

A special meeting of the Board of Aldermen was held Wednesday, May 27, 2020, at 7:00 p.m. via teleconference.

President Lori Wilshire presided; City Clerk Susan K. Lovering recorded.

Prayer was offered by City Clerk Susan K. Lovering; Alderman Ernest Jette led in the Pledge to the Flag.

President Wilshire

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

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

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

To access Webex:

<https://nashuanh.webex.com/nashuanh/j.php?MTID=med37f1c096221143409433a7e905d5d6>

Meeting number/access code: 718 669 011 – Password: iFu4SpvKX57

To join by phone: 1-408-418-9388 - Meeting number/access code: 718 669 011

The public may also view the meeting via Channel 16.

b) Providing public notice of the necessary information for accessing the meeting:

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

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

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

d) Adjourning the meeting if the public is unable to access the meeting:

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.**

City Clerk Lovering 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 11 members of the Board of Aldermen present: Alderman Michael B. O'Brien, Sr., Alderman Patricia Klee, Alderman Richard A. Dowd, Alderman Benjamin Clemons, Alderman David C. Tencza, Alderwoman Elizabeth Lu, Alderman Ernest Jette, Alderman Jan Schmidt, Alderman Skip Cleaver, Alderman Linda Harriott-Gathright, Alderman Wilshire.

Alderwoman Shoshanna Kelly, Alderman June Caron, Alderman Tom Lopez, and Alderman Brandon Michael Laws were recorded absent.

Mayor James W. Donchess, Corporation Counsel Steven A. Bolton, and Tim Cummings, Economic Development Director were also in attendance.

Alderman O'Brien

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

Alderman Klee

I am here, I can hear you, and the only one in the house is my husband who could make an appearance but he is not in the room with me now.

President Wilshire

Alderwoman Kelly won't be joining us this evening.

Alderman Dowd

Yes, I can hear you, and I am alone, practicing social distancing in accordance with the Governor's Order.

Alderman Clemons

Yes, I am here, participating by WebEx and I can hear everyone, there's no one in the room with me. I will just say that my bandwidth has been give or take so if I lose you, I will try to come back. Thank you.

Alderman Tencza

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

Alderwoman Lu

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

Alderman Jette

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

Alderman Schmidt

I am here, I can hear you all and I am alone in the room.

Alderman Cleaver

I am present, I am alone and I can hear everybody so far.

Alderman Harriott-Gathright

I am present, I can hear you, I am alone in this room and I am practicing social distancing.

Alderman Wilshire

I am here, I am alone and I am also practicing social distancing per the Governor's Order.

Susan Lovering City Clerk

You have 11 in attendance.

President Wilshire

Alderman Caron, did you join us? OK maybe not. Ok at this point in the meeting, I am going to turn it over to Alderman Tencza who is the Chair of the Planning & Economic Development Committee to hold the Public Hearing. So it's over to you, Alderman Tencza.

Chairman Tencza

Thank you, Madam President. The purpose of tonight's meeting is to hold a Public Hearing on O-20-014 relative to Temporary Adjustment to Site Plans. With us here tonight is Director Sarah Marchant from Community Development. Director Marchant if you can please explain or present what this proposal is.

Sarah Marchant, Director of Community Development

Absolutely, thank you so much for having me here tonight. This Ordinance is to allow for the temporary modifications of site plans through the end of this year. This essentially allows us to quickly turn around approvals for outdoor dining in what would traditionally be parking areas or landscaped areas. We have developed a system in partnership with Economic Development, Public Health, Fire and Public Works. So everybody is still involved in the review process. We need to turn these around quickly and get these businesses up and running. Without this Legislation, it would many be full Planning Board process because of the items that are happening here, specifically it would be difficult still to meet parking minimums to meet the landscaping, open space minimums and some setbacks. So we are working with them on a case-by-case basis to make sure everything is safe, but to make sure that we can get our businesses open and functioning as quickly as possible.

Chairman Tencza

Thank you, Director Marchant. Now the Meeting will turn to the Public Comment portion of the Meeting. I will be asking for testimony in favor of this Ordinance; then testimony in opposition, once both parties have had a chance to speak on it, I'll again ask for testimony in favor and then for testimony in opposition. If you would like to speak, please just make yourself known when you feel it is your turn to speak.

PUBLIC HEARING

O-20-014 - RELATIVE TO TEMPORARY AJUSTMENT TO SITE PLANS

TESTIMONY IN FAVOR - None

TESTIMONY IN OPPOSITION - None

TESTIMONY IN FAVOR - None

TESTIMONY IN OPPOSITION - None

Alderman Harriott-Gathright

I just have a question. Whenever you say "in favor" you can hear somebody saying something, I'm not sure who it is. (inaudible) you keep saying none but I hear someone.

Chairman Tencza

So I will give someone one more opportunity if you have testimony in favor, please just announce yourself, state your name and your address? OK, Alderwoman Harriott-Gathright, is that sufficient?

Alderman Harriott-Gathright

Yes.

Ms. Marchant

Sorry to interrupt, I meant to say there is one edit modification I would like to propose. I think there was a typo. The last line of the first paragraph it says, the last sentence, "Fees shall be charged for such a review or approval". It should say "NO fee shall be charged for such review of approval". So it just adding the word "no" before the word "fee".

Chairman Tencza

Ok, thank you for bringing that up during the Public Comment Portion. Given that amendment, is there anyone who would like to speak now in favor of this Ordinance?

TESTIMONY IN FAVOR – None

TESTIMONY IN OPPOSITION - None

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE MAY 27, 2020, SPECIAL MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Clemons, Alderman Tencza, Alderwoman Lu,
Alderman Jette, Alderman Schmidt, Alderman Cleaver,
Alderman Harriott-Gathright, Alderman Wilshire 11

Nay: 0

MOTION CARRIED

The meeting was declared adjourned at 7:12 p.m.

Attest: Susan K. Lovering, City Clerk