

# PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

MAY 18, 2021

A meeting of the Planning and Economic Development Committee was held Tuesday, May 18, 2021, at 7:01 p.m. via teleconference.

## Chairman Tencza

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

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

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

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

*To join by phone: 1-929-205-6099 - Meeting ID: 838 1699 2884 Passcode: 072795*

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

If anyone has a problem accessing the meeting via phone or Channel 16, please call 603-589-3329 and they will help you connect.

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

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

Alderman Laws called the roll and asked them to state the reason he or she could not attend, confirmed that they could hear the proceedings, and stated who was present with him or her.

The roll call was taken with 4 members of the Planning and Economic Development Committee present:

Alderman-at-Large David C. Tencza  
Alderman Jan Schmidt  
Alderman Thomas Lopez (arrived late)  
Alderman-at-Large Ben Clemons  
Alderman-at-Large Brandon Laws

Members not in Attendance:

Also in Attendance:

Alderman Patricia Klee  
Alderman Richard A. Dowd  
Alderman Ernest Jette  
Tim Cummings, Economic Development Director  
Sarah Marchant, Community Development Director

ROLL CALL

Chairman Tencza

Anyone for public comment? Seeing and hearing none.

PUBLIC COMMENT - None

DISCUSSION- None

Chairman Tencza

Seeing and hearing none

COMMUNICATIONS - None

UNFINISHED BUSINESS – None

NEW BUSINESS – RESOLUTIONS

**R-21-144**

Endorsers: Mayor Jim Donchess  
Alderman Jan Schmidt  
Alderman Richard A. Dowd  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Linda Harriott-Gathright  
Alderman Thomas Lopez  
Alderman-at-Large Lori Wilshire

**AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT “L” PINE STREET (MAP 77, LOT 5)**

**MOTION BY ALDERMAN LAWS TO RECOMMEND FINAL PASSAGE, BY ROLL CALL**

Chairman Tencza

Director Cummings, Director Marchant I'm not sure who will be speaking on this.

Tim Cummings, Economic Development Director

Yes if I may Mr. Chair.

Chairman Tencza

Please, go ahead.

Tim Cummings, Economic Development Director

Thank you. For the record, Tim Cummings, Director of Economic Development. I'm here before you to ask for your favorable recommendation on this piece of legislation. I am having trouble with the City's GIS at the moment so I can't really pull up the GIS map but what I have done is I pulled up an aerial, and I'm not sure if someone else has access to the City's GIS, but using Google, I was able to get an aerial of the map. If I may Mr. Chair, I'm going to share my screen for just a brief moment because I want to orientate everyone to where we're talking about.

Chairman Tencza

Please do Director Cummings. Is there anything you need from us or...all right great.

Tim Cummings, Economic Development Director

Thank you. So, again, for whatever reason the GIS viewer isn't seeming to load onto my computer this evening. So in lieu of that, we have this Google map which essentially shows the 4 1/2ish acres right in through here that I think a lot of people already are under the impression is owned by the City of Nashua. Technically it's owned by the Millyard Associates as of now. This is the entrance to Mine Falls Park. Here's our traditional Nashua Millyard that most people think of. Here's the Nimco building specifically. What we have here is a P&S which I am hopeful that you will recommend favorable this evening to acquire this land.

The purpose for the acquiring of this land is to create a dog park on it. As you may or may not know, have a study going on separately being run by Director Marchant and the Community Development Division to study how best to put a dog park in and on this land right here. In conjunction with that, we wanted to move forward to have site control and ultimately whether the dog park initiative moves forward or not, this is a good piece of land for the city to have because it acts as a trail head to Mine Falls Park. I think most folks already assumed that this is the trail head. So we would just like to codify what has been traditionally thought of or expected.

The P&S before you was developed based off an appraisal that we got done. We worked in partnership with the Millyard Associates to develop this P&S. They signed off on the independent appraiser who developed the value. The value came in at \$325,000. I'll note that we are paying \$325,000. The P&S calls for two additional years of the tower lease payment to go to the Millyard Associates. So in total in the aggregate, the full value will be something like \$380,000. We're only paying in and of ourselves \$325,000.

With all that being said, I just want to just comment about where this money is coming from. This is a transfer of funds of already bonded money. So just want folks to know that there will be no new taxes or any type of tax increase because of this purchase. We were able to come under budget on a previously approved bonded project and we'll be using some of the excess capacity or excess funds from that project and just repurposing this money. There's a tandem piece of legislation working its way through the Board of Aldermen that actually speaks to this specifically and I'm sure on another evening we will get into more detail on that. This piece of legislation that is before you really only speaks to having the ability to enter into and execute a Purchase and Sale Agreement to ultimately acquire this 4 plus acres.

