

A regular meeting of the Board of Aldermen was held Tuesday, June 8, 2021, at 7:40 p.m. via teleconference.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderman-at-Large David C. Tencza led in the Pledge to the Flag.

President Wilshire

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

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

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

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

To join by phone dial: 1-929-205-6099 - Meeting ID: 856 5276 5191 Passcode: 319715

The public may also view the meeting via Channel 16.

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

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

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

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

The roll call was taken with 14 members of the Board of Aldermen present: Alderman Michael B. O'Brien, Sr., Alderman Benjamin Clemons; Alderman Patricia Klee, Alderwoman Shoshanna Kelly, Alderman Richard A. Dowd, Alderman June M. Caron, Alderman Thomas Lopez, Alderman David C. Tencza, Alderwoman Elizabeth Lu, Alderman Ernest Jette, Alderman Jan Schmidt, Alderman Brandon Michael Laws, Alderman Skip Cleaver, Alderman Linda Harriott-Gathright, Alderman Wilshire.

Alderwoman-at-Large Shoshanna Kelly was recorded absent.

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

ROLL CALL

Alderman O'Brien

I am present and I am in the Chamber.

Alderman Klee

I am present and I am also in the Chamber.

Alderman Dowd

Yes, I am present and I am in the Chamber.

Alderman Caron

I am present and I am in the Chamber.

Alderman Clemons

I am here, I am participating at home, I can hear everybody and no one is in the room with me.

Alderman Lopez

I am present, I am calling in from home and I am alone. I can hear and see everyone.

Alderman Tencza

I am present, I am participating remotely. I can hear everyone and no one is in the room with me.

Alderwoman Lu

I am home alone and I can hear the proceedings.

Alderman Jette

I am home alone and I can hear the proceedings.

Alderman Schmidt

I am present, alone and I can hear everyone.

Alderman Laws

I am here, I can hear everyone and I am also alone.

Alderman Cleaver

I am present, safer at home and I am alone.

Alderman Harriott-Gathright

I am present, I am in this room alone and I can hear everyone.

President Wilshire

I am here in the Chamber.

Susan Lovering, City Clerk

You have 14 in attendance.

President Wilshire

Thank you. Also in attendance this evening is Mayor Donchess and Corporation Counsel Steve Bolton. Mayor, do you wish to address the Board this evening?

REMARKS BY THE MAYOR

Yes, Madam President. Thank you very much. First there are a few things going on at the State level that I wanted to comment on. As we know, and it is clear that there are a few things that are going on and that are clearly happening. Some we are still waiting on. The State Budget has not yet been finalized so we don't know some things that may arise as a result of it. For example, will the \$7.4 million dollar cut in school aid be reduced to some degree? It might be, but we don't know for sure. But there are certain things that are clear. First of all the State as we have discussed is raising Nashua's pension bill by \$4.4 million dollars. Now this is unrelated to City wages. The money is being used to bail the State out from a long period of mismanagement of the pension fund. The pension fund itself will tell you and very clearly if you ask of the \$29 million dollars we are going to be paying, 80% of that is unrelated to the current employees. It is part of the State bailout to pay for the multi-billion dollar mess that they created. So that is going up \$4 million dollars.

At the same time, the Legislature has now enacted a special Bill applying only to Nashua reinstating the cap even though it is not consistent with the State Law that applies to all other cities, because it does not have an override provision. But, Madam President, the irony in this is the budget that I have proposed to you and the Budget Committee under Alderman Dowd is now considering it, the budget that I had proposed is up about 2%. Now were the cap to apply and this Bill doesn't apply until 60 days so it may not apply to the current budget but let's just say it did. The cap would be about 1.7%. The budget I proposed is up 2% a little more than the cap. But, the total increase is only \$5.7 million dollars, that's about 2%. \$4.4 million of that \$5.7 million dollar increase is related to the State Pension Bill. So at the same time that the State is hitting us, making us pay to bail out their problems, they turn around and say, OH we don't want you to raise your budget. So they raise our cost and at the same time try to say that the City is raising its budget too much. But you know Madam President, you know how much the budget would be up, the one I proposed – were it not for the State and their \$4.4 million dollars – the actual budget but for what the State has done with the pensions, it is up less than ½%. So the irony is the State hits us, makes the budget go up and then says, there should be a cap on it, the City is causing the problem when, in fact, it is caused by State actions, year after year after year.

