A regular meeting of the Board of Aldermen was held Tuesday, May 28, 2019, at 7:30 p.m. in the Aldermanic Chamber.

President Lori Wilshire presided; City Clerk Patricia D. Piecuch recorded.

Prayer was offered by City Clerk Patricia D. Piecuch; Alderman Richard A. Dowd led in the Pledge to the Flag.

The roll call was taken with 14 members of the Board of Aldermen present; Alderman Gidge was recorded absent. Alderman Lopez, Alderman Laws and Alderman Clemons arrived after roll call at 7:31 p.m., 7:32 p.m., and 7:33 p.m., respectively.

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

REMARKS BY THE MAYOR

Mayor Donchess

First of all I want to thank everybody who was involved in yesterday’s Memorial Day Parade. The Veteran’s Committee did a great job in putting the parade on. We had a number of Aldermen come and march in the parade which was really great. The weather was fantastic; the crowds were I think more than usual. I think overall it was a great tribute to our service people and the Veterans from Nashua and throughout the region that we were honoring in holding the parade. So I want to thank everybody involved.

On an issue that has been in the news recently, if you read the New York Times on Sunday on the front page, “City is high-jacked by tools stolen from the NSA, Baltimore is extorted”. What this is about is a malware which they call “Eternal Blue” which has being used by bad actors around the globe to try to penetrate the security, IT Systems of cities and towns and private institutions as well; businesses and the like. They try to extort money in exchange for them giving up what they are doing. So what happens is they use this “Eternal Blue” malware to get into a system, and IT System, and completely shut operations down. Baltimore has been hit recently, Atlanta back a ways, many other cities and towns have been attacked. When this happens, the cost can be very, very considerable. And of course the disruption is also very considerable.

So I want the Board of Aldermen to know, because you might have read these same articles, that the City is actively working to prevent our system from being penetrated or compromised by this or any other malware, ransomware or anything else. If you want to, we could set up a meeting with Bruce Codagnone who is the Director of IT to talk about some of the details. As an overview, our system blocks known malicious IP addresses, those are regularly circulated by Homeland Security. There is a very effective firewall that prevents suspicious e-mails and other traffic from getting into the City system. There is a subscription to a service which notifies us of zero day threats. In other words if a flaw in a software system is discovered elsewhere, which is somehow penetrated, before a patch is developed, we, the City, get notice that this has occurred so we can here act to block anything that might come in before there is a patch developed that can permanently block that threat.

There is malware detection software on all the PC’s, there is ant-virus software and the City receives security patches when a flaw in a software system that we operate is discovered elsewhere. The users, in other words, our employees, are asked to report suspicious e-mails so that they can be investigated. There is a practice that is often used called “phishing” which puts an e-mail into someone’s box which looks like something official. It might say “Click here to update and confirm your user name and password” but that would never come from a legitimate City source. IT would never ask someone put your password in an e-mail. That did result and it was reported in a newspaper a phishing expedition, a successful one over at the school department where maybe a year ago some payroll was stolen from a few employees who were duped into responding to one of these phishing e-mails. That money was of course restored by Risk but was lost to the City as a result of the details of the scheme.
But there is phishing training, in other words, IT puts out phishing e-mails to our employees to make sure that they don’t respond and if they do respond to a suspicious e-mail that we, the City, creates, they are then asked to undergo more training regarding how to detect suspicious e-mails.

We get regular Homeland Security updates. Bruce Codagnone is part of the Cyber Security Sub-Committee of the State IT Department, where he gets a lot of information there. So given that this has been in the news, given that this is a threat, we are taking many actions to make sure or try to minimize any risk that the City of Nashua faces. As Mr. Codagnone reminds me when we discuss this, there are never any guarantees; you just don’t know what is going to happen. All you can do is to act diligently to reduce any risks. There are constant malware attacks going on; much of it is diverted. As I understand it, a day doesn’t go by where this is not someone trying to do something with a system like ours. If you did want to hear more about this as a Board or in one of the Committees of course we could set this up. It might be an issue of concern so I wanted to at least reassure you that many steps are being taken to combat the risk.

Finally we have a couple of Ward meetings, Ward 7 and Ward 3. I’ve been holding these for four years now in every Ward; a great opportunity for us to hear from constituents and vice versa. We often do presentations regarding things that are going on with the City. I want to thank all of the Aldermen who have attended so far. I think it is very helpful to have members of the Board attend. I think at Ward 3 we had Alderwoman Wilshire, Alderwoman Klee, Alderman Dowd and at Ward 7 we had of course Alderwoman Caron and I believe Alderwoman Wilshire and maybe somebody else. I forget exactly who attended but that is a great help and I’ve always encouraged the Aldermen to come. We’ve also had some of our State Reps come, and that is helpful too because we are all working as a team; Aldermen, State Reps, sometimes the State Senators attend, sometimes even our Executive Counselor Debora Pignatelli to work as a team and to advance Nashua’s interests and to make progress for our community. So thank you all for coming and there is an open invitation to anybody on the Board of Aldermen who wants to attend any of these Ward Meetings. The next one is in Ward 2 on Tuesday and hopefully you will be able to attend when you are available and learn from our citizens.

In any event, that’s all I have Madam President unless there are any questions.

President Wilshire

I am just going to just note for the record that Alderman Laws and Alderman Clemons have joined us during the Mayor’s comments.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Lopez

I definitely would be interested in attending a presentation by IT over the security methods that we use. I’m kind of curious, since we have at least half a dozen different data bases, some of which are obsolete, some of which are not, some of which talk to each other exactly whether that makes it more secure because phishing can’t figure out which one into. Or whether there is a need to invest in upgrades or more collaboration so I would definitely like to hear about that.

Alderman Klee

I guess I’m going to do a me too moment but yes I would like to also do that. As far as our City doing phishing, I’ll be honest with you, I received an e-mail that was, I thought it was from the Historic Commission that I’m on. It said to open up the, it was the blue prints of something on Concord Street. It looked legitimate, I looked at it, it said NashuaNH.gov, opened it up and it was one of those that caught. So I would love to be able to ask Mr. Codagnone and so on when can we and when can’t we. I’ve done all the things of checking it and I went through the little extra training.
So it does become very difficult to know if you don’t know who this person is sending it. So I would love to have some kind of a meeting like that.

**Mayor Donchess**

I think there was one situation where they sent phishing expedition of e-mails that look like that they came from me and I’m asking them to do X, Y, or Z which obviously I never sent.

**Alderman Lopez**

I have you on spam filter anyway.

**Mayor Donchess**

Anyway so yes, they can look very legitimate when you click on them, they may have logos and the like and it looks absolutely real. So you really need to be careful on what you click on especially and what you respond to.

**Alderman Laws**

Just because it is irrelevant right now, I am currently being phished by a fake Paul Shea account. So if anybody is getting messages. I confirmed it, is fake, they are talking about community grants so they know what they are doing. It’s on Facebook as well.

**Alderwoman Melizzi-Golja**

Thank you. Mayor Donchess, several of us were talking about this recent incident in Baltimore, it is pretty scary to see what can happen. Mr. Codagnone came to PEDC with Ms. Kleiner and spoke not in depth but did talk about the precautions that our IT Department is taking and also the need to update programs and systems they we are using. So thank you for mentioning it, because it is certainly something we all need to be aware of. In Baltimore they said it was like having a truck just come and take all their paper records and empty all their records, which is pretty scary.

**Alderman Lopez**

I just had a thought and I guess Attorney Bolton can answer this. Can this be like a presentation that is nonpublic because I don’t know if streaming our security protocols on YouTube is going to help the situation?

**President Wilshire**

We will have a discussion.

**Attorney Bolton**

Some of it is probably appropriate for non-public; most of it probably if public is fine.

**Alderman Harriott-Gathright**

I’d just like to say they have a lot of training on-line because I’ve been a victim of some of this and had to actually go through the training. One of the trainings was actually 45 minutes and it was strictly about ransomware and malicious, most of it was about that.

**RECOGNITION PERIOD** – None
READING MINUTES OF PREVIOUS MEETINGS AND PUBLIC HEARINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meetings of May 14, 2019, May 16, 2019, and May 20, 2019, accepted, placed on file, and the readings suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS – None

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS EXPECTED TO BE ACTED UPON THIS EVENING

Fred Teeboom  Thank you my name is Fred Teeboom I reside at 24 Cheyenne Drive. I am here to talk about R-19-126 on your agenda for final action, the CDBG Funding. Now I became involved it seemed to be defunding when I got contacted by Lynn Barry who is now 87 years old; she was 86 at the time. She has a simple hot water line leak in a mobile home that would have taken maybe a $20.00 sharp knife fix or maybe a $100.00 or $200.00 repair bill and she wound up with an $1,100.00 mortgage on a single sole possession mobile home.  And like I said, 86 years old, she used to have her own business, many years a tax payer and here she wound up with a mortgage because she wanted some help for emergency repairs.

That prompted me to take a closer look at CDBG funding; in all the years involved in Aldermanic business I’ve never really been concerned about CDBG funding.  But this business with Lynn Barry prompted me to get involved.  So my first question is, how many of you have read the February 7th communications that mention in the second paragraph of R-19-126 which gives the background on the funding?  Has anybody really looked at that?  I didn’t think so; I’m not sure anybody on the first committee did either because I asked that question before.  Well I looked at the data, there’s not all that much but it is background on the funding.  I had written a letter to the Board of Aldermen dated 23 April about that, about my concerns about CDBG funding, and I had also compiled, it took me about a day to do it, compiled a detailed spread sheet of the funding profile.  I just wondered how much was requested, how much was awarded, what the award was for, how many people it served, what the budget is and what the compensation is to the extent that could be determined from these submittals in the February 7th data.

Now the first thing that struck me was that the City Administration takes 32% of the funding right off of the top, 32%.  Now the City is not supposed to collect more than 20%, HUD Regulation. I’ve been in touch with HUD, the regional office, at levels well above the level that the City HUD Program Manager deals with.  I am going to ask that they investigate this.  What the City did, they broke their cut as I called it, their Administrative cut into 2 parts.  One part is $135,000.00; the other one $115,000.00 by far the largest amount for the CDBG funding, 32%.  I don’t think that’s appropriate. I am going to ask for a review on that.  No one ever questioned it and I reviewed the minutes in the Committee; nobody in the Committee questioned it.  Some of you, most of you on the Committee are here.

The next thing that struck me and I’m not going to go through all of them because that’s not my purpose here, is an item as #2 on the Resolution, the Resolution at the sequential numbering of the funding 1 – 11 if you look at it; #2 Entrepreneurship For All.  Now they are being awarded $40,000.00 for support of micro enterprises.  Seems ok; it’s a new application but their executive director earns $185,000.00 a year in annual compensation.  I presume that is benefits and salary, but $185,000.00.  Their Program Manager, who I guess is the next person underneath the Executive Director, he makes $145,000.00 a year.  I know that because the applications ask for the Chief Managers to provide their compensation.  Of all those that applied, only Entrepreneurship For All supplied this information; even though it is required in the applications.  No one in the Committee asked this question.  So I question with that kind of compensation provided to the managers of these non-profits, do they really need CDBG money?
I’ll take another example, Nashua Children’s Home, I picked on that in the Committee and are awarded $39,000.00 for window replacement. They asked for $45,600.00. Now, Nashua Children’s Home has a $5.1 million dollar budget. They have $4 million dollars in compensation; combined salary and benefits. The serve 85 children and employee 70 staff; this brings an average compensation salary and benefits of $57,000.00 per employee. That’s a lot of money. It costs, if you take the $5.1 million dollars of their budget, divide it into 85 children that they serve, that’s $60,000.00 per child. Is anybody auditing these things? Is anybody questioning these things? Executive Director David Villiotti did not provide his compensation. So I researched a bit further, it is a non-profit they have to declare their annual accounting to the Charitable Trust Unit of the Secretary of the Attorney General just like I do for the Holocaust Memorial. Lo and behold, 2017 last year of his reporting, Director Villiotti, guess what, he was making $139,000.00 in 2017. He hasn’t reported this year, he reported to the Charitable Trust because he had to.