I'm going to stop sharing my screen here and talk a little bit about the legislation. So the legislation, again, is R-21-144. It's a relatively straightforward purchase and sale. I already talked about the price. A couple other notes to make that may make this P&S a little bit more unique than others not speaking to the due diligence period or the standard types of terms that you'd see in a P&S. There's an option agreement in here. So two of the abutting parcel owners expressed an interest during the negotiations to have a set period of time to try to acquire some land in an effort to get some more parking. So they have some obligations that they would need to do – engineering, and then they would ultimately pay us the same purchase price that we're paying here. We're affording them the opportunity of a certain amount of time. I want to say something like 90 days to be able to execute upon that. I'm not sure whether they will or not but we are affording them that privilege. So that's just something I wanted to kind of call out. Otherwise, everything else is pretty standardized for a purchase and sale agreement and time is of the essence. I'm hoping to get this approved by the Board of Aldermen as quickly as possible. We have a closing date set for the end of June. So we would really like to move on this as quickly as possible. I'll end my comments there Mr. Chair and hopefully this body will favorably recommend this piece of legislation.

Chairman Tencza

Thank you Director Cummings. Discussion by Aldermen? Aldermen Clemons I see you have your hand up.

Alderman Laws

Mr. Chairman before that – sorry for interrupting but Alderman Lopez is here and Alderman Jette is here as well.

Alderman Clemons

Thank you. I have a couple questions. One is on the property itself if we've done or know the history of the property and whether or not we've done any soil samples or do we know like is the property clean? Is there contaminants there? Obviously it's in the Millyard and Nashua doesn't have exactly the best reputation on big flat pieces of land like that. There tends to be asbestos under them. Just wondering if we've done that research?

Tim Cummings, Economic Development Director

Thank you. Yes we have not actually done that yet. This P&S would then allow us to do some due diligence after we execute upon it.

Alderman Clemons

So we're putting the cart before the horse?

Chairman Tencza

So I will let Director Cummings just respond.

Tim Cummings, Economic Development Director

I would say no. It's pretty standard in a P&S to have a due diligence period. We could always exit it if we wanted to.

Alderman Clemons

I guess I'm wondering why we haven't done the due diligence now. Like in other words, if I was to go buy a house I'm going to have an inspection done on the property, right, before I buy it it's going to be subject to that. I know that's what you're saying. Is that what you're saying is happening here or?

Tim Cummings, Economic Development Director

I'm pretty sure you have an inspection done. I guess I don't want to equate it to residential development but often times very common practice to get a P&S secured before you actually spend any money on due diligence. On the flip side, you could say why did you spend \$10,000 when you don't have site control over the property. You typically want to tie the property in.

Alderman Clemons

What I'm asking I guess to be clear is what prevents you, or the Mayor, or anyone for that matter in the city taking action to go forward and buy this if once we passed this through the Board?

Chairman Tencza

I think Alderman Clemons if I may, I think your question is – correct me if I'm wrong – if we find out that this parcel of land is not good for development or a dog park, what are our damages and what's our exit clause to get out of it.

Alderman Clemons

Correct.

Alderman Klee

May I add something to this conversation? We are doing the dog park feasibility study and in part of that is some of the questions that Alderman Clemons is asking. For instance, there is an underlayment from the cable that's there. So we're looking into that. We're checking into the soil as far as that whole thing is concerned and to the best of my knowledge, that will be going forward in the next couple of months or so. I don't know if we would have all of that information prior to the June closing but I think if we talk to Ms. Chizmas we might be able to get a little bit more specific as to exactly because these were the questions we did ask as far as the dog park was concerned and that is all part of the feasibility study. Director Cummings may have a little bit more information as far as that's concerned. I don't think it's going to answer all of your questions Alderman Clemons but I think it will answer a lot of them as far as the wetlands are concerned, the flood plain, the soil content, what's underneath it. I don't believe there's asbestos because there's a whole slew of infrastructure underneath, and not too deep either, for the antenna that's there. I just wanted to kind of add that to it rather than just keep going around in a circle here. Some of it but not all of what I think you're looking for.

Tim Cummings, Economic Development Director

If I could just further...