I just wanted to make sure the Board understood that. I want to thank our Legislative Delegation especially that are on the Board here for all of the efforts they have made and are still making to fight for the City, try to correct some of these things, point out some of these things. But, of course, they are in the minority and they are kind of swimming against the tide and progress is very difficult.

Madam President I also wanted to mention R-21-145 because I think there's some misunderstanding about it. This Resolution would use bonded money, money that has already been borrowed for the Broad Street Parkway but it is not needed at this point to buy a parcel of land adjacent to Mine Falls Park. Now as far as the public perception goes, this parcel which is a large grassy area is part of the park. And I don't think people quite understand that it is not part of the park, it seems like it but it is not, it is owned by the Mill Yard Association. The proposal here is to buy that for various reasons. Number 1) to make sure that the park is secured and maintained; 2) yes one of the purposes could be to put a dog park on part of the parcel; but 3) it has become very clear that if the City does not buy this parcel a developer or someone else will. They have already tried to submit a competing bid. So if we do

not go ahead, someone else would buy it, probably develop it and we would be asked by many of our citizens, why in the world did you let someone develop part of Mine Falls Park. That would be the perception. So I think to enhance one of the gems of our park system, yes to provide some land for a dog park but also to just preserve the entrance to the park and the area around the park, this purchase is a good one.

And one further point about that purchase, Madam President, some people have said, well it should be used for tax relief. It cannot be used for that purpose; these are borrowed funds. You cannot use borrowed funds for operations or to reduce taxes like that. We are projecting that we can use \$4.5 million dollars of surplus that we hope to generate for tax reduction but this money cannot be used for that purpose. It has to be for a capital project, a purchase or something else.

Madam President I wanted to mention we discussed City Hall before, City Hall is now open to the public. We are still maintaining some of the appointments, like some people have found that appointments at City Clerk and at Vehicle Registration are very helpful so the appointment system for those who wish to make appointments is still in place, but City Hall is open, although the City Clerk's area still needs to be finished and they need to be moved down from the third floor. We expect that should be accomplished sometime in the first half of July.

I know everybody is aware of some sad news and that is that former Mayor, former Aldermanic President Don Davidson passed away. I want to extend my condolences to his family. He, in many ways, served the City and on the Board of Aldermen as President, as temporary Mayor for a while and he was elected as Mayor. He served as a Chair of the Airport Authority, briefly on the Fire Commission. So he was truly dedicated to the City and his passing was certainly sad.

Finally Madam President, I wanted to mention maybe a happier event. We launched the Pride Celebration this week by raising the Pride Flag. I know that Alderwoman Klee, Alderwoman Schmidt were present as well as other members of the Legislative Delegation. In addition to that, we will be having the virtual Pride Celebration on June 26th again on-line. Because of the necessity of planning months in advance, things weren't clear where we would be with the pandemic in June some months ago. We scheduled a full Pride Parade for early in October, again that was done some months ago just to make sure or in anticipation that by the fall things would be a lot better with the pandemic. So I am looking forward to the Pride Celebration. Everyone is welcome, both to the virtual event and ultimately the live event. We are a City that values every one of our citizens. And that is all I have for tonight, Madam President.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Lopez

With regards to the circumstances that you discussed regarding both the implementation of legislation requiring us to have a spending cap but then also deliberately singling us out for additional expenses, is the City taking any legal action against anybody to try to reverse those ...

Mayor Donchess

Now we were singled out when it came to the cap. But we are not singled out when it comes to the pensions, you know, this is affecting all cities and towns. The 13 Mayors of 13 cities in New Hampshire, Republicans and Democrats got together and wrote to the Governor and to the President of the Senate regarding the pension issues. We really didn't receive any response to either letter. So all of the cities and towns are being affected just like we are. It is said that 80% of the money that we are putting in is to build up the assets – the State wants to build up its assets, that's what we are paying for. They messed things up, they made a mess of this and we are bailing them out.

Alderman Lopez

But if the State has specifically targeted our City for this kind of a regulation, is there any legal ground for saying either you have to apply that to every city and community in New Hampshire or you can't single out Nashua specifically.

Mayor Donchess

Now for that question you would need to direct it to Steve Bolton, City Attorney.

Alderman Lopez

I am not expecting Attorney Bolton to give an opinion right now, I was just asking if this was being discussed at the City level?

