the property owners within that Ward will all be stepping through this process. Oh I know what I wanted to raise, I am concerned and I have written this in e-mails before to the City that in the next go-around, because our property cards have a lot of questionable data on them, especially with the depreciation code. You are going to see properties that get adjusted and changed significantly and I am really concerned and have been since the beginning of this process that we are going to slam property owners with very high increases, because their properties just weren't valued correctly, basically since the recession. We never quite got the right correction in after 2008 and we have moved this market up really heavily.

I even have a girlfriend who lives in New Jersey and they did an assessment down in her town and the values came in very high; the City went nuts. They re-set everything back to the old value, they re-did it again and then they decided to do a Phase-In over 3 years. People who saw increases above a certain amount were given the increase incrementally placed in their property tax bill over a 3-year period to phase it in to get this correction made.

I am very supportive of something like that and I have written this to the Administration; I have never received a response. I know that it would require some DRA effort, but I think it's worth talking about now before this happens in 2 or 3 years, to see if there's any way to reduce the burden of what might be coming down the road on some of these properties and especially where the market is so high. Our equalization ratio dropped to 88.8%, we are in the second year outside of a revaluation and we are already 12+% under market value, you know? We need a correction badly, actually. And if there were to continue to five years, the market itself will be pretty hard on these assessments and then you couple that with potential errors on the property record cards. It could be a real slam to a lot of people and I just don't want to see people hit like that. So I hope there's some creative thinking that happens in this horseshoe and in City Hall to address it. Thank you.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Lopez

I just want to express my condolences to the family of Kristi Cunha, She worked for the Nashua School District. She and I exchanged a lot of conversation about different ideas before we realized that she was not in my Ward, so sorry June. But she was very interested in community events, she was very passionate about doing research and being fair-minded to people. So I just wanted to extend my condolences.

And then I just also wanted to remind everybody that I will be going to Honduras next week so if there's any really important meetings, I can phone in, but probably won't.

President Wilshire

Thank you Alderman Lopez.

Committee announcements:

Alderman Caron

Yes thank you. Personnel meets on Monday March 2nd at 7:00 and I don't know where we will be floating around because I don't have my paper; somewhere in City Hall.

Alderman Dowd

Yes tomorrow evening at 7:00 there's a Special Board of Aldermen Public Hearing on R-20-012 followed by a Special Budget Review Committee and then, I won't spoil your thunder for what follows, but they are all in the City Hall Auditorium.

Alderman O'Brien

Yes and tomorrow night, saving the best for last, Infrastructure will be at 8:00 so you are welcome to chill and hang out with the group, thank you.

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE FEBRUARY 25, 2020, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED

The meeting was declared adjourned at 8:30 p.m.

Attest: Susan K. Lovering, City Clerk