Who has checked on their real needs for funding? Why did he ask for CDBG funding. The Board of Aldermen’s President Lori Wilshire works as the Business Manager for the Nashua Children’s Home, being President of this Board continues to serve as the Chairperson of the Human Affairs Committee and participates in all debate. The only thing she doesn’t do is take the final vote. I think that is possibly a conflict of interest, possibly an ethics violation. I have asked Lori Wilshire when she became President that she step down as Chairman of the Human Affairs Committee. I think it is a conflict of interest.

Now take a look at Item #11, which is the main reason I’m here; the Housing Improvement Program. That talks about loans for emergency repairs for low income owners of homes and mobile homes. All other grantees are for grants, not a single one has to make a loan. Low income owners have to make loans. Why? That’s how Lynn Barry who is not in a great financial situation wound up with an $1,100.00 mortgage. But organizations with the Chief Executive Officer make $185,000.00; but on the $45,000.00 or on the $37,000.00 no loans, all grants. That’s not right. That is where Lynn Barry, looking for some help from the City wound up with a mortgage of $1,100.00 through this Housing Improvement Program that today allows only loans.

Now because I have been making a lot of noise about that, you had a meeting with Mayor Donchess about it; you had discussions about it during the Committee in April, Alderman Melizzi-Golja made an amendment. It read “Emergency work costing up to $5,000.00 may be offered in the form of a grant rather than a loan to owners at or below 50% of the area median income, AMI”. 50% AMI under HUD guidelines is considered very low income. If you don’t believe that, you can google it and it will provide the information, for Nashua it tells you what the limits are and you find 50% is very low income. I thought it was an acceptable amount. The meeting following that, the meeting immediately before this final version came before you, there was a change made. And the change that was made is to grant between and I am quoting directly and you can see this in R-19-126 on the bottom of the paragraph on Item #11 that says “Grants between $1,000.00 and $5,000.00 for emergency repairs to owners at or below 30% AMI”. So they changed the 50% to 30%. So only the very low, extremely low income people that need emergency repairs, if these repairs are over $1,000.00 and less than $5,000.00 can get a grant. If you are over 30%, you get a loan, if you are over 80% then you don’t get anything. I think that’s wrong, I think the change was wrong. It was argued by Lori Wilshire, Alderman Lopez, Alderman Caron and I think it’s wrong.

There was a lot of discussion about what is an emergency repair versus deferred maintenance; but you know, funny thing, none of that was asked to people that got $40,000.00, $50,000.00, $30,000.00 grants. They didn’t say, “Hey you are only replacing windows, was that an emergency repair or was that deferred maintenance”. They only ask that question of the extremely low income owners. That’s wrong, it is just not right. It is wrong on two accounts; the language before you Item #11 is wrong on 2 accounts. First, it only provides loans to those making over 30% AMI up to 80%, well it doesn’t define how high it goes but I presume it is up to 80%. And the other thing that is wrong, if it below $1,000.00 and that means automatically any bidder for these repair jobs, every single one bid is going to come in over $1,000.00 no matter how small the repair job.
Like what happened to Lynn Barry, $200.00 job, the plumber, I could have done it for a $20.00 could have come in if I had known her and done it myself, I’ve done it in my home. $1,000.00; some of the bids came in at $2,000.00, there were I think 3 bids. $2,400.00, $1,800.00 and the low bidder was $1,100.00 for a job that could have been done with a $20.00 sharp knife; because there’s a $1,000.00 minimum. So let me conclude to say that I would like to ask Alderwoman Melizzi-Golja to go back to her original amendment, which I think was a good one, and I will read it again for a final point, “Emergency work costing up to $5,000.00 may be offered in the form of a grant rather than a loan to owners at or below 50% area median income meaning very low income. Owners earning about 50% AMI may be offered assistance in the form of a loan”. I think that is perfectly acceptable, I was there, I don’t know why they got rid of it. I ask that you fix it. Thank you.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Mayor Jim Donchess
Re: Contract for Bio-Diesel Fuel

MOTION BY ALDERMAN O’BRIEN TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO DENNIS K. BURKE FOR AN ESTIMATED AMOUNT OF $25,000
MOTION CARRIED

From: Patricia D. Piecuch, City Clerk
Re: NRO Sec. 5-6, Compensation

MOTION BY ALDERMAN O’BRIEN TO ACCEPT, PLACE ON FILE AND, PURSUANT TO NRO 5-6, AUTHORIZE THE CITY TO PAY ALDERMAN GIDGE HIS FULL STIPEND FOR THE SECOND QUARTER OF 2019
MOTION CARRIED

PETITIONS

The following Petitions for Address Changes were read into the record:

1) Address Change Petition for Sheet 67 Lot 47, 7 Amherst Street, Nashua, NH

2) Address Change Petition for Sheet 87 Lot 18, 13 Second Street, Nashua, NH

There being no objection, President Wilshire accepted the petitions as read, referred them to the Committee on Infrastructure and scheduled a public hearing for Monday, June 17, 2019, at 7:00 p.m. in the Aldermanic Chamber.

NOMINATIONS, APPOINTMENTS AND ELECTIONS – None

REPORTS OF COMMITTEE

Budget Review Committee………………………………………………………………………………... 05/08/2019

There being no objection, President Wilshire declared the report of the May 8, 2019, Budget Review Committee accepted and placed on file.

Finance Committee………………………………………………………………………………………… 05/15/2019

There being no objection, President Wilshire declared the report of the May 15, 2019, Finance Committee accepted and placed on file.
There being no objection, President Wilshire declared the report of the May 13, 2019, Human Affairs Committee accepted and placed on file.

There being no objection, President Wilshire declared the report of the May 22, 2019, Committee on Infrastructure accepted and placed on file.

There being no objection, President Wilshire declared the report of the May 21, 2019, Planning and Economic Development Committee accepted and placed on file.

CONFIRMATION OF MAYOR’S APPOINTMENTS – None

UNFINISHED BUSINESS – RESOLUTIONS

R-18-073, Amended
   Endorsers: Alderman-at-Large Brian S. McCarthy
               Alderwoman-at-Large Shoshanna Kelly
               Alderman-at-Large Michael B. O’Brien, Sr.
               Alderman Jan Schmidt
               Alderman Tom Lopez
               Alderman-at-Large Brandon Michael Laws
               Alderwoman Mary Ann Melizzi-Golja

   PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO FILLING VACANCIES ON ELECTED BOARDS BY MAJORITY VOTE OF THE REMAINING MEMBERS OF THAT BOARD
   • Amended & Tabled – 4/23/2019

   President Wilshire

   I will let the Board know I will not be voting on Resolution 19-126 as my employer has applied for funding.

R-19-126
   Endorsers: Mayor Jim Donchess
               Alderman June M. Caron
               Alderman-at-Large Michael B. O’Brien, Sr.
               Alderman Linda Harriott-Gathright
               Alderman Richard A. Dowd
               Alderman-at-Large Brandon Michael Laws
               Alderman Tom Lopez
               Alderwoman-at-Large Shoshanna Kelly
               Alderwoman Mary Ann Melizzi-Golja
               Alderman Jan Schmidt

   AUTHORIZING THE MAYOR TO APPLY FOR AND EXPEND THE COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) AND HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FOR FISCAL YEAR 2020

   Given its second reading;

   MOTION BY ALDERMAN CARON TO AMEND R-19-126 IN ITS ENTIRETY BY REPLACING IT WITH THE PROPOSED AMENDMENTS MADE BY THE HUMAN AFFAIRS COMMITTEE
ON THE QUESTION

Alderman Lopez

With regards to the 50% versus 30% question, it was my recollection that that decision was made so that we didn’t use up the entire fund on just a small group of people and so that there would be more available for lower income people. Was that accurate? I am asking Mary Ann Melizzi-Golja.

Alderwoman Melizzi-Golja

Yes. At the second to the last meeting, which Mr. Teebom referenced where I made the motion to the 50% of AMI; Ms. Schena was with us and she had sent up a communication indicating that was her recommendation. At our last meeting with further discussion, it was the feeling of the committee that because this was a new program, and we weren’t sure what was going to happen with our resources, we would try it this year at 30% AMI so we would hopefully have enough money. Then depending upon the requests for funding we would look at it in next year’s CDBG grant and look at increasing that or lowering it as it is to 50%, that’s my recollection. I see Alderman Caron and Alderman Wilshire nodding in agreement. So the original motion had been for 50% but then like I said after further conversation, because it is something new that we are doing, it was determined that we should start at 30% and then based on the response look at 50% for next year.

Alderman Clemons

To the last point, why is the minimum $1,000.00, why isn’t it $0?

Alderwoman Melizzi-Golja

The guidance we have always received Alderman Clemons and I’m saying always that we’ve received for a number of years from Ms. Schena is that again as Mr. Teebom referenced, anything below that we really look at being deferred maintenance or maintenance. There’s probably very few things that would come in under $1,000.00 so that was the cut off that has been used historically for that.

Alderman Clemons

I respect that but I don’t think there’s any harm then if that’s the case in amending this to be zero or just basically to say up to $5,000.00. So I am going to make that amendment. That’s my motion, to amend that wording to eliminate the words "$1,000.00 and up to". I’m sorry I am going to eliminate the $1,000.00 so it basically says “emergency work costing up to $5,000.00”.

MOTION BY ALDERMAN CLEMONS TO AMEND TO ELIMINATE THE $1,000.00 AND REPLACE WITH UP TO $5,000.00.
MOTION FAILS

Alderman Lopez

I would just want to point out that there are a number of cash assistance programs that are operating in other areas too that do the same thing and they typically reach $500.00. So if the City gets into the business of processing every single claim, then basically someone is applying for CDBG money for much smaller and more difficult to reach repairs or emergencies, that kind of stuff. Whereas other groups can do it better and additionally then we are subject to HUD Guidelines as to whether we accept that or not. And it could further erode the resources for somebody who doesn’t have anywhere else to go.
President Wilshire

So the motion before us is to replace R-19-126 with the proposed amendments by Human Affairs.

Alderman Jette

Could I ask, this discussion we’ve just had about the $1,000.00 or the $5,000.00 is that the only change, is that the only amendment to this?

Alderwoman Melizzi-Golja

No if you look at what is before you, the amended Resolution, the amounts that are being awarded to each agency has been amended. So we received the initial proposals from each agency and then based on the funds we had available to us, both in new funds we received this year as well as funds that were not used, so we got to roll them over into this year. We then made recommendations, so some people got nothing, some people got a percentage of what they asked for. I don’t think anyone, from memory, got everything that they asked for. And I can share this with you in terms of what the initial request was and the allocated amounts. That's the most recent, but the numbers that are reflected in the amendment are what the Committee awarded.

Alderman Jette

So in looking at this it looks like we got less than what we thought we were getting so you made adjustments to reflect the fact that the grant is less than you expected.

Alderwoman Melizzi-Golja

Correct.

Alderman Jette

OK Thank you.

Alderwoman Melizzi-Golja

If I may, I think we have only had one year where we had fewer requests than we had money. Part of this also is that we try to put some money aside for contingency in case any of these projects run over, so money is also allocated there to cover any costs that were unforeseen. But typically we have more requests than we have resources.

MOTION CARRIED

MOTION BY ALDERMAN CARON FOR FINAL PASSAGE OF R-19-126 AS AMENDED

ON THE QUESTION

Alderman Tencza

If I could just address one thing that Mr. Teebom said earlier just about the City placing a mortgage on this property just to clarify. Essentially what the City is doing is putting a lien not a mortgage. The City is not going to go after these folks if they owe us money, but when the property is sold, the City will seek to recoup whatever we paid out. I don’t want people out there thinking that potentially the City is going to be going after these low income senior citizens, that is clearly not the intent and not how the program works.
Alderman Caron

And I’d like to add to that, because that is a loan and we look to get that money back; that money goes back into the pot so that we can give it out again. We never know from year to year, the needs of the community so we feel that it is important that we try to recoup as much as we can. That’s why we always have a little bit in the pot when we start the year off, so I thank you Alderman Tencza.

MOTION CARRIED

Resolution R-19-126 declared duly adopted as amended.