Mayor Donchess

This just passed a couple days ago, or a few days ago, I think late last week. So yes, we definitely are going to discuss that issue.

Alderman Lopez

OK thank you very much.

President Wilshire

Anyone else? Alderwoman Lu?

Alderwoman Lu

Thank you Madam Chairman. Could I just have a little clarification of the decision on the cap?

Mayor Donchess

By the State you mean?

Alderwoman Lu

Yeah could you expound a bit.

Mayor Donchess

Well maybe we could get some help from the Legislators, they were very involved. But briefly the City never sought to invalidate the cap. A law suit was brought against the City and the Judge and ultimately the Supreme Court held that the City's cap did not comply with State Law because it didn't contain the kind of override provisions that are required by State Law and therefore invalidated it. Basically the State Law says, well in the case of Nashua, now they didn't mention us but they defined us by date so that it is very clear that applies to only one community because only one community meets the date criteria, when it was enacted and the like. But it basically says, well for Nashua it doesn't matter. All the other cities have to have the override but even though yours doesn't have it, we are making it legal.

I think the Legislators made the point that the citizens here could change that situation through various actions but instead the Legislature stepped in and did it and took away local control and just did it itself, again on a divided vote, party line vote pretty much, but that's what happened.

Alderwoman Lu

Thank you. Could anyone identify the Bill?

Mayor Donchess

Senate Bill 52.

Alderwoman Lu

Thank you.

Mayor Donchess

Steve Bolton, City Attorney may be able to, probably can explain it better than I.

Steve Bolton, Corporation Counsel

I cannot explain it as briefly Mr. Mayor. I can give an hour long dissertation on the subject but I don't think we have time this evening.

President Wilshire

Are you all set, Alderwoman Lu?

Alderwoman Lu

Yes, thank you.

President Wilshire

Thank you. Alright, I don't see anyone else. OK.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the regular and special Board of Aldermen meetings of May 25, 2021 and June 1, 2021 be accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Matthew Sullivan, Planning Manager

Re: Referral from the Board of Aldermen on proposed, R-21-139 – Authorizing the Bus Pull Off and Shelter Easement on Bridge Street and Temporary Construction Easement and Use Easement Agreement on Sanders Street

From: Lori Wilshire, President Board of Aldermen

Re: Calling a Special Board of Aldermen meeting on July 1, 2021 relative to a Public Hearing on a Petition for Street Layout – 44 Buckmeadow Road

From: Donna Graham, Legislative Affairs Manager
Re: Communication Received from the Public

From: Tim Cummings, Economic Development Director
Re: Discussion on Continuation the Narrowing of Main Street

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

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

President Wilshire

Laurie Ortolano, please go ahead, name and address for the record and you have 3 minutes please.

Laurie Ortolano OK let me just set my timer so I know. Laurie Ortolano 41 Berkeley Street. I am speaking in opposition to R-21-145. I know it is bonded money but I think we could do something else with it. Nashua is going to see about a 7% budget increase between 2021 and 2022 and in 2022 property owners are going to see their assessments reset to market value. I don't think property owners have any idea what they are facing. Vision is collecting recent sales data to develop and model and they are gathering measure and list data to create a more accurate result. The measure and list we know depends on people opening their doors for an interior inspection. This is unlikely because the law doesn't require owners to do so.

Updated homes with long-term owners and unpermitted work are not picked up. Sold homes that are updated are easy catches with MLS listings and photographs readily available, equalizing sold versus unsold homes is almost impossible without interior inspections. This creates real challenges when determining an equitable tax distribution. Additionally, Vision is planning on changing how the depreciation is set on properties. The past approach to setting depreciation created some serious assessment disproportion in older neighborhoods. Vision has not been forthright on how this correction is going to take place. Another challenge in creating accurate assessments is determining the tax distribution between commercial and residential properties. There have been times when residential owners cried foul when the tax burden shifted sharply, placing heavier duty on residential properties.

In 2018 KRT applied an income approach to value commercial properties and balanced the tax burden between commercial and residential. For 2022, Vision is collecting 2 years of commercial data and 1 year of residential data. The pandemic negatively impacted many businesses. How will this impact the model and tax burden distribution between business and residential properties? In 2018, the commercial property vacancy rate was only 4% what about 2021? City leadership has not been willing to openly discuss or disclose Vision's observations with Nashua's businesses. Given the number of businesses that closed or saw lost income, it would be no surprise to see residential property owners bear a heavier burden as commercial assessments dropped. It is well known that many residential property owners' assessments will be increasing and they saw their personal incomes decline during the pandemic.