Chairman Tencza

Director Cummings if you could answer the question and Alderman Clemons I'll come back to you for follow up.

Tim Cummings, Economic Development Director

Yeah I just wanted to say so the due diligence will be done and the question is whether you'll be out anything. We're not paying any deposit. There's no option fee that we're going to be paying monthly so we wouldn't really be out anything financially other than our time and effort but we are doing – and what I would suggest is we would extend the closing date once we have an understanding for what's going on. I know the study is actually underway now cuz we're all acting in good faith to try to get his done. With that being said, that's where the due diligence effort stands. We'll evaluate after we get some due diligence done.

Chairman Tencza

Follow up Alderman Clemons.

Alderman Clemons

Yeah I guess I was under the impression that the Purchase & Sale and entering into an agreement was going to be done after the study that we're talking about. I know that that was a little unusual. I supported that but I would rather wait until the study is done then to move forward with an authorization to buy the property. That's where I stand on this.

Alderman Dowd

Yeah just one thing. The Purchase and Sale it will be written correctly. I have a little experience lately buying land for the City and then you have a Purchase and Sale, you can make sure that all the requirements are put in the Purchase and Sale are met before you have to commit any funds. So I'm sure that the Purchase

and Sale will be written correctly because I'm sure it will go through Legal. As I said, we've have some recent experience in buying land and being quite successful at it. Since we were building the school, we did a lot more testing than probably is required here. If it was I think asbestos was mentioned, if it's going to be used as a dog park and only on the surface if it's been properly buried, it wouldn't be an issue anyway other than being that close to the river. I'm sure somebody would have looked at this before. I don't see an issue. I don't see a risk. Whatever testing needs to be done can be done. If it doesn't match up to the Purchase and Sale, we have the right to back out.

Alderman Lopez

Yeah I was just going to add that I mean it's already kind of used in that general way and we face the same risk whether we're doing this or whether we're not. Director Marchant's camera popped on and I know she might have some context to add since she's been attending all of the dog park advisory meetings. I just wanted to see if she had any comments.

Sarah Marchant, Community Development Director

Sure. I guess my main point was this evaluating feasibility on this lot for a dog park but that is not the purpose of this purchase. There's four plus acres. Maybe an acre would be the dog park. Maybe a little bit less and this is a key piece as abutting Mine Falls Park as providing future access to that park and the Millyard. I think that this piece is larger than its potential of solely for a dog park. So I think that's an important part of why we're trying to bring it under city ownership now.

Alderman Lopez

I don't want to speak out of turn Mr. Chair but Director Marchant wasn't there a transformer or something on the property too that we were working on investigating?

Sarah Marchant, Community Development Director

Sure. There is a radio tower and we have associated improvements. That is on part of the parcel but again there is a big part of this parcel that is not either of those things.

Chairman Tencza

Follow up Alderman Lopez?

Alderman Lopez

Nope I'm good.

Alderman Jette

Thank you Mr. Chairman. I'm not the City's Attorney but I have read the resolution which incorporates the Purchase and Sale Agreement. To Alderman Clemons' question, the Purchase and Sale Agreement provides once we sign this Purchase and Sale Agreement, the Purchase and Sale Agreement gives us the right then to investigate the property, to do testing, to do whatever testing we feel is necessary. If we find problems that make us feel that we don't want to pursue this, we don't want to purchase the property, we have the right to terminate the agreement. Our only loss would be the expense of whatever we spent in the testing. This is typical in real estate purchases. You sign the Purchase and Sale Agreement first and then its conditioned upon your doing whatever inspections you feel are necessary and then the inspections are unsatisfactory for whatever reasons, then you have the right to terminate the agreement.

I also wanted to confirm that our purchase of this property is not dependent upon our using it as a dog park. That's whether or not we use any of it, or part of it, or all of it as a dog park is a separate issue. I think that

acquiring this land since it is surrounded by city property – you know the cove is just to the south of it. The Nashua River is to the north of it. The entrance to Mine Falls Park is there. The so-called “Spine Road” runs along the north side of the property. I think from any number of other reasons, I think it’s important that the city acquire this property.

But I do have a question about the Purchase and Sale Agreement excepts – there is a radio tower lease that was referred to earlier. Absolute Broadcasting has a lease on the radio tower that’s there. The Purchase and Sale Agreement excepts that. It gives the seller the right to retain whatever property is included in that lease which would be the radio tower and access to it I guess. Whatever obligations that are under that lease, they retain those obligations but they also retain the right to receive rents from that property for two years. My questions is Director Cummings could you elaborate on this reservation of rights regarding the lease and could you explain what happens during the two years and then after the two years what happens then?