R-19-134

Endorser: Alderwoman Mary Ann Melizzi-Golja
Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Michael B. O’Brien, Sr.
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman June M. Caron
Alderman Jan Schmidt
Alderman-at-Large Lori Wilshire

ADOPTION OF STRATEGIC PLANNING GOALS

Given its second reading;

MOTION BY ALDERWOMAN MELIZZI-GOLJA FOR FINAL PASSAGE OF R-19-134

ON THE QUESTION

Alderwoman Melizzi-Golja

Yes thank you if I may make a comment, these as I have indicated at PEDC, this is the first time we have had a work product from the Committee. These goals are looked at every 2 years. I have to thank the members of the Committee because this process went on for a while and it was extended by an election. So some of the Committee members changed which meant had to kind of get a perspective of where we were in the process. As you look through the goals, I would just comment that the purpose was really to make them broad enough that each Division / Department would be able to look at those and come up with their own broader or more specific rather objectives to address those but just to give some over-arching goals that would dovetail with the Mayor’s goals for the budget as well as Master Planning moving forward for the City. I would like to thank Director Marchant and Director Cummings for their support of this process.

MOTION CARRIED

Resolution R-19-134 declared duly adopted.

R-19-137

Endorser: Mayor Jim Donchess

AUTHORIZING THE SALE OF TAX DEEDED PROPERTY LOCATED AT 342 MAIN STREET

Given its second reading;

MOTION BY ALDERMAN O’BRIEN FOR FINAL PASSAGE OF R-19-137

MOTION CARRIED

Resolution R-19-137 declared duly adopted.
R-19-138
Endorsers: Alderman-at-Large Lori Wilshire
Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Michael B. O’Brien, Sr.
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman June M. Caron
Alderman Jan Schmidt

RELATIVE TO THE APPROPRIATION OF ADDITIONAL U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS TO NEIGHBORWORKS OF SOUTHERN NEW HAMPSHIRE

Given its second reading;

MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF R-19-138
MOTION CARRIED

Resolution R-19-138 declared duly adopted.

R-19-140
Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O’Brien
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman Tom Lopez
Alderman June M. Caron
Alderwoman-at-Large Shoshanna Kelly
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Lori Wilshire

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A LEASE AGREEMENT WITH NASHUA POLICE ATHLETIC LEAGUE

Given its second reading;

MOTION BY ALDERMAN O’BRIEN FOR FINAL PASSAGE OF R-19-140
MOTION CARRIED

Resolution R-19-140 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES

O-19-042
Endorsers: Alderwoman-at-Large Shoshanna Kelly
Alderwoman-at-Large Ben Clemons
Alderwoman Mary Ann Melizzi-Golja
Alderman Tom Lopez
Alderman Jan Schmidt

DESIGNATING THE SOUTHWEST CONSERVATION AREA AS CITY CONSERVATION LAND

Given its second reading;

MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF O-19-042
ON THE QUESTION

Alderman Jette

I would just like to endorse that, this is mostly if not all in Ward 5. And it basically takes land that the City has acquired, largely through donations and puts it under the jurisdiction of the Conversation Commission. That enables the Conservation Commission to adopt the stewardship plans that Alderwoman Kelly referred to. So this is kind of a housekeeping thing but it puts it under the jurisdiction of the Conservation Commission so that they can regulate it and conserve the land as was intended.

MOTION CARRIED

Ordinance O-19-042 declared duly adopted.

NEW BUSINESS – RESOLUTIONS

R-19-142

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman Jan Schmidt
Alderman-at-Large David C. Tencza
Alderwoman Mary Ann Melizzi-Golja
Alderwoman-at-Large Shoshanna Kelly
Alderman Tom Lopez
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Linda Harriott-Gathright
Alderman-at-Large Michael B. O’Brien

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF SIX MILLION TWO HUNDRED THOUSAND DOLLARS ($6,200,000) FOR VARIOUS IMPROVEMENTS TO THE JACKSON MILLS AND MINE FALLS HYDROELECTRIC FACILITIES

Given its first reading;

MOTION BY ALDERMAN DOWD TO ACCEPT THE FIRST READING OF R-19-142 BY ROLL CALL, ASSIGN IT TO THE BUDGET REVIEW COMMITTEE AND THAT A PUBLIC HEARING BE SCHEDULED FOR MONDAY, JUNE 24, 2019, AT 7:00 P.M. IN THE ALDERMANIC CHAMBER
A viva voce roll call was taken which resulted as follows:

Yea: Alderman O’Brien, Alderman Harriott-Gathright, Alderman Dowd,
    Alderman Klee, Alderman Laws, Alderman Lopez, Alderman Caron,
    Alderwoman Kelly, Alderman Jette, Alderwoman Melizzi-Golja
    Alderman Tencza, Alderman Schmidt, Alderman Clemons, Alderman Wilshire

Nay:                     0

MOTION CARRIED

R-19-143

Endorsers: Mayor Jim Donchess
            Alderman-at-Large Lori Wilshire
            Alderman Jan Schmidt
            Alderman-at-Large David C. Tencza
            Alderwoman Mary Ann Melizzi-Golja
            Alderwoman-at-Large Shoshanna Kelly
            Alderman June M. Caron
            Alderman Tom Lopez
            Alderman-at-Large Brandon Michael Laws
            Alderman Patricia Klee
            Alderman Richard A. Dowd
            Alderman Linda Harriott-Gathright
            Alderman-at-Large Michael B. O’Brien

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF $868,207.46 FROM THE
STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION (TRANSPORTATION
ALTERNATIVE PROGRAM FUNDS) INTO COMMUNITY DEVELOPMENT GRANT ACTIVITY
“SIDEWALK UPGRADES & BICYCLE LANES”
Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE by President Wilshire

R-19-144

Endorsers: Mayor Jim Donchess
            Alderman-at-Large Lori Wilshire
            Alderman Jan Schmidt
            Alderman-at-Large David C. Tencza
            Alderwoman Mary Ann Melizzi-Golja
            Alderwoman-at-Large Shoshanna Kelly
            Alderman June M. Caron
            Alderman-at-Large Brandon Michael Laws
            Alderman Patricia Klee
            Alderman Richard A. Dowd
            Alderman Linda Harriott-Gathright
            Alderman-at-Large Michael B. O’Brien

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF $60,000 FROM THE NEW
HAMPSHIRE CHARITABLE FOUNDATION INTO PARKS & RECREATION GRANT ACTIVITY
“JEFF MORIN FUND, SHADE CANOPIES AT ROBY PARK”
Given its first reading; assigned to the BUDGET REVIEW COMMITTEE and the BOARD OF PUBLIC
WORKS by President Wilshire
R-19-145
Endorsers: Mayor Jim Donchess
Alderwoman Mary Ann Melizzi-Golja
Alderman Jan Schmidt
Alderman Richard A. Dowd
Alderman Linda Harriott-Gathright
Alderman Tom Lopez
Alderman-at-Large Michael B. O’Brien

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO AN AGREEMENT FOR EMERGENCY AMBULANCE SERVICES WITH AMERICAN MEDICAL RESPONSE, INC.
Given its first reading; assigned to the FINANCE COMMITTEE by President Wilshire

R-19-146
Endorser: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large Michael B. O’Brien
Alderman Linda Harriott-Gathright
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja

AUTHORIZING THE GRANTING OF EASEMENTS TO PENNICHUCK WATER WORKS, INC. FOR THE CONSTRUCTION, UTILIZATION AND MAINTENANCE OF WATER LINES
Given its first reading; assigned to the COMMITTEE ON INFRASTRUCTURE and the NASHUA CITY PLANNING BOARD by President Wilshire

NEW BUSINESS – ORDINANCES

O-19-046
Endorser: Alderman Richard A. Dowd
Alderman Jan Schmidt
Alderman Linda Harriott-Gathright
Alderman-at-Large Michael B. O’Brien

AMENDING THE ZONING MAP BY REZONING 610 AMHERST STREET FROM PARK INDUSTRIAL (PI) TO GENERAL BUSINESS (GB)
Given its first reading;

There being no objection, President Wilshire accepted the first reading of O-19-046, assigned it to the Planning and Economic Development Committee and the Nashua City Planning Board, and scheduled a public hearing for Tuesday, July 16, 2019, at 7:00 p.m. in the Aldermanic Chamber.

PERIOD FOR GENERAL PUBLIC COMMENT

Lori Ortolano 41 Berkeley Street. I wanted to address some of the comments raised at the Ward Meetings, at the Town Meetings, last week. The big issue that stuck on my mind was the Mayor spoke with some passion about the demoralizing nature of the investigative report that was done. He had heard from departments outside of assessing and received a number of comments from I think probably management that said it was very demoralizing and it was a real morale killer to the offices. I have a pretty different view of that and what is demoralizing really when you have a situation like what has happened in the assessing office. I will relate it to my very early career when I became an engineer 35 years ago in a field that was pretty much male dominated. I got a job in a company down south and I was very motivated, I had graduated from WPI and had done really well in my field and enjoyed it. I got assigned to a job with a project engineer that was 5 years older than me. Busy job, big deadlines and required some overtime and very early on it was very apparent that the older engineer was not a worker.
He was a 20 hour a week guy and I was pretty motivated to do my job and he had a girlfriend in another state so Friday at lunch he split and took on a road trip to the other state and rolled in Monday after lunch when he left from that place and came back to work. Every week I would have to listen to the details of what was happening in the shower between him and his girlfriend before he left and when he came back. And then I had to carry the load, Thursday was 18 holes of golf in the afternoon and Tuesday and Wednesdays were work outs at the gym.

I put up with it for about 8 months and then I was all set and I went in to management I said “I’m all set with this, here’s what’s going on”. You know that was a very demoralizing situation for me in my career because I worked and I had to deal with somebody who didn’t work. The gentleman left after a couple months and moved closer to his girlfriend which was a good thing. Fast forward 5 years and I moved my career into a new area, in a new department that had never had a woman in the department. I got put on a very busy, classified project that was over budget and behind schedule. Management made it very clear that there was no money for overtime and we all had to work overtime. I again get assigned with an engineer who is probably 7 years or 8 years older than me and again wasn’t an overly motivated person. Certainly not as bad as the first one, half-time work was pretty bad but could easily shave off 10 hours a week and never came in on a Saturday. Part-way into the project, the Project Manager, an older gentleman ready to retire, wanted me to learn Project Management and said, “I’m going to start sending you the budgets; I want you to look at the budgets and get familiar with them so you can step into Project Management someday”.

When I got my first budget and I looked at it, the engineer that I was working with was being paid 60 hours of overtime a month. I was shocked, I was told there was no overtime, I was working overtime, I never saw my constituents come in once on a Saturday and he was getting paid on a military contract. I was floored, marched into the manager’s office and said “what’s this” you know “how is this happening”. And the answer I got was his wife was having a baby and he was under a lot of stress and he was trying to help him out by giving him a little extra pay. Needless to say, you know my personality now, it really wasn’t different back then and it didn’t fly with me at all. I went two layers up and I shut down that overtime. That was very demoralizing for me. That’s what a demoralizing work circumstance sounds like to me and feels like to me.

When I look in the Assessing Office and I look at the front end of the office with the four clerical staff women you have there; they work endlessly. They are tied to their computer screens pretty much all day. And I think if you look at any one of their desks you are going to see just piles of paper around them, they are just wrapped in paper. They have very set breaks; I've never seen an abuse of any break time with them. I think it is pretty demoralizing when you have a Senior Assessor who leaves like this Senior Assessor does and tells everyone “I’m heading out to the field” and signs out on the board, “I’m going to check properties” and then you find out he’s in the park for 2 ½ hours or let me include that, driving and in the park or in the Holiday Inn lot for 2, 2 ½ or 3 hours at a time.

President Wilshire

Ms. Ortolano, this Board does not have anything to do with personnel matters, so I would respectfully ask that you keep your comments to what the Board has purview of. We don’t have purview of personnel matters.