Donna Graham, Legislative Manager

30 seconds.

Ms. Ortolano Their property will increase because it is based on (audio cuts out) sales and a short supply, high demand market, prices are soaring. Before the Mayor and Board of Aldermen vote on this park and budget increase, we should make certain we all understand what is going to happen when Vision presses the recalculate button. Let's have a candid discussion now about what the City expects it will be taking from the pockets of our citizens in 2022. Thank you.

President Wilshire

Thank you. Andy Prolman.

Andy Prolman Madam President, Members of the Board, Good Evening. My name is Andy Prolman, Attorney with Prunier & Prolman here in Nashua. I am here to speak in favor of R-21-139. I am here on behalf of Renaissance Nashua, a limited liability company. We are finishing out the Bridge Street project that we have been working on for many years. Phase I of the project is completely built out, Phase I is on Bancroft Street and Bridge Street right at the Hudson Bridge. It is 159 apartments that are fully leased out. Phase II of the project that we are working on now is located at the old John Mansvile manufacturing site at Bridge Street and Sanders Street. We have 3 buildings that have been approved by the Planning Board that will total 177 apartments and some small commercial space. We have two easements in R-21-139.

The first one is a construction and use easement and this is the exact same easement that this Board approved in 2016 for Bancroft Street with Phase I of the project. The contractor will be building out Sanders Street according to the plans from the sewer up to asphalt. And the second easement, City Staff asked us along the way if we could provide a bus easement to the City for a future bus stop and the answer is that we could. We have the room on the site, along Bridge Street to install a bus pull off which we will be doing and we will be providing an easement to the City to have a future bus shelter and possibly bike racks and allow the busses to pull into the pull off on the developer's property. We have the support of the Business & Industrial Development Authority, you have positive recommendations from the Planning Board and Infrastructure Committee. And I am happy to answer any questions to the Board. And I thank you for your time.

President Wilshire

Thank you. Is there anyone else that wishes to give public comment? I am not seeing anyone. OK.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Susan K. Lovering, City Clerk

Re: Organization for Refugee and Immigrant Success (ORIS) Request to Waive Vendor's License Fees

MOTION BY ALDERMAN DOWD TO WAIVE VENDOR'S LICENSE FEES FOR THE ORGANIZATION FOR REFUGEE AND IMMIGRANT SUCCESS (ORIS), BY ROLL CALL.

ON THE QUESTION

Alderman Dowd

And I would like to speak to it briefly.

President Wilshire

Alderman Dowd.

Alderman Dowd

Yes, this is an organization that provides outstanding services to people that are residents here in Nashua when they are here. The fee is \$100.00 and the only people that can waive vendor's fees are the Board of Aldermen, that's why it is before us this evening.

President Wilshire

The motion is to waive the vendor license fees for the organization ORIS, Organization for Refugee and Immigrant Success by roll call. Anyone else?

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

From: Mayor Jim Donchess

Re: Sewer Replacement Change Order #3 in the amount of \$1,300,000 funded from accounts
81700 Infrastructure Improvements (169 Wastewater)

MOTION BY ALDERMAN LAWS TO ACCEPT, PLACE ON FILE, AND APPROVE CHANGE ORDER NO. 3 TO THE 2020 SEWER REPLACEMENT PROJECT WITH SUR CONSTRUCTION WEST, INC., OF WINCHESTER, NH, FOR AN AMOUNT NOT TO EXCEED \$1,300,000. FUNDING WILL BE THROUGH DEPARTMENT: 169 WASTEWATER; FUND: BONDED; ACTIVITY; SEWER REPAIR, BY ROLL CALL.

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

From: Mayor Jim Donchess

Re: 2021 CIPP Lining Program in the amount of \$1,990,745.39 funded from accounts 81700
Infrastructure Improvements (169 Wastewater)

MOTION BY ALDERMAN KLEE TO ACCEPT, PLACE ON FILE, AND APPROVE THE AWARD OF THE CONSTRUCTION CONTRACT FOR THE 2021 CIPP LINING PROGRAM TO GREEN MOUNTAIN PIPELINE SERVICES, LLC, OF BETHEL, VT, IN THE AMOUNT OF \$1,990,745.39 PENDING BOND APPROVAL. FUNDING WILL BE THROUGH: DEPARTMENT: 169 WASTEWATER; FUND: BOND; ACTIVITY; SEWER REHAB, BY ROLL CALL.