Tim Cummings, Economic Development Director

If I may Mr. Chair.

Chairman Tencza

Director Cummings please go ahead.

Tim Cummings, Economic Development Director

Yes thank you. So essentially I started off my comments by saying that the aggregate total value would be something like \$380,000. That’s understanding that we would be paying out \$325,000 but there would be a lease in place that the Millyard Associates would retain and they would manage the site and keep all the revenue from the lease which is approximately \$28,000 a year. So I apologize if that was missed at the beginning but that’s essentially what happens and then we get it.

Alderman Jette

If I could follow up Mr. Chairman.

Chairman Tencza

Please go ahead.

Alderman Jette

So when you say at the end of two years we get it, what do you mean? Are we obligated to continue that lease or is it subject to negotiations at that point? Is there a provision in the lease that it’s going to go on beyond the two years?

Tim Cummings, Economic Development Director

The lease has an option. So its two years and then an option of five years on top of it and we would assume the rights to the lease.

Alderman Jette

And whatever obligations are under the lease? So if I could explain what I’m saying. So during the two years, the seller Millyard Associates retains the right to collect rent on the lease and they agree to provide whatever obligations the lease provides to maintain the tower I guess. Then after that two-year period, you’re saying that the lessee Absolute Broadcasting has the right to renew that lease for another five years. Is the

rent fixed? Is the obligations fixed and is that – I don't know of any reason why we would not want to continue that but I don't know what provisions that lease provides and are you satisfied that that would be a good deal for the city and it wouldn't interfere with the city's use of the property?

Tim Cummings, Economic Development Director

If I may Mr. Chair?

Chairman Tencza

Please go ahead.

Tim Cummings, Economic Development Director

Yes thank you. Yes I do think it's a good deal for the city. No I do not believe that it would affect our intended use for the property as Director Marchant noted we're not going to use the whole four acres. Essentially when we're thinking about long-term planning, acquiring this parcel is a strategic purchase that if you're thinking about 50 years from now doing flood plain resiliency, having a trail head for the Mine Falls Park, having a dog park, I think it would be wise for the city to have this land when we know that it is not a long-term lease but the lease is set to expire in 24 months and then there is an option which could be exercised but we could still work that all into our current plans.

Alderman Jette

Mr. Chairman if you could indulge me one last question.

Chairman Tencza

Go ahead Alderman Jette, sure.

Alderman Jette

Thank you. At some time in the recent past there was – I can't remember. I don't know if it was the Infrastructure Committee but it was brought to some committee or board that I was present at. There was a controversy, or a disagreement, or an issue regarding parking for Millyard properties and the city was going to restrict parking and there was an objection by tenants, and a problem with negotiating some kind of a resolution with the owner of the property. What is the status of that? Has that been resolved?

Tim Cummings, Economic Development Director

Yes thank you. I believe that you're talking about a different parcel. That's a parcel that is currently city-owned parking lot that the city has in another area which we have not resolved any issues there. It's been pending COVID and we gave a commitment that we would not do anything until after the parking study was done. So that is still an issue that needs to be resolved at some point. I will note that this parcel is not just in the flood plain but in the flood way which is a very strong requirement for development which you wouldn't be able to develop regularly on this land because it's at such a high degree of its nature in terms of being a wetland. It would be very hard under the current rules that we have to abide by both at the State and actually more importantly at the federal level. It really only can be used as open space or in a very limited fashion.

Alderman Jette

Okay. I know that the parking area of the parking lot is not the same parcel but it's adjacent to it I believe. I think it's the same owner who is looking wants an option as part of this agreement they, it is going to be getting an option for the part that we're buying here – an option to purchase the eastern most portion of it which would be adjacent to the parking, I think. So that's why I was asking that question but thank you.

Tim Cummings, Economic Development Director

If I may Mr. Chair I'll pull this up because I think it is worth clarifying.

Chairman Tencza

Thank you.

Tim Cummings, Economic Development Director

So the subject parking lot that you're referencing is actually over here is you can see my screen. Can folks see my screen here?

Alderman Jette

Yes I can.

Tim Cummings, Economic Development Director

Okay so the subject parcel that you're referring to – I'm sorry?

Alderman Lopez

I said it's a great map.