Ms. Ortolano Well that’s ok because what you do have purview of is performance issues? How do we address performance? And that to me is reasonable. And I am addressing something that was addressed by the Mayor at both Ward meeting; the demoralizing nature of this report. I am going to submit to you tonight for the record, which you all received e-mails, the four reports that I gave you. I’d like them to go in the minutes. They will be available for the public to see and read for themselves. I am also concerned by the minimizing I think of the issue by the Mayor. And what I mean by that is I listen to the comments at the Ward 7 Meeting where he mentioned that the investigation was only 2 weeks, that there were only 2 data points above an hour that he was out.
I don’t know the content of what he was referring to, but it was a month-long investigation and you know I don’t want to debate what it was, I want the report to speak to itself. All I have done with this report is give 50 copies out to business leaders and members of the community and shared it through e-mail, without a cover letter. There is nothing to discuss on it. Read it for what it is and that’s it. Let it stand on its own.

Regarding your issue Ms. Wilshire on personnel, I received an e-mail from Ben Clemons that was very pointed that what I provided was very incomplete for the accusations I made. Please get the expense reports, please get the logs, please bring forward the data, show us that what you are talking about is real. Ok? I didn’t know what to make of that. I mean is that something I am supposed to prove? Because that’s what I brought tonight; I brought the data that Ben Clemons said “show us, substantiate what you are doing”. And I think if an Alderman is telling me I need to substantiate, I came here to substantiate. So I am not certain if you are telling me I can’t, I shouldn’t or I am out of line?

President Wilshire

What I am telling you Ms. Ortolano is this Board does not deal with personnel matters for City employees.

Ms. Ortolano  Well I’m not asking you to deal with it and I am not asking you to reprimand, but I am asking you to listen.

President Wilshire

We have been listening week after week and we just keep hearing the same thing from you about this employee. We don’t deal with employee issues in the City, we are not the employer board.

Ms. Ortolano  I don’t think you’ve dealt with this week after week with me, the report came out 2 weeks ago. Really, I didn’t say much about this particular employee. And I addressed any concerns I had with your administration and Ms. Kleiner. I didn’t come here specifically, the only time I addressed this individual was on the anti-nepotism policy. Right? I challenge you to find the minutes where I’ve been in here talking endlessly about this individual. I don’t believe I have.

Ben, you raised the issue regarding Expense Reports. And the interesting issue on Expense Reports is back in October, I went to Finance and I pulled Expense Reports from 2014 up on Assessors. This is Assessor became a Commercial Assessor 3 years ago so he took on a different role. So the assessor he replaced, Commercial Assessor, I pulled his Expense Reports, and looked as his travel mileage which Commercial Assessors typically travel very low mileage relative to residential because permits, and properties …

Alderman Dowd

Can I have a ruling from the Corporation Counsel as to whether this is something the purview over or should it go to the HR Department and City Hall.

Attorney Bolton

This is General Public Comment, you’ve opened it up to speak on any topic.

Ms. Ortolano  I share all this information today, I had an hour long meeting with the Union Leader and an hour long meeting with the Telegraph. They were both interested in writing reports. And issuing a story on these issues. So I am sharing it with you because I shared it externally as well. And because I was asked by an Alderman about this. And I do think it’s relevant and you’d want to hear. I want you to know I did do my homework. I went and gathered these reports that were commercial assessors. And when I looked at the Commercial Assessor who left, the mileage travel is very low, 20, 40, 50 miles a month.
When I look at the Commercial Assessor who is in our Assessing Department his mileage is very low, 80, 20, 40, 30, low mileage. The Residential Assessors have much higher mileage going to individual properties, 175, 150, the month of April our Residential Assessors covered 226 miles because April was a busy month to gather data. So that's fine. When I look at this individual who moved into Commercial Assessing, his mileage is higher than anyone's, 220, 200, 210, 180. That's very unusual and when I saw that in October it was red flag for me. I went and called John Griffin and I said, “I think you have a fraud problem over here, there’s an issue”. OK? It’s hard to prove, OK, other than giving it to him and I got the response, “I’ll get back to you in a week”. I never heard back from him again. But then I pushed that aside, because I said, “that’s too big an issue, it’s too hard for me”. Then I started looking at the property cards more and I started seeing property cards that were so off.

For example, property cards that had visits to homes written in the activity section that were not visited. So those were potentially mileage charged for properties that were not visited and they could be easily sat down in a round table with anyone who would want to see them to know, to see how I know that and how I am able to ascertain that. But I am; there is a method. So that mileage was very concerning and it is very interesting to me that in April when Kim Kleiner asked for the field logs to be attached, the Residential Assessors attach a field log, they go out to 78 homes, they attach 226 miles. The Commercial Assessor now, who has been charging last month 220 miles, suddenly charges 45, 43; way down. Guess how many properties they visited in April? The very month that we are the busiest we could possibly be in Assessing, because we have so many permits to capture, A9’s, exemptions, all this property work, it went to 7. Seven, that is startling. So the expense and the mileage logs from March would tell me that this individual had to be out at 100, 150 homes.

But the data, the records don't support it. And I want you to understand that, that's the big red flag for me. How do you go from 200, 220, 280 down to 43? And a busy, busy month? The second thing is we could look at that and say you know what, there's a lot of work going on in assessing, this assessor didn’t go to properties, what is the big thing happening in assessing? Abatements; abatements are huge right now. Everyone got those abatements divvied up, each assessor got about 90 files they had to work on. When you look at your Junior Assessor, your Junior Assessor in Assessing, who is not certified yet I don’t believe, who is in training, since January he has done about 225 pages of abatements. And they are complete abatements, these are heavy duty sales intensive abatements where he had to do comps, go out to the homes, take measurements. So there is a lot of work here. I am going to venture to guess that this Assessor is going to get through 70, 75 abatements, challenging ones. When I look at our Senior Assessor who is supervisory level, look at the packet, 25 pages. And what are these abatements? Most of them, well there were 14, actually there are 8 abatements and 6 of them are fire probations or dilapidated mobile homes that had to be re-evaluated.

President Wilshire

Ms. Ortolano, there is one minute left to our public comment period so if you could start wrapping it up, I’d appreciate it. Thank you.

Ms. Ortolano Sure, so there’s a big issue and a disparity between why is a Senior Official, a Senior Supervisor unable to really put a bite into the abatements and take on the ones that are challenging and get any work done. There are actually no abatements here that required any work at all. Six of the abatements in here are people who filed after the March 1st deadline. So we had to tear the front sheet off, stamp a ”D” on it and put it in the file and you get credit for work done. That is three minutes of work, 6 of them out of the 8; that leaves 2 in 5 months. That’s pretty startling, so it is not abatements he is doing, it is not traveling to properties he is doing and it is not MLS adjusting because I checked that too. This is where the concern comes in. And as far as morality and demoralizing, I know what that’s about. And it is demoralizing when you are a hard worker and you are doing your job and you see somebody who gets breaks like this who doesn’t appear to be. Thank you.
REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Lopez  June 15th is the Tree Street Block Party. It is from 2:00 p.m. to 7:00 p.m. on Ash Street and we are featuring Mighty Mystic, a Reggae band this year, so everybody is welcome to attend.

Alderwoman Kelly

Thank you. A little bit later in the month, June 29th, at 2:00 p.m. we will be having our second annual Pride Parade and Festival. It is longer this year, we are expecting a great turn out. We are still looking for sponsors, volunteers and the t-shirts just went on sale. So you guys can go on an get all of your memorabilia before the big day. So NashuaPride.Org has all the information.

Alderman Jette

So I know that a lot of us don’t like hearing what Mrs. Ortolano is reporting to us because it is disturbing. I don’t know, at this point these are all allegations, I acknowledge and the employees involved are entitled to their due process. But I would encourage us to listen to these allegations and hopefully the information that she has provided will be turned over to the Attorney we have hired to investigate this and that an investigation will occur. I’m not schooled in the ways of Labor Law where Unions are involved, so I know it’s not, you know, I know there is a whole process that is involved. I did take a look at the Collective Bargaining Agreement that regulates this Union and I do see that there is a provision in there that the City is entitled to terminate an employee for good cause. Whether or not “good cause” exists here I guess is what the Attorney we have hired will show us.

I think that and I’ve heard from other employees of the City who far from being demoralized by this investigation are welcoming it. They resent if these allegations are true, they resent what this, I’m trying to be careful here. If this employee is guilty of what he is being accused of, and it is still an allegation, they are not comfortable being looked at by the rest of the City. We’ve always heard people malign our employees and we have a lot of good employees. But when we find a bad one, if we found a bad one, then we ought to act appropriate. We ought to take the measures that we should to eliminate that situation. So I just want to say I for one thank Mrs. Ortolano for all the time she has spent looking into this situation and has brought to light things that I had no knowledge of and I don’t think any of us had knowledge of. And I think we owe her a debt of gratitude for bringing it up. I’m not saying that what she has brought up has been proven, but I think there is probable cause for us to look into it and investigate it and ask the Mayor to do that and I think he is. I am looking forward to the result of the investigation by Attorney Broth. The second Public Comment period is not limited to the legislation that we have before us, I think it is the only opportunity the citizens have to address us. I would hate to discourage people from coming forward with legitimate complaints that we maybe should be hearing. Thank you.

Alderman Lopez

Madam President, can I claim personal privilege? Attorney Jette just inferred that the rest of us just don’t like hearing it because it is uncomfortable. I would like to clarify I dislike it because I don’t, I see this as an HR issue and I think that’s where it needs to be. I don’t want to try navigating the Public Comment field of “what did I accidentally say about an employee who may or may not be innocent or may or may not be guilty”. And I believe at least two weeks ago the Mayor told us that he is investigating it. I know that multiple claims have been brought up against the Assessing Department and that Ms. Ortolano has very thoroughly researched what their activities are and every month there continues to be more and more issues. So I don’t have a problem with her reporting them, I just think that the Public Comment is for Public Comment and not lengthy expositions of information. If she feels like she doesn’t have a voice and isn’t able to send this information, then she should be working with her local Alderman or she can be sending us information and we should be putting that in Public Record certainly. I just think that this particular personnel issue should be brought up in Public Comment, introduced but then let be investigated. There has not been time for any of that to be done.
Alderman Melizzi-Golja

Thank you. I will just make one comment regarding the last Public Comment. I think it has been very clearly stated that we as a Board don’t investigate and we don’t get involved in HR but I do feel that the Mayor recognizes the importance of this and is moving forward with an attorney to investigate. I am looking forward to hearing the results of that investigation. I think that the responsibility for that investigation clearly is with the Mayor’s Office and his HR Department and not with this Board.

Two things, unfortunately we had hoped Alderman Gidge would be with us this evening and he’s not, I regret that. But a couple of weeks ago the Artwork Studios at 14 Court Street had its ribbon-cutting and again I would just like to acknowledge his work in bringing that forward and thank him and look forward to sitting across the horseshoe and thanking him personally. So hopefully he will be joining us soon.

Also, this week, which is not shaping up to be a very pleasant week weather-wise, is the last week our sculptures will be working. I thought of them today as it was cold and rainy and miserable. But they have been working very hard; if you haven’t had a chance to go visit them I would encourage you to go visit them at the Picker Artist Collaborative. The closing is at 1:00 p.m. this Saturday, meeting here behind City Hall to then go to the locations for the 3 sculptures. They are each delightful and enjoy talking to people. They break for lunch and break for dinner there at the location but are busy working away. Some of you may have caught the YouTube Video of Jarod from Kenya singing to some students who visited from Ledge Street, which was great. So I encourage you to go and visit them or at least attend on Saturday. Thank you.

Alderman Clemons

Thank you. I just want to address a couple of things. So first I was mentioned in Public Comment and all I will say is that I didn’t want to address this last time we were here but I guess my hand has been forced. So when somebody makes an accusation against somebody the details should be there in full. And what we originally got was not complete. And I am not saying that what was in there was not accurate or that it wasn’t true; but I don’t know that. And there’s no corroborating evidence. I appreciate the fact that Ms. Ortolano is bringing forward some more information so that maybe we can corroborate that report that she paid $8,000.00 of her own money for. But I will look at it, I will make my own judgement as I hope other people will but I made the comments that I made to her because we didn’t have a full report. All it was, was accusations; pictures of I don’t even know what, somebody in a car, somewhere. How do I know that the private investigator, why should I trust him? I didn’t pay $8,000.00 for it. What are his credentials, why should I automatically take something at face value?