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS - None

REPORTS OF COMMITTEE

Budget Review Committee 05/20/2021

There being no objection, President Wilshire declared the report of the May 20, 2021 Budget Review Committee accepted and placed on file.

Budget Review Committee 05/24/2021

There being no objection, President Wilshire declared the report of the May 24, 2021 Budget Review Committee accepted and placed on file.

Committee on Infrastructure..... 05/26/2021

There being no objection, President Wilshire declared the report of the May 26, 2021 Committee on Infrastructure accepted and placed on file.

Budget Review Committee 05/26/2021

There being no objection, President Wilshire declared the report of the May 26, 2021 Budget Review Committee accepted and placed on file.

Budget Review Committee 06/01/2021

There being no objection, President Wilshire declared the report of the June 1, 2021 Budget Review Committee accepted and placed on file.

Pennichuck Special Water Committee 06/02/2021

There being no objection, President Wilshire declared the report of the June 2, 2021 Pennichuck Special Water Committee accepted and placed on file.

Finance Committee..... 06/02/2021

There being no objection, President Wilshire declared the report of the June 2, 2021 Finance Committee accepted and placed on file.

CONFIRMATION OF MAYOR’S APPOINTMENTS - None

UNFINISHED BUSINESS – RESOLUTIONS

R-21-139

Endorsers: Alderman Jan Schmidt
Alderman Richard A. Dowd
Alderman Thomas Lopez
Alderman-at-Large Michael B. O’Brien, Sr.
Alderman Linda Harriott-Gathright

AUTHORIZING THE BUS PULL OFF AND SHELTER EASEMENT ON BRIDGE STREET AND TEMPORARY CONSTRUCTION EASEMENT AND USE EASEMENT AGREEMENT ON SANDERS STREET

Given its second reading;

MOTION BY ALDERMAN SCHMIDT FOR FINAL PASSAGE OF R-21-139, BY ROLL CALL

ON THE QUESTION

Alderman Schmidt

And I'd like to speak it.

President Wilshire

Alderman Schmidt?

Alderman Schmidt

Thank you very much. I only wanted to thank Mr. Prolman for being here and giving us such an excellent description of what this is. Thank you very much. That's it.

President Wilshire

Anyone else?

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	14
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Nay:	0
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MOTION CARRIED

Resolution R-21-139 declared duly adopted.

R-21-141

- Endorsers: Alderman Ernest A. Jette
- Alderman Richard A. Dowd
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Skip Cleaver
- Alderman Linda Harriott-Gathright
- Alderman Jan Schmidt
- Alderwoman-at-Large Shoshanna Kelly
- Alderman-at-Large Lori Wilshire

AUTHORIZING THE EXPENDITURE OF UP TO \$24,500 FROM THE CONSERVATION FUND FOR WORK ON THE SALMON BROOK TRAIL

Given its second reading;

MOTION BY ALDERMAN JETTE FOR FINAL PASSAGE OF R-21-141, BY ROLL CALL

ON THE QUESTION

Alderman Jette

And I'd like to be heard on it.

Alderman Jette

So I sponsored this Resolution at the request of the Conservation Commission to which I am the Aldermanic Liaison. This is a project to restore the Salmon Brook Trail, the section between Ingalls Street and Burke Street. It is part of the Joyce Park & Wildlife Sanctuary. It is \$24,500.00, it is not tax money, it is money that the Conservation Commission has in its Conservation Fund. This is money that's accumulated when developers develop property and need the Conservation Commission to review it, they have to pay a fee and that money accumulates over the years. So this money is within the jurisdiction of the Conservation Fund but they need our permission to spend it.

They have come up with this great project, they are teaming up with Student Conservation Association which has students during the summertime, students who are interested in conservation. They are going to provide crews that are going to do the labor involved in this project. They also supply tools and some materials and we are also paying for part of the materials from the Conservation Fund. So it is a great project, it is going to restore the trail in this very lovely conservation area along Salmon Brook. And the Budget Review Committee unanimously voted to recommend final passage and I ask for your support.

President Wilshire

The motion is for final passage of Resolution 21-141. Discussion on that motion? Seeing none, would the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	14
Nay:	0

MOTION CARRIED

Resolution R-21-141 declared duly adopted.