Tim Cummings, Economic Development Director

Okay thank you. So again this is a city owned parking lot right here that was under a lease that expired and it did support exclusively these two office buildings. It still could and still available to support these building but it's not under a lease obligation any longer. It is still being used as a parking lot.

The land is right here that you're referencing and the option agreement is for the two owners. So this is an owner right here and this is an owner right here to essentially have the option to extend wherever their parcel line is and again we don't have the GIS map up but let's just say for this conversation it's something like this. It would have the option to purchase essentially this area right here. Now what is a little deceiving on this map is there's probably an approximate 30 foot grade change between this area down here and this area up here. So this is an easement that area where there is some utility work. Eversource has a utility easement and essentially what they would like to do is have the option to go to the easement line here and under their theory if it works out and they still have some due diligence that they would need to do, they could expand their parking here and if they wanted to extend their parking right here for their own individual benefit. It is by no way connected to the parking lot that I think was in question or previously referenced. This is the parcel line something like right here. Anyway I just wanted to kind of clarify that so folks had some sort of orientation.

Alderman Jette

Thank you.

Chairman Tencza

Thank you. All set Alderman Jette?

Alderman Jette

Yes I am thank you.

Chairman Tencza

Sure. Alderman Clemons.

Alderman Clemons

Thank you. So I guess I wasn't clear earlier and maybe I can be more clear or get a clearer answer at this point. I guess my question is other than the study that's going on right now that was mentioned by Alderman Klee, what is the due diligence that we are doing on the property in the period that we have to pull from the deal – what are we doing as far as due diligence? What's planned for the city?

Tim Cummings, Economic Development Director

I would defer to Director Marchant if she wants to talk about the scope of work that I believe is currently under contract and then I can speak to some of the other peripheral items that would be done as well.

Sarah Marchant, Community Development Director

Sure. I can give you a quick overview and I'm more than happy to send a copy of the contract if that would help so you have the exact details. In general we are doing a basic environmental analysis. We are doing a survey. We are understanding we're doing some ground radar so that we understand exactly where some of the infrastructure is that's associated with the radio antenna and that work. I think wetland (inaudible) those kind of basic – any normal information that we'd need to be able to do and carry out the feasibility study going forward.

Tim Cummings, Economic Development Director

With that being said, that's actually technically under way right now because in good faith we've been working towards this and I would think absence something major or herculean coming up as an issue, we would be prepared to move forward. Hopefully that answers the question.

Alderman Clemons

Yeah my final question will that be done within the timeline to back out of the deal if we were to move forward with it?

Tim Cummings, Economic Development Director

Yes. I would suggest that it may not be done in its entirety but the environmentals will all be done in a way so we will have a comfort level at least on that front. I think some of the other more complicated elements of the due diligence may need to go on beyond than what the current purchase agreement calls for. Though we could always have the ability to extend it if necessary and that has been openly discussed.

Alderman Clemons

Okay that eases my concern a little bit only because the – you know I appreciate the fact that the point of you where first of all I understand the need for the dog park. I completely get it and I also understand the desire to have an entrance if you will that's owned by the city down there. However, I don't want us to become the owner of something that is going to put people's health at risk and put that burden on the city. So that's where my concern comes from so if you can assure me that the environmental portion of that would be done prior to us having to pull the trigger on the sale, I guess I will support this.

Tim Cummings, Economic Development Director

Yes if I may Mr. Chairman. Yes we can assure you of that.

Alderman Clemons

Okay thank you.

Chairman Tencza

Further questions? Director Cummings I have a couple of questions for you. The first one you said that this was the proceeds to buy this are coming from a bond which there's leftover money. So do you recall which project that was for and then a question – do you recall first which project this money is coming from?

Tim Cummings, Economic Development Director

I believe and I will double check what I'm about to say because I'm not sure how broken down we itemize the projects in our bonding plan but essentially this is available money from the Broad Street Parkway project where we came in under budget and it's been bonded under the DPW's jurisdiction. We'd be repurposing excess bond proceeds and putting it towards this purchase.

Chairman Tencza

Okay. Thank you. I think that makes sense if it comes from a bond from the Broad Street Parkway. The next question it may be for Alderman Dowd if he's still there. What are our limitations on that excess bond money for this project or for any project? Do they have to go into capital expenses or is this something that the money can be put back into the general fund?

Alderman Dowd

No bond money can never be put back in the general fund. It's against the law to use it for salaries or anything of that nature. You can't just apply it to the general fund. The bond money can either be repurposed by the Board of Aldermen or just done away with. So typically especially with the way the interests rates are right now, the most economical thing for us to do on any project is to repurpose that money so that we get the advantage of a very, very low interest rates. You can take that money and use it towards any of the if you're thinking that FY22 budget. It can't happen. Different colors of money – not allowed.