Look we are talking about a public employee here who has the right to due process and when there are personnel issues, they should come up in the appropriate venue. That is to the HR Director or to the Mayor or to somebody in City Hall and you know it would have been appropriate for that to come out that way. If you really feel like you want to spend $8,000.00 of your own money on something like that, why do you have to go to the press with it? It makes me wonder; is this a political thing, is there an undercurrent here that we should know about? I don’t know. But I do know this; I know that there is a man who works here for the City who has been publicly berated by a citizen and it is really too bad. What that tells people who want to come and work for this City is – you better watch out for citizens in Nashua because they let them go crazy on you. They let them go after you. Your reputation could be put on the line if somebody has enough money, they can get that out there and they can ruin your career. So you know I don’t like this stuff; I don’t think this is the appropriate venue for it. I think there is some kind of political undercurrent here and I am going to state that for the record. I will look at what is presented to me but I look forward to the private investigator, or I’m sorry, to our City Investigator’s report. The only thing that I will address is that basically what I have heard is we have an employee that maybe at best doesn’t do their job very well. But beyond the other accusations, I can’t corroborate them and I don’t think anybody else here can corroborate them with what has been presented thus far to us. And I think the public should keep that in mind. When you hear these things and you hear these discussions being had, keep that in mind.
The other thing that I want to say is there was another speaker earlier this evening who brought up the fact that in his opinion our Board President had a conflict of interest. Well I can tell you for a fact that having been the Vice President of this Board, I had had another corporation counsel look into it and there is no conflict of interest there for Alderman Wilshire to be Chairing that Committee. That is another horse that has beaten to death and that is another political tirade of someone who knows that there is an election around the corner. So I have had enough with this kind of stuff, we need to leave the politics out of here and we need to do what’s right for this City. And we need to start doing it now.

Alderman Dowd

Yes the reason I brought up the challenge is because I’ve been on Labor Relations Boards before who have the hiring and firing capability. When we have personnel issues they are discussed in non-public for very good reasons. I was concerned that something was going to be said on one side or the other that was going to jeopardize anything that a special investigator might have to do. So this is not the place to discuss it, there is a special investigator that has been hired and that’s where it should stay. It should not be being discussed at this meeting.

Committee announcements:

Alderman Dowd

Tomorrow night is the first Budget Wrap Up and I would like people to be prepared; if they have any motions that they want to entertain please have them be written out in advance. Please be as specific as you can, I can’t say any of them will pass but if they do, then the Budget Committee will get to vote on it. If the majority of the Budget Committee feels that it’s OK, it will go forward, once we pass the Budget to the Full Board of Aldermen, it will take the form of a modification to the Mayor’s Budget if we make those modifications. Just to remind people, when it comes back to the Full Board, if it is an increase in the Mayor’s Budget it is going to take 10 votes; if it’s a decrease it is 8 votes. So just wanted to let you know that. I know some of the members of the Budget Committee have been talking to Department heads, if there is any information that you have collected that is associated with a motion you are going to make, I would prefer that you give that information to the entire Board as soon as possible so that they will have that information to make their decisions on.

Alderman Clemons

Will Treasurer Fredette be there tomorrow?

Mayor Donchess

I think so yes. You are the Budget Committee Wrap Up? Yes if you’d like him, I will be there as well as Treasurer Fredette and Mr. Griffin.

Alderman Clemons

Great thank you.

Alderman Dowd

It might be a good thing to have the CFO as well.

President Wilshire

Yes he said that.
Alderman Dowd

Oh I’m sorry, I missed that.

Alderman Caron

Personnel will be meeting Monday, already, June 3rd at 7:00.

Alderman Jette

I do have a question of Alderman Dowd if I could. So is tomorrow night's meeting limited to any part of the budget or it the whole budget, tomorrow night?

Alderman Dowd

When we are done and we will be passing on the entire budget, but if you have any motions relative to any part of the budget it would be for that specific part of the budget. Hypothetically if you have Department X and you want to add $10,000.00 to it, I am going to ask the CFO what does that do to our end budget number. Without any other changes that would be above the Mayor’s budget so anything going forward would require 10 votes of the Full Board. But yes, you can make a recommendation on any part of the budget and I would hope that there is some rationale behind the decision.

Alderman Jette

Thank you.

Alderwoman Kelly

If I could just follow up on his question, so we didn’t go into wrap up sessions last year, we just passed it. So what is the cut off? You have one for tomorrow and then you have one on Thursday like is it a time or just wondering.

Alderman Dowd

I’m hoping that we wrap it up tomorrow.

Alderwoman Kelly

I agree with you. I am with you.

Alderman Dowd

The reason that I scheduled other meetings is in case we don’t wrap it up tomorrow because we have a very busy calendar. Mrs. Lovering, we blocked off dates so we would make sure we had them. But I would prefer that we wrap it up tomorrow because I’d like to bring it back to the full board and have it passed at the June 11th, I think it’s Tuesday June 11th, yes, Full Board Meeting. We have to get this passed in June, that’s getting awfully close.

President Wilshire

No other Committee announcements? Do I have a motion?
ADJOURNMENT

MOTION BY ALDERMAN O’BRIEN THAT THE MAY 28, 2019, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED

The meeting was declared adjourned at 8:57 p.m.

Attest: Patricia D. Piecuch, City Clerk
May 8, 2019

BY EMAIL

Mayor James Donchess
City of Nashua
P.O. Box 2019
Nashua, NH 03061

RE: Assessing Department/Greg Turgiss

Dear Mayor Donchess:

I am writing to you concerning Greg Turgiss, an Assessor III and commercial assessor (and formerly a residential assessor) in the City of Nashua’s Assessing Department and developments concerning his daily behavior that my client, Laurie Ortolano, recently discovered. Greg is among the various individuals within the Assessing Department that Ms. Ortolano has focused on during her recent, months-long campaign to identify deficiencies in the Department and promote change and course correction within it.

Ms. Ortolano has raised concerns about Greg in the past, but the City has largely ignored them. For example, Greg’s brother, Gary Turgiss performed the initial assessment of Ms. Ortolano’s property, 41 Berkeley St., after she purchased it in December 2013. Gary informed Ms. Ortolano of a sudden 50.3% increase (from $469,800 in 2013 to $706,300 in 2014) in her property’s total assessed value after the sale. Ms. Ortolano thereafter requested a review of that assessment. Greg visited her property to perform the review. During Greg’s visit, Ms. Ortolano provided him with intricate detail concerning what she believed Gary had done wrong in the initial assessment. Greg seemed disinterested, failed to answer any of her questions, and told her he would get back to her.

In early March 2019, the Chief Assessor position in the Assessing Department was eliminated as the result of an internal audit, and our understanding is the City intends to reinstate the “Administrative Services Director” position to oversee the Assessing Department and several other departments (subject to approval by the Board of Aldermen). That audit also found several critical problems existed within the Department, including ineffective management, and a lack of internal policies to guide its operations. Accordingly, after the Chief Assessor position was eliminated, the Department had no one with any assessing expertise or experience overseeing it.
To alleviate that vacuum, at a March 7, 2019 Special Aldermen meeting on that Assessment Management Audit Report, you stated that, in the interim and in defense of eliminating the Chief Assessor position, “There is a supervisor Assessor, certified as a supervisor in the Assessing Office who can serve as sort of a working supervisor.” This statement obviously referred to Greg since he is the only certified supervisor in the Assessing Department.

In response, Ms. Ortolano raised the concern that having both Greg and Gary Turgiss working in the same department violated the City’s anti-nepotism policy, and that elevating either to supervise the other also violated that policy. Section 4.01 of the policy states, “Individuals who are related are permitted to work for the City of Nashua, provided that no direct reporting or supervisory/management relationship exists.” (The italics and underlining are not mine; they are in the policy.) Section 4.02 states, “No relatives are permitted to work in the same department or in any other positions in which the Human Resources Department believes an inherent conflict of interest may exist.” As you are likely aware, the Turgiss brothers have worked in the Assessing Department for over two decades. The City’s Human Resources Director, Larry Budreau, stated, however, that there was no conflict interest, and thus this situation did not violate the City’s anti-nepotism policy.

The City has recently continued to express support for Greg and the Assessing Department. At the most recent Board of Aldermen meeting on April 30, 2019, Louise Brown, an Administrative Specialist, explained that, due to Greg’s “hard work, education, and lengthy experience,” he was elevated from a DRA Certified Property Assessor to a DRA Certified Property Assessor Supervisor in 2018. In this role, Greg apparently executes numerous critical duties for the Department, including, but not limited to, general supervision over re-evaluation projects, conducting sales surveys, establishing base values for land and buildings, preparing sales surveys, establishing charts to be used in re-evaluations, preparing reports, supervising informal reviews of property assessments with property owners, and oversight over any re-evaluation by assisting the City to ensure the re-evaluation is performed in accordance with applicable law. In particular, Ms. Brown remarked that she has worked with Greg from 2000 to the present, and his “growth in the Department is something to aspire to.” She further praised Greg as “one of the top individuals I have been able to depend on with the changes that have occurred within” the Department.

At that same meeting, Greg provided his own comments after Ms. Brown. He explained this period of time is “a very busy time with the April 1st tax date and July bills going out,” and he explained many of the functions the Department was performing for that purpose. The Acting Administrative Services Director, Kim Kleiner, made a few remarks after Greg: she explained the Assessing Department is “extremely busy,” and “you have a group of people that are working extremely hard to get information and applications processed and reviewed [for abatements].” Then, the President of the Board of Aldermen, Lori Wilshire, remarked that “the people down [in the Assessing Department] are working hard, everyone wants to do a good job for the residents.”

1 While we understand your Chief of Staff, Kim Kleiner, is currently overseeing the Assessing Department as the “Acting Administrative Services Director,” Ms. Kleiner has no assessing credentials or experience. It is like asking a lawyer to oversee a doctor’s office.
She commended “the staff down there for stepping up and wanting to do better and mak[e] changes that are going to be positive for them and the City.”

Finally, you bestowed additional praise on Greg during Ms. Kleiner’s interview this past Monday evening. During the interview, Alderwoman Shoshanna Kelly asked how the City addresses the day-to-day issues that might arise in the Assessing Department as well as public concerns. You responded, “Well we have qualified assessors working in the assessing department. They are qualified and certified to answer the demands of the job…. We have the expertise within the department to do these jobs.”

Ms. Ortolano has, nevertheless, remained concerned about the Assessing Department and, specifically, Greg’s work ethic and behavior. For example, she has always noticed Greg exhibit a pattern of behavior in his day-to-day work schedule: Greg leaves City Hall every day at approximately 12 noon and does not return until 3 or 4 p.m., on the representation that he is performing “field work.” There are also numerous abnormalities in his assessing practices, including disparities between the values assigned to various properties and information contained in corresponding property cards.

Accordingly, Ms. Ortolano hired a private investigating firm, Freyler Investigations, LLC, in late March to follow and review Greg’s behavior and, ultimately confirm her suspicions regarding him. A surveillance report, dated April 26, 2019, concerning Greg’s behavior is attached to this letter (“Freyler Report”). In addition, Ms. Ortolano performed her own investigation to assist Freyler. Her own report is also attached to this letter.

These reports, unfortunately, not only do not surprise us with respect to Greg’s day-to-day activities, but they deeply alarm us, should concern Nashua taxpayers, and undermine virtually all of the accolades recently bestowed on Greg by the City.

These reports demonstrate that, during a period of investigation from April 1 – 26, 2019 (a full month, during which there were 20 business days), the investigator and Ms. Ortolano personally witnessed and observed Greg take extended breaks on nearly half (eight) of those days during work hours. During those breaks, he either parked his car in the parking area at the Rail Trial at the end of Country Side Drive in Nashua and napped or smoked cigarettes for approximately 2-2.5 hours (on April 11, 15, and 23), or parked his car in a parking lot at a Holiday Inn on 9 Northeastern Blvd. in Nashua and remained there either napping or smoking cigarettes, also for 1-2 hours (on April 18, 19, 22, 25, and 26).