R-21-145

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

AUTHORIZING THE INTERFUND TRANSFER OF \$325,000 FROM THE BROAD STREET PARKWAY CAPITAL PROJECT ACTIVITY TO THE NASHUA MILLYARD DOG PARK CAPITAL PROJECT ACTIVITY FOR THE PURCHASE OF PROPERTY LOCATED AT "L" PINE STREET (MAP 77, LOT 5)

Given its second reading;

MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-21-145, BY ROLL CALLON THE QUESTIONAlderman O'Brien

And if I may speak briefly on my motion?

President Wilshire

Alderman O'Brien.

Alderman O'Brien

Thank you Madam President. I think the Mayor, in his opening remarks, spoke real brilliantly on what is going on here and any elongated comments from me would be wagging the dog. But the thing is looking at this, I've always believed in my tenure as an Alderman we have the business of running the City but also the future. This is part of the Green Lake that runs right from the downtown that goes into the Mine Falls area. I think it would be a shame if we let it go and it would be developed. I think the people of Nashua would probably be very happy with the \$325,000.00 spent on this. And plus giving our four-footed friends a little bit of a place inside the City that they can go out and behave like good little puppies that they are. So therefore I hope everybody goes with me and vote for this. I don't think we are barking up the wrong tree. Thank you Madam President.

President Wilshire

How do you top that? The motion is for final passage of Resolution 21-145, is there discussion on that motion? Alderman Lopez?

Alderman Lopez

Yeah Alderman O'Brien just took the role of the guy with the puns. But while the Animal Dog Park Advisory Committee has been working on this continuously for a year, I do feel the need to point out that it is because of their work that we have this opportunity. The opportunity isn't for just their work. I think it is important for us to take advantage of this for the reasons that Alderman O'Brien pointed out. I think the way that the Dog Park Advisory Committee has shed light on this particular land, far exceeds the specific goal of a dog park. As the Mayor pointed out, that's part of Mine Falls that a lot of people consider to be Mine Falls. It's their entry into that experience. The Bike Paddle Run relies completely on that. There's any number of races and recreational events that rely on that exit point. For it to be turned into a future parking lot or sold to a developer, there was a lot of shock when UPS took down a lot of trees near Mine Falls. People didn't realize that Mine Falls, beyond that border those trees were actually on other people's properties. And then recently it happened again.

We need to protect Mine Falls and that means to buffer it as much as possible and create that natural green space that is available. I think that's a more important consideration here because that piece of land is pretty good asset for the City to grab with the opportunity that we have with the friendly relations that we have with the Mill Yard Association. We should take advantage of that. It is also potentially real estate that someone might be eyeballing because of its proximity to the Broad Street parkway. So if we don't want to see Mine Falls whittled away, and we want to preserve it as the natural jewel that it is, we really need to take this into account. We really need to take advantage of this opportunity. Thank you.

President Wilshire

Anyone else? Alderman Jette?

Alderman Jette

Thank you Madam President. I received some feedback from constituents about this matter and I tried to explain it at the Budget Review Committee meeting. This Resolution is not to purchase this land, this Resolution – we already voted to purchase the land at our last meeting. This Resolution is to come up with the money that we already committed to pay for the purchase of this land. I voted against the last Resolution to purchase the land, not because I think it is a bad project. I just felt that we were putting the cart before the

horse, we had a public hearing, I thought we should wait for the public hearing and hear what the public had to say about this.

I was outvoted and the Resolution that we adopted at the last meeting I think was a good one. Even though I voted against it, because I think it is a very strategic purchase. Our Director of Community Development, Sarah Marchant, spoke about how important it was to acquire this land. Director of Economic Development, Mr. Cummings, also spoke highly in favor of it. Our Capital Improvements Committee has put on this, this purchase of this land, they have given it the highest rating, an A1 Rating. And the dog park part of it hasn't even been decided yet, even if it is used it is only going to be a portion of this. It's over 4 acres, the dog park, if it comes to be, will only be about an acre.