Chairman Tencza

All right. Well thank you for that clarification.

My final question for your Director Cummings is on this option to purchase or to purchase for parking this land is that something that would come back in front of the Board or is that something that your office or the Mayor would enter an agreement into in order to do that once we acquire the land?

Tim Cummings, Economic Development Director

You're saying the option for the perspective abutters to acquire the land?

Chairman Tencza

Yes.

Tim Cummings, Economic Development Director

That actually is actually contemplated in this Purchase and Sale Agreement. Tonight you'd be agreeing to

afford those two abutters the option as is currently outlined.

Chairman Tencza

Okay. So if we did want to give them that option to destroy that green space, some would have to make a motion to take it out of the Purchase and Sale tonight or at the full Board of Aldermen meeting?

Tim Cummings, Economic Development Director

Yes and if I may just take a moment to opine on that. That would severely jeopardize the interest of the seller to wanting to move forward if this was a protracted conversation that took place and this was a very spirited compromise that was arrived at. So I understand the intention there, I'd just would want to make sure you understood the potential consequence that may arise which I don't think there would be an appetite any longer by the seller.

Chairman Tencza

Okay. Well thank you for that. The only other comment I am going to make is I am actually going to abstain from voting on this. Attorney Leonard who is in the same office as I am represents the sellers in this matter and so to avoid any appearance of impropriety, I'll be abstaining but thank you.

Any further questions from members of the Board?

Alderman Lopez

Yeah well assuming we don't start a shooting war over that parking lot, I think it's easier for them and they don't spend any money just by continuing to use it but if they did decide that they're actually going to move forward on trying to level off a giant piece of swamp land for their parking lot, we could reclaim the parking on our side as green space as well. We're not entirely without options.

Chairman Tencza

Anything further? Questions? Thank you. Mr. Clerk if you could call the roll.

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

Yea: Alderman Schmidt, Alderman Lopez, Alderman Clemons, Alderman Laws	4
Nay:	0
Abstain: Alderman Tencza	1

**MOTION CARRIED**

Chairman Tencza

Thank you Director Cummings. Thank you Director Marchant for being here tonight.

NEW BUSINESS – ORDINANCES – None

TABLED IN COMMITTEE - None

PUBLIC COMMENT - None

GENERAL DISCUSSION - None

REMARKS BY THE ALDERMEN

Alderman Lopez

So tomorrow at 12:30 on line there's a virtual meeting of the Board of Health to discuss the masking ordinance and what their options really are. It seemed evident from what Attorney Bolton had said at the last meeting that the decision is going to have to be a decision made by the Board of Aldermen ultimately whether or not we modify it, get rid of it, or whatever we're doing with it. So I'm sure everybody is pleased that we'll be able to take that on ourselves. Tomorrow they will be having that discussion at 12:30. The link is on the city's website.

I just wanted to comment on why I was late today. There's a regional hate group which apparently has chosen a little girl's mural to her mother who has passed away in one of my neighborhoods and that's their chosen chew toy. They've put up tags a couple of times and neighbors have rallied around it and let me know. I have cleaned it. A couple of other artists have cleaned it. I just wanted to let residents know that if you see activity like that, if you see messages like that are involving white supremacy, or Israel's rights, or whatever they're QAnon thing they're doing this week, feel free to let us know because there's lots of paint. We'll clean it up. Nashua PD is investigating these and taking them very seriously. I'll let them do their thing but in my role as alderman and I'm sure my other aldermen agree, we don't accept any of that kind of stuff. Everybody is welcome to let us know if there's a problem in our neighborhoods and we'll make sure that Nashua PD is on top of it. Thanks.

Chairman Tencza

Thank you. Anything further? Seeing none, Alderman Laws I'll entertain a motion to adjourn.

POSSIBLE NON-PUBLIC SESSION - None

ADJOURNMENT

**MOTION BY ALDERMAN LAWS TO ADJOURN, BY ROLL CALL**

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

Yea: Alderman Schmidt, Alderman Lopez, Alderman Clemons, Alderman Laws, Alderman Tencza	5
Nay:	0

**MOTION CARRIED**

The meeting was declared closed at 7:47 p.m.

Alderman-at-Large Brandon Michael Laws  
Committee Clerk