The investigator and Ms. Ortolano also observed that, on April 1-3, 5, and 8-10, Greg disappeared from City Hall for similar gaps in time (from approximately 12 noon until 2 or 3 p.m.) and followed similar driving routes either near or in the direction of the Rail Trial and the Holiday Inn, but the investigator and Ms. Ortolano lost track of him and, thus, could not confirm whether Greg engaged in the same activities (taking extended breaks to nap and smoke) described above. These reports do explain, however, that before the investigator and Ms. Ortolano lost track of Greg on those days, they observed Greg drive aimlessly around the City and perform very little field work.
The most alarming aspect of this behavior is that Greg reported, during his absences on all eight days detailed above, that he was, at least in large part, performing “field work.” On the sign out board in the Assessing Department, Greg reported he was leaving the office to perform field work for at least a large part of the time he was absent on all eight days. For example, page 3 of Ms. Ortolano’s report contains a photograph of that sign out board as it appeared on April 19, 2019. The row for Greg states, in the “Out” column, “FIELD,” which presumably means he would be performing “field work” for the period of time he was absent. In addition, page 4 of Ms. Ortolano’s report and page 19 of the Freyler Report both contain a photograph of the same sign out board as it appeared on April 22, 2019. The row for Greg states, in the “Out” column, that he is “OTL/FIELD,” and the “In” column states “P.M.” “OTL” presumably stands for “Out to Lunch,” but Greg also denoted “FIELD” – again, presumably to mean he was performing “field work” – for the period of time he was absent. The reports above clearly demonstrate, however, that he did not perform any field work on April 19 or 22 and little to no field work on any other day; rather, on both days, he was parked outside the Holiday Inn performing absolutely no field work and returned to City Hall at 1:36 p.m. on April 19 and 3:01 p.m. on April 22, and on the other days he was either napping in the Rail Trail parking lot or spending time in the Holiday Inn parking lot.

This behavior calls into question Greg’s performance of his duties and many of his practices, including, but not limited to, his assessments of properties, review of residential abatements, representation of the City at the BTLA in abatement appeals, and his preparation and submission of expense reports.

As noted above and in Ms. Ortolano’s past communications with the City, Greg’s property assessments feature many irregularities: there is a disconnect between the assessed values assigned to these properties and upgrades and other features contained in corresponding property cards. It is possible Greg has engaged in the behavior above on a consistent basis for some time now. If that is true, it is possible Greg likely has not visited the properties he claims to have assessed and, thus, has relied on other (improper) means to evaluate properties.

Greg’s expense reports should also be called into question: If Greg is leaving City Hall and performing no field work, then any expense reports detailing mileage and/or other expenses for those periods of time are obviously fraudulent.

Finally, Greg’s recent behavior calls into question his and the Department’s ability to address and evaluate the record number of abatement applications the City received this year. If Greg is devoting minimal time to his day-to-day functions, the Department – at least in part – is unlikely to be able to process these applications (particularly the applications assigned to Greg) in an efficient manner, or not at all, and devote any measurable attention to them. This would be a disservice to the citizens in Nashua and force them to devote additional resources to appeals of any abatement applications that the Department denies.
I request that the City dismiss Greg from his position immediately, investigate his expense reports and other activities he undertook while on City time, and undertake any additional action it deems necessary to address this behavior.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Robert M. Fojo

cc: Client  
John Griffin  
Kim Kleiner  
Steven A. Bolton, Esq.  
Celia K. Leonard, Esq.
Incident Report

Date/Time Reported: 10/16/2006 0930
Report Date/Time: 10/22/2006 1339
Occurred Between: 10/02/2006 0800-10/13/2006 1600
Status: Incident Unfounded

Involves: Sex Crimes
Reporting Officer: MASTER PATROLMAN KEVIN LANDRY
Approving Officer: LIEUTENANT RAYMOND MCDANIEL

Signature: ____________________________

Information:

LOCATION TYPE: Government/Public Building
City: Sector 4
CITY HALL
229 MAIN ST
NASHUA NH 03060

1 CHILD PORNOGRAPHY (INTERNET) N Felony B
   649-B 2,1 B
   OCCURRED: 10/02/2006 0800

Information:

1 JOYCE, JANE REPORTING PARTY 57 NOT AVAIL
   DOB:
   EMPLOYER:

2 BARKER, JOHN OTHER 48 NOT AVAIL
   DOB:
   EMPLOYER:
On 16 October 06 at approximately 0945 hours I met Jane Joyce, at the Human Resources Office in City Hall located at 229 Main Street Nashua, NH. Ms. Joyce informed me that the Information Technology Manager at City Hall, John Barker had informed her during early October that he identified a problem with the systems firewall. Ms. Joyce advised that John Barker would be monitoring the situation in an attempt to resolve the problems. Ms. Joyce reported that she then met with John Barker in furtherance and he reported to her that he identified two City Hall employees to be viewing pornography on the work station computers. She reported that the activity was significant. Ms. Joyce identified the two employees as follows:

Michael Santa,
NH.
Mike Santa is employed as the City of Nashua Building Safety Manager.

Greg Turgiss,
MA.
Greg Turgiss is employed as a City of Nashua Tax Accessor.

Ms. Joyce provided documents related to the Evidence of pornography that was being viewed as follows. She provided a photo copy of reports from a Web Sense reporting tool that was provided to her by John Barker. The reports are provided for both Michael Santa and Greg Turgiss. The reports detail specific pornographic sights that are viewed on the work station computers. The date beginning on the reports are 10-02-06 and the date ending on the report is 10-11-06. There are hundreds of various pornographic sights viewed over several hours. These reports are submitted to included in the case file.

Ms. Joyce provided personal data sheets for Michael Santa and Greg Turgiss. Ms. Joyce provided an acknowledgement of receipt of Tele Communications and Network Resources Policy for both Mike Santa and Greg Turgiss. These mentioned items are submitted to be included in the case file.

Ms. Joyce reported that she had met with John Barker at which time she had an opportunity to view just a few of the actual sights that had been visited. She stated she observed that these sights were certainly pornographic and that she had done the viewing for confirmation in order to apply administrative disciplinary action against the employees. She reported that she viewed adult pornography and had not seen anything relative to child pornography. Ms. Joyce reported that on Friday 13 October 06 she interviewed both Greg Turgiss and Mike Santa as part of her administrative duties. Ms. Joyce reported the following results of the interviews. Ms. Joyce reported that she interviewed Greg Turgiss at approximately 0830 hours. Ms. Joyce reported that also present in the interview was the Divisional Supervisor Angelo Marino and Manager Bob Blakeman. Ms. Joyce reported that Greg Turgiss was very nervous during the interview. She reported that he seemed very shaken and had turned a grayish color. She reported that Greg Turgiss was honest and up front when questioned about the situation. She reported that he acknowledged that he knew why he was there. Ms. Joyce reported that they had evidence that Turgiss had also been chatting. She questioned in reference to the possibility of having been talking to minors. She reported that Turgiss told her that he had not spoken to any minors to his knowledge. Ms. Joyce reported that during the course of the interview she learned from Angelo Marino and Bob Blakeman that Turgiss had been warned for viewing pornography approximately five months prior to this incident. Ms. Joyce reported she had no knowledge of this warning until the interview process. Ms. Joyce reported that at the conclusion of the interview Turgiss was placed on administrative leave and sent home.
On 16Oct06 at approximately 1905 Hours, I responded to the Lobby of the Nashua Police Department and made contact with Greg Turgiss. Mr. Turgiss had voluntarily responded to the Station in order to discuss the pornographic material that had been located on his computer at City Hall and had already received a Visitor's Badge. I therefore escorted him to YSD Interview Room #2 and Detective T. Bergeron and I interviewed him concerning the matter. Mr. Turgiss' information is as follows:

Greg Turgiss
MA
City of Nashua Tax Assessor's Office
City Hall
Nashua, NH
603-589-3040

Upon interviewing Mr. Turgiss, he acknowledged using the City's internet service to view adult pornography and to chat online during work hours. He stated that he has been doing so on a daily basis for a couple years for varying periods of time. He further advised that he was confronted once before by an administrator and ordered to stop. Mr. Turgiss stated that he stopped for a couple weeks but again started using the City's internet service to view adult pornography and to chat online. He stated that he sometimes uses the system to view pornographic material for several hours at a time.

Mr. Turgiss claimed to have no preference when looking at the pornographic material. He stated that he mostly viewed "straight sex" material but also viewed "gay" material. He advised that he would often begin in the "Project Voyeur" chat room and would click on the links from there. He stated that "Project Voyeur" is an open sex chat room with a disclaimer that chatters have to be at least 18 years of age. Nevertheless, he acknowledged using different identities in the room (he explained that he would often get more activity if he posed as a bi-sexual female) and that it was possible the underage people could enter the chat room.

When asked about underage content, Mr. Turgiss denied that he had any interest in the material. However, he stated that he may have viewed images of 15 and 16 year old girls but claimed that he did not actively seek it out. Mr. Turgiss explained that his belief was based upon the girls' appearances. He stated that some of the girls had ponytails and "acted" immature. However, he stated that he thought that they were 18 year old women pretending to be younger. Moreover, he stated that this constituted only a minute portion of the pornographic material that he viewed and denied downloading any of the images. Mr. Turgiss indicated that these images would merely pop-up as a result of him randomly clicking links that appeared when he was viewing pornography. Mr. Turgiss admitted that he is addicted to pornography but stated that he never actively sought out child pornography.

After obtaining a formal statement from Mr. Turgiss (it was recorded on DVD), I asked for consent to examine his home computer for inappropriate content and presented him with a Nashua Police Department Consent to Search Form. Mr. Turgiss reviewed the form and voluntarily agreed to turn his home computer over to the Nashua Police Department for inspection. Detective Bergeron and I therefore followed Mr. Turgiss back
to his residence. After Mr. Turgiss had informed his wife, Michelle Turgiss, reference the situation, I presented her with a Nashua Police Department Consent to Search Form. Ms. Turgiss reviewed the form and also granted permission to inspect it. Detective Bergeron and I therefore took custody of the Compaq Presario SR1403WM and ended our contact. Investigation ongoing.

Detective Jonathan B. Lehto D-36
On 17 Oct 06 at approximately 0800 hours, I received information from Det. Lehto that he and Det. Bergeron had made contact with a Greg Turgiss during their shift on 16 Oct 06. Turgiss was interviewed and his personal home computer was seized after consent. Cite supplemental reports by Det. Lehto for additional information.

Nothing further this report.

Detective Kevin Landry, D-32
On 17 Oct 06 at approximately 1330 hours
I met with Brian Rae of the Information Technology Division of the Nashua Police Department. I requested Brian’s assistance in viewing the content on the Santa and Turgiss personal computers. The computers were hooked up in the IT Division. We were unable to view content on the Santa computer due to the DOS program and the incompatibility of the keyboards that we had.

The Turgiss computer, a Compact Presario SR1403WM, was viewed. There was no evidence of any pornography found on the Turgiss computer, and further, no evidence of child pornography.

Nothing further this report.

Detective Kevin Landry, D-32
Investigative Report - Additional Information to Freyler
Investigations, L.L.C

Date 5/1/19

Laurie Ortolano
Surveillance Target: Greg Turgiss, Nashua NH city employee in commercial assessing office
Reason for Surveillance: Suspected abuse of company time and mileage.

Case Summary: I worked with William Freyler to assist in checking in the office for sign out times on the whiteboard along with some return times to City Hall.

Tuesday - April 9, 2019 - Very cold blustery day

There was a scheduled NHAAO monthly meeting in Concord today so I checked in the Office in the morning and he was there is a closed door meeting with Louise and Kim. He did not attend the meeting. Will picked him up heading out of City Hall at 12:15 heading into the parking garage. I went to City Hall in the afternoon and his car was back in the garage at 2:55 PM.

Wednesday, April 10, 2019 - 40 degrees and sunny day after 11:00 AM

Popped into the office in the morning and heard Greg mentioned an appointment at 25 Cornell Rd. for an exemption. Was leaving soon.