Also on this land there is an antenna. And it is an income producing, there's a lease for that antenna that currently I think the rent is somewhere, it's over \$25,000.00 a year. So we have already committed to purchase this. The question is where is the money going to come from? And the administration has identified surplus money from the Broad Street Parkway Project where there is \$325,000.00 is available, it's not new tax money, it doesn't affect the tax rate at all. Yes, I suppose during the discussion I think CFO Griffin said the \$325,000.00 could be applied to the tax rate for 1 year; what effect that is going to have on the tax rate I think is pretty small. And I think years from now, as others have pointed out, to think that the City has an opportunity to buy this land for \$325,000.00. If we don't do it people are going to say, what could you have been thinking?

The Resolution we adopted at our last meeting to buy the land was a good one. And where do we come up with the \$325,000.00 if it's not from this excess money that is not new tax money it is going to have to come from somewhere else, you know, the General Fund. And that will be tax money that will affect the tax rate. I can't help but point out that we just voted to borrow over \$3 million dollars for sewer replacement and lining of the sewer pipes, very much needed project. But we have agreed to borrow over \$3 million dollars without a peep, without anybody saying anything about it and here we are, people are upset because we are going to spend \$325,000.00 of money we already have on this very worthwhile project. So I hope that the people who have contacted me in opposition to this understand. I heard what you said about it but I think this is a smart thing for us to do so I am going to vote for it. Thank you.

President Wilshire

Alderman Harriott-Gathright.

Alderman Harriott-Gathright

Thank you Madam Chair. From what I understand in the meeting that I did attend the funding is coming from the Broad Street project. But one of the questions I had, I remember I asked the question as in terms of affordable housing, could we purchase this property, could we put housing on that and I was told that the land was not that type of land that we build property on. I don't know exactly the details about it but it wasn't the type of land that we could add say apartment building or something of that nature. So I know the Directors and Capital Improvement gave us great information and I appreciate. So I will be one to vote for this. Thank you, Madam President.

President Wilshire

You're welcome. Alderman Schmidt?

Alderman Schmidt

Thank you Madam President. Alderman Harriott-Gathright the land is actually in the flood plain which means it always has a capacity to flood so housing there would be a terrible mistake. Just a few points, Ward 1 has access to this wonderful park. We have parking there, we have a bridge over the river, children can play in the fields nearby, it is wonderful. Wards 3 and 4 could have access to the park legally, having parking area, have a place for their dogs to play, place for runners to come and go and if we don't do this, they won't have that. It

will not be accessible to them. It will belong to someone else, gates will go up and people will not be allowed to go through there. I think Wards 3 and 4 deserve the same kind of access to the park that Ward 1 enjoys. I really hope everybody can vote for this and I thank you for the opportunity to speak.

President Wilshire

You're welcome. Alderman Klee?

Alderman Klee

Thank you Madam Chair. I wasn't going to speak on this because I've spoken ad nauseum about it. But I want to repeat some of the things that have been said and I know Alderman Jette and I appreciated him bringing back the Mayor's remarks of if we don't purchase this now and then later on someone says, why not? We have heard that about Daniel Webster College, we have heard that about many other things. And the bottom line is we can't please everybody. This is \$325,000.00 and to me \$10.00 is a lot of money but anything that we can do that is going to enhance this, I can tell you personally as a person who uses the park regularly that is one of my loops. I have mentioned it before, I go out of the park from that exit through the mill yard and then back into the park. Without that exit, if someone were to gobble up that land and basically close off the park, that actually does have an effect. And I believe that Alderman O'Brien or one of the other Aldermen mentioned about the races etc. that go on. It would change the complexity, it would change the whole feel of this park.

I think it's necessary, I think we would literally have a closed off entrance there. I appreciate what Alderman Schmidt also said about this being an entrance to Ward 4 and Ward 3. That is one of the entrances that I do use and I often use the entrance from Ward 1 as well at Lincoln Park. I uses the one over by Stellos' Stadium and the Y. But this is the walking entrance for Ward 4. This is extraordinary important to maintain this and to not have someone put in – whether it be a gravel parking or whatever it would be – to close this end of Mine Falls and then later on we will have residents who will turn around and say, it was only \$325,000.00. I never like that word "only" but that is what we are going to hear. So I am going to be voting in favor of this. The dog park is an ancillary portion of it. We already had permission from the mill yard so this is not the driving force to purchase this land. The mill yard had already given permission for the dog park. This is just purchasing the land because it has become available, the dog park is ancillary and I really wish that it didn't have that name in it but it does and we just need to deal with. So thank you so much.

President Wilshire

Thank you. Alderman Clemons.

Alderman Clemons

Thank you Madam President. I am having difficulty here with