I took my dog for a walk down Berkeley St., right onto Laton St. and then right onto Concord St., heading north. At 10:59 am I called Will and told him Vehicle MA of Greg Turgiss vehicle, had just passed me as I approached Concord and E. Stark St. I took my dog back to my home, packed up my truck to head to the dump and headed over to 25 Cornell Rd. to see if Greg was at the appointment. Vehicle # was parked in the road next to the home.

He came out of the home about 11:14 am (I believe he arrived at the home just after 11:00 AM). He spent about 10 minutes at the property. He headed back down Concord St. towards City Hall and I followed. He took a right onto Water St., looped around the old court house and past California Burrito onto Chestnut St. He took a right onto W. Hollis and headed down to Countryside Dr. I turned at the dump and dropped off my leave bags. Will picked him up with his drone in the rail trail lot on Gilson Rd.

Thursday, April 11, 2019 - weather warm and sunny 55 degrees

Checked the office and pulled some data off the computer. Greg left the office at 10:40 am and wrote “field” on the whiteboard. Steve Bolton’s mother’s service was held was this day. Will texted my at 11:00 AM that Greg had just pulled into the trail lot was
playing music and smoking a cigarette. Will captured pictures and followed Greg back to
the office. He went back into City Hall at 12:15. I headed over to City Hall at 1:11 and
checked to see if his car was in the garage. It was.

Kim Kleiner was working with Greg and Louise for the afternoon, running up and down
the stairs gathering information. I stayed in the office retrieving MLS data until 4:15 PM.
Greg was there for the entire afternoon.

Spent 1.5 hours out without any field work.

**Friday - April 12, 2019 - weather was cool and comfortable, part sun in the
afternoon.**

I had an Asb meeting in Concord at 9:00 am followed by an afternoon meeting with
Peter Roth and Chuck Reese. I did not get back to Nashua until after 3:00 pm. I called
off the PI work for the day.

**Tuesday, April 16, 2019 - Sunny afternoon day**

Parked on Elm Street behind City Hall with a line of sight to the garage stairwell. Greg
entered the garage at 11:49 AM. I followed him all the way down to the left turn on
Countryside Dr. for Will to take over. Will lost him. I went back to Elm Street at 2:00 PM
and he came out of the garage at 2:38 pm headed back into City Hall. He was out about
3 hours today.

**Thursday, April 18, 2019**

Board of Assessors public session ended at 9:00 AM and the Board went into non-
public session. I headed home for a bit and figured Greg would leave around noon.

I drove back to City Hall and parked on Elm St. with a line of sight to the stairwell to the
parking garage. I headed into the Assessing department at 11:45 am to be certain he
was still in there. I pulled up property cards and checked data. He signed out at 12:10
pm. I went back out to the truck and waited for him.

He entered the stairwell at 12:17 pm. I tailed him down the typical route (west Hollis to
exit 5 intersection, past the police department, NHSS, to where he turned left on
Countryside Dr. He entered Countryside Dr at 12:37 pm. Will took over from there. Will
was able to tail him to the Northeastern Blvd. Holiday Inn Parking lot. He stayed in the
parking lot until 1:46 pm and then drove back to City Hall.

He spent more than 1.5 hours out doing no field work.
Friday - April 19, 2019 - Good Friday

Greg signed out for “field” work at 10:56 am. Will found him in the Holiday Inn back corner parking lot at 11:29 am. He stayed until 1:20 pm and then arrived back at City Hall at 1:36 pm.

*He stayed out just over 2.5 hours with no field work done.*

I stopped by City Hall at 3:30 and he had left for the Holiday weekend at 3:00 pm.
Monday - April 22, 2019

Will's last day for PI work. He entered the parking garage at 12:34 pm. I had my vehicle lined up to the garage stairwell and checked the office. He signed out OTL/Field back in PM. He took his usual route down West Hollis St. to Countryside Dr. Will tracked him to the Holiday Inn parking lot. It took him about 25 minutes to do the driving loop. He stayed in the parking lot until 2:37 pm. He added mileage when he left the Holiday Inn by heading back to Captain's Corner, pulling into the athletic fields, turning around and heading back up 111 to the office. He was back in the office around 3:00 pm.

Mapquest shows he did a 16 miles loop with no field work done.

2.5 hours out of the office.
Tuesday, April 23, 2019

I took over on my own knowing his 2 locations were the Rail Trail lot on Gilson Rd. and the Holiday Inn lot on Northeastern Blvd.

He signed out on the whiteboard to do "field" work at 10:51 am. Wrote on the Board that he would be back at 1:00 pm. I headed down to the rail trail lot and he was sitting in his car, window down, arm hanging out at 11:00 am when I arrived. I took distant photo's from the road as I was fearful to get too close and enter the lot. I stayed for about 20 minutes and then went to Captain's Corner and waited about 20 minutes. I figured that he might take a nap and I could pull into the lot at that point.

I went back to the trail lot at 11:50 am and he was asleep in his car. Window up and seat reclined. I pulled in right behind him with my truck bed facing his truck and inline with his vehicle #. I took photos for almost 2 hours. He left the park at 1:18 pm. He arrived back at the office at 1:40 pm.

He was out of the office almost 3 hours and did not field work.
Sleeping in car. Seat down
Apr 23, 2019, 12:02 PM

Apr 23, 2019, 12:37 PM
Wednesday, April 24, 2019

It did not appear that Greg left the office that day. I went over at noon and checked property cards. Greg had not signed out and Kim, Greg, and Louise were in a closed door meeting. No tracking day. Dinner plans and company for the evening.

Thursday - April 25, 2019

Checked out of work at 12:50 pm. Signed out OTL/Field (photo). Found him in the parking lot of the Holiday Inn at 1:30 PM. Went to the rail trail first and he wasn’t there so I headed to the Holiday Inn and Viola! - same spot - back corner of the parking lot.

Started smoking a cig at 2:10 pm - arm hanging out the window. Looked like he was watching a movie. I parked in a small business lot next to Santander Bank and could see the front drivers side of his car. He buckled up and left the Holiday Inn lot at 2:26 pm. He was back at the office at 2:41 pm.

About 2 hours out of the office with no field work.
Friday, April 26, 2019

Greg signed out for "field" only at 11:26 am. I ran to my truck and he pulled out of City Hall at 11:39 am.

Greg took a different route this morning and I wondered if he had an appointment. He came out of the garage and headed to Water St. He took a left onto Main and then a right onto Canal St. He then took a left onto Chandler. I pulled over up the hill by the church and stopped because I didn't want to be too close. He took a right onto Tolles and I stayed back. I waited a few minutes and headed up to the intersection. I came to the intersection of Chandler and Tolles St and to my surprise Greg's red car was on Tolles to my right getting ready to take a left on Chandler St. He pulled into the big stone church lot. Small attached brick building is under constructions. He pulled into the lot and entered the small brick building, cowboy hat on, at 11:50 am.

I parked over on the side street across from the church and waited for him to come out. He came out of the building at 11:57 am. He came down Chandler St. and took a left onto Canal St. I took a right and head to West Hollis St. via Water St. and Chestnut St. I headed to the rail trail lot on Gilson as it was a rainy day and I thought he might go there. No sign of him, so I headed to the Holiday Inn lot on Northeastern Blvd. As I passed the Holiday Inn, he was not in the back corner. I thought I might have beat him to the location so I was going to pull into Greenbriar and wait 10 minutes, but he passed me driving the other direction and turned into the Holiday Inn lot.

He was out of the office for just over 2 hours with only 7 minutes of field work.
Conclusion: Once Will Freyler found Greg’s 2 resting spots, I had great success in finding him in the location for all 3 days I did surveillance. He spent far more time than just a lunch break and for 2 of those days, he signed out solely for field work.
Surveillance Report

Date: 4/26/19

Client: Laurie Ortolano
Surveillance Target: Greg Turgiss, Nashua NH city employee in commercial assessing office.
Reason for Surveillance: Suspected abuse of company time and mileage

Case Summary: On 3/26/19 I met with Laurie Ortolano to gather some information on Greg Turgiss. Laurie wanted me to follow Greg during his work hours for the city of Nashua, NH as a commercial assessor. Laurie suspects Greg is abusing mileage for work and disappearing for 3-4 hours at a time for non-work-related matters. Laurie said she was a current resident in Nashua, NH and she first met Greg when he was a residential assessor. Laurie said initially her house was assessed at two hundred thousand more than comparable properties in the area by Gary Turgiss, Greg’s brother. Laurie told me about Greg reviewing their house after the initial assessment and keeping it at one hundred and fifty thousand more than comparable properties.

Laurie then showed me a binder with residential property cards which Greg Turgiss had handled over the years, before becoming a commercial assessor. The information provided by Laurie did not appear to make sense given the cost of upgrades performed versus the increase by the assessor’s office, when compared to other property cards. One property card I was shown belonged to the mayor of Nashua. It appeared he had a significant upgrade performed, yet his property value only increased a very small amount compared to other property cards which had much smaller upgrades or none yet saw larger increase in their value.

While speaking with Laurie I noticed the binder of property cards she had was rather large and I asked her if all the cards in her binder, were properties Greg Turgiss had worked on and she said yes. Laurie said she tried to bring the information to numerous departments in the city of Nashua, but no one in the city wanted to speak with her or acknowledge there is a serious issue. Laurie told me she emailed with Human Resources who oversees Greg’s department and she was told meeting with her [Laurie] would be a waste of time.

At this point Laurie stated she had exhausted all her efforts and the damage Greg already caused to the city of Nashua was irreversible and widespread. Laurie told me the last thing she wants to do is bring any sort of suit
against the city because she cares about its citizens and how they are treated. However, each chain of command she approached in Nashua turned her away. Laurie said her only option left was to gather evidence of Greg abusing mileage and company time in an effort to save the city from further harm and bring to light all of the damage he has already done for property values. Laurie then provided a description of Greg to me as six feet tall and about 48 years old with a "pop belly", ponytail, small mustache and a cowboy hat. I was told Greg drives a maroon Ford Fusion with Massachusetts license plate [redacted] and he usually leaves the office around 12:00 PM and does not return until 3-4:00 PM daily, unless he has meetings. I told Laurie that would be enough information to get started and I agreed to take her case.

On 4/1/19 I began my surveillance. I arrived at Nashua, NH City Hall around 10:20 AM and parked in the parking garage next to it. During this time, I was in communication with Laurie who was in the assessing office where the white board for the assessors to sign out was displayed. Laurie informed me Greg was signed out until 11:30 AM that day and was not currently in the office. I waited in the area and at 12:23 PM I saw Greg drive by in his maroon Ford Fusion Massachusetts license plate [redacted] while I was parked on the lower level of the garage. I was able to photograph Greg walking into city hall after he parked to establish a positive ID and surveillance was ceased for the day. The following photograph is of Greg Turgiss walking into work at 12:23 PM.
On 4/2/19 I arrived at Nashua City Hall at 10:00 AM and I waited in the parking garage lower level for Greg to leave. At 11:14 AM I saw Greg leave Nashua City Hall in his maroon Ford Fusion Massachusetts license plate and drive towards West Hollis Street. Greg then turned onto West Hollis Street and continued on Route 111 towards Hollis, NH. I followed Greg for about 10 miles before he turned onto Country Side Drive on the Hollis/ Nashua line. At that point I lost sight of Greg and I was not able to locate him again that day after driving around several areas and checking his personal residence in Massachusetts. I then ceased surveillance for the day. Laurie texted me that Greg returned to the office at 3:00 PM that day.

On 4/3/19 I arrived at Nashua City Hall at 10:00 AM and I waited in the parking garage lower level again. Laurie was able to view the white board in the assessor's office that day and informed me Greg signed out to the YMCA at 12:00 PM. At 11:41 AM Laurie texted me and notified me Greg was leaving. I was able to locate Greg leaving Nashua City Hall in his maroon Ford Fusion Massachusetts plate . I followed Greg to the Nashua YMCA located off 101 A. I confirmed Greg went to the YMCA at 12:10 PM and I waited down the road in a parking lot. At 12:50 PM I saw Greg drive by and I was able to follow
him back to Route 3. Greg took a right on Route 3 heading east back towards Nashua City Hall. While trying to follow Greg I noticed he took several right-hand turns. I was able to follow Greg and the turns he took all lead back to Route 3, where he took a right again headed towards Nashua City Hall. Greg then took a right onto Charron Ave and then a left onto Pine Hill Road which he stayed on until it met Broad Street.

While I was trying to follow Greg on these streets I momentarily lost sight of him. When I came to the stop sign at Broad Street and Pine Hill Road, Greg pulled up next to me in the right-hand lane and turned right. I was in the left lane and was forced to turn left. I was able to turn around and I saw Greg get onto the exit seven on ramp to Route 3 headed south. At that point I lost sight of Greg and I drove to Country Side Drive in Hollis/Nashua and the surrounding area. I was not able to locate Greg again and ended surveillance for the day. At 3:59 PM Laurie texted me that Greg was back in the office for that day, but she was not sure what time he arrived.

On 4/5/19 at 10:00 AM I arrived in the area of Nashua City Hall and parked on a side street where I could view Greg leaving. At 12:19 PM I saw Greg walk to the parking garage and leave in his maroon Ford Fusion Massachusetts plate. I was able to follow Greg to West Hollis Street, but due to traffic I lost sight of him. I then searched the area and Country Side Drive in Hollis/Nashua, but I was not able to locate him. I then ended surveillance for the day. At 2:24 PM Laurie texted me that Greg had returned to the office for the day.

On 4/8/19 at 10:00 AM I waited on Route 111 in Nashua to see if I could make visual contact with Greg in an effort to see where he went on Country Side Drive. I was not able to make visual contact with Greg that day and I searched the area again with negative results. I then ended surveillance for the day. At 2:41 PM Laurie texted me that Greg had returned to the office for the day.

On 4/9/19 at 10:15 AM I waited outside of Nashua City Hall on a side street. At 12:36 PM I saw Greg leave Nashua City Hall in his maroon Ford Fusion Massachusetts license plate. I followed Greg as he got onto West Hollis Street and headed towards Hollis on Route 111. I was able to follow Greg to Country Side Drive in Hollis/Nashua where I again lost him due to traffic. I drove around the area again looking for Greg, but I was not able to locate him and I ceased surveillance for the day. At 2:40 PM Laurie texted me that Greg had returned to the office for the day.

On 4/10/19 I waited at the Rail Trail parking area at the end of Country Side Drive where I usually lost sight of Greg. There was a stop sign with only a
left- or right-hand turn. My plan this day was to use my drone to follow Greg in hopes of being able to follow without worrying about traffic. Around 11:30 AM I made visual contact with Greg in his maroon Ford Fusion Massachusetts plate [redacted] at the end of Country Side Drive and go left onto Gilson Rd. I was able to follow Greg with my drone for 1.6 miles before I had to turn around due to interference. I was able to see Greg take a left at the stop sign on Gilson Road at the intersection for Captain’s Corner convenience store. I then got in my vehicle and drove around the area looking for Greg. I also went to Greg’s house to see if he doubled back there, but he was not home either. I then ended surveillance for the day. At 2:41 PM Laurie texted me that Greg had just returned to the office that day.

On 4/11/19 I waited at the Rail Trail parking at the end of Country Side Drive again to see if I could follow Greg from that point. At 11:00 AM Greg pulled into the same parking area I was and parked his maroon Ford Fusion Massachusetts plate [redacted]. Greg sat and smoked a cigarette and then took his cowboy hat off, reclined his car seat and began to nap. At 11:56 AM Greg woke up and exited the Rail Trail parking. Greg then headed back to the assessor’s office via Country Side Drive and Route 111. I was able to follow Greg back to Nashua City hall and at 12:14 PM I saw Greg walk into City Hall. At that point I ended surveillance for the day. The following photographs are of Greg napping in his vehicle during work hours. I took photographs of damage to the vehicle and other characteristics to use as a comparison for accuracy.
On 4/12/19 I again waited at the Nashua Rail trail, but I was not able to locate Greg this day. I drove around the area again with negative results and at that point ended surveillance for the day.

On 4/15/19 at 10:30 AM I parked at the Nashua Rail trail again at the end on Country Side Drive. Greg pulled his maroon Ford Fusion into the Rail Trail parking lot again at 11:17 AM and parked his vehicle and again napped in his care until 1:44 PM. I was able to follow Greg back onto 111 where he walked back into city hall at 2:00 PM. The following photographs are of Greg napping at the Nashua Rail Trail during work hours and walking back into work.
On 4/16/19 I again waited at the Nashua Rail Trail for Greg. At 12:04 PM I saw Greg drive by in his maroon Ford Fusion Massachusetts plate and take a left at the end of Country Side Drive onto Gilson Road heading towards Captain’s Corner. I was able to follow Greg until Captain’s Corner where he entered a residential area and I was not able to follow him. I drove around the area looking for Greg, but I was not able to locate him again and I ended surveillance for the day. Laurie texted me that Greg returned to work at 2:40 PM that day.

On 4/17/19 I waited at the Nashua Rail Trail for Greg. Around 1:00 PM I saw Greg in his maroon Ford Fusion Massachusetts license plate coming from the direction of Captain’s Corner on Gilson Road. I attempted to follow Greg, but I lost him at Depot Road and I was not able to locate him again and I ended surveillance for the day.

On 4/18/19 I waited at the Nashua Rail Trail for Greg. At 12:36 PM I saw Greg drive by in his maroon Ford Fusion Massachusetts plate. Greg took
a left onto Gilson Road headed towards Captain's Corner. I was able to follow Greg for a bit, but I lost sight of him again in a residential neighborhood. I then began to search the area for spots Greg could park and take a nap. While driving by the Holiday Inn on 9 Northeastern Blvd, in Nashua, NH I saw Greg's vehicle parked in the back lot of the Inn. I pulled into the parking lot at 12:50 PM and at 1:46 PM Greg left the parking lot and drove back to Nashua City hall. The following photographs are of Greg sitting in the Holiday Inn during work hours.
On 4/19/19 I waited at the Nashua Rail Trail again for Greg. Around 11:15 AM I saw Greg in his maroon Ford Fusion Massachusetts plate [redacted] at the stop sign for Country Side Drive. I was able to follow Greg on Gilson Road towards Captain’s Corner, but I lost him again when he turned into a residential neighborhood. I decided to check the Holiday Inn on 9 Northeastern Blvd in Nashua, NH and at 11:29 AM I spotted Greg’s vehicle in the same spot as 4/18/19. Greg stayed in the parking lot for quite some time and left around 1:20 PM. I was able to follow Greg back to city hall where he walked back in at 1:36 PM. The following photographs are of Greg parked in the Holiday Inn and walking back into work.
On 4/22/19 I waited at the Rail Trail in Nashua, NH. Greg drove by in his maroon Ford Fusion Massachusetts plate [REDACTED]. I was able to follow Greg to the Holiday Inn on 9 Northeastern Blvd in Nashua, NH where he again parked in a back-parking lot. Greg stayed in the parking lot until about 2:37 PM when he left and drove back to Nashua city hall. Greg then walked back into city hall at 3:01 PM. The following photographs are of Greg at the Holiday Inn during work hours and walking back into city hall.
Conclusion: Greg has been signing out of the office saying he is doing field work, when he is actually, driving aimlessly around to accrue mileage and waste time napping or sitting in his personal vehicle. The following picture is of a sign out board which Greg used on 4/22/19.
<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMANDA</td>
<td>OUT</td>
<td>2</td>
</tr>
<tr>
<td>CHERYL</td>
<td>OUT</td>
<td>2</td>
</tr>
<tr>
<td>DOUG</td>
<td>OUT</td>
<td>1:40</td>
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<tr>
<td>GARY</td>
<td>OUT/FIELD/P.M.</td>
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<tr>
<td>GREG</td>
<td>OUT</td>
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<tr>
<td>LOUISE</td>
<td>OUT/FIELD/PM</td>
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<tr>
<td>MICHAEL</td>
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<tr>
<td>LYNN</td>
<td>OUT</td>
<td>2</td>
</tr>
<tr>
<td>PAMELA</td>
<td>OUT</td>
<td>2</td>
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</table>
Greg wrote he would be out to lunch and in the field, but he did not return until 3:01 PM, nor did he perform any work besides driving around and then parking for hours at the Holiday Inn on 9 Northeastern Blvd in Nashua, NH.

The past three weeks I have been following Greg he has consistently left the Nashua city hall and drove onto West Hollis Street to Route 111, where he typically takes a left onto Country Side Drive in Nashua and then another left onto Gilson Road. At Captain’s corner Greg typically goes left or into residential areas and drives around until he ultimately ends up at the Holiday Inn.
attempted to get copies of surveillance from the Holiday Inn, but they have not
been responsive to my request. On the busier days I was waiting for Greg at the
Nashua Rail Trail he did not pull in and I suspect his use of that area is dependent
on how many people are currently using it. It is my conclusion Greg has been
abusing company time and charging for mileage that is not work related by
driving around and sleeping at the Holiday Inn on 9 Northeastern Blvd in
Nashua, NH or the Nashua Rail trail parking on Gilson Road. Included on the last
page of map with Greg’s usual route outlined in light blue.

-End Report
City of Nashua, New Hampshire

2019 MILEAGE REIMBURSEMENT FORM
(For Mileage Incurred January 1, 2019 through December 31, 2019

<table>
<thead>
<tr>
<th>Date travel was performed</th>
<th>SUN</th>
<th>MON</th>
<th>TUES</th>
<th>WEDS</th>
<th>THURS</th>
<th>FRI</th>
<th>SAT</th>
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NOTES:

a) This form must be submitted to the accounts payable department for reimbursement through Accounts Payable.

b) The reimbursement rate is .58 cents per mile (unless otherwise contractually agreed upon).

Total miles traveled 148.00
Rate per mile 0.580
Total Mileage $ 85.84
Tolls 0.000
Total $ 85.84

Date submitted 2/4/2019
Employee Signature

Effective Date 01/01/2019

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City of Nashua, New Hampshire

2019 MILEAGE REIMBURSEMENT FORM
(For Mileage Incurred January 1, 2019 through December 31, 2019)

Name of Employee: Michael

Purpose of Travel

Account to Charge: 32.1.600
Accounting Unit: 55307

Activity: Travel, Local - Mileage Basis

Date travel was performed on a weekly basis:

<table>
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<tr>
<th>Date</th>
<th>SUN</th>
<th>MON</th>
<th>TUES</th>
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NOTES:

a) This form must be submitted to the accounts payable department for reimbursement through Accounts Payable.

b) The reimbursement rate is .58 cents per mile (unless otherwise contractually agreed upon).

Total miles traveled: 194.00
Rate per mile: 0.580
Total Mileage: $112.52
Tolls: 0.000
Total $: $112.52

Date Submitted: 3/4/19

Date approved: 3/15/19

Employee Signature

Approved by

EFFECTIVE DATE 01/01/2019

\CityFile\Users\MandleM\My Documents\Mileage 2019\2-19
City of Nashua, New Hampshire

2019 MILEAGE REIMBURSEMENT FORM
(For Mileage Incurred January 1, 2019 through December 31, 2019)

Name of Employee: Michael

Purpose of Travel:

Account to Charge: 32 1.600

Accounting Unit: 55307

Assessing ISLOE of Employee

Department Name

Hold Check for Pickup

Mail Check X

MILEAGE TRAVELED

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<th>Date travel was performed on a weekly basis (Example: July 6 thru 15)</th>
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<th>WEDS</th>
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NOTES:

a) This form must be submitted to the accounts payable department for reimbursement through Accounts Payable.

b) The reimbursement rate is .58 cents per mile (unless otherwise contractually agreed upon).

Total miles traveled: 63.00
Rate per mile: 0.580
Total Mileage: $36.54
Toils: 0.00
Total $: $36.54

Date Submitted: 4/3/19
Employee Signature: [Redacted]
Date approved: 4/4/19
Approved by: [Redacted]

EFFECTIVE DATE 01/01/2019

\Users\Mandile\My Documents\Mileage 2019\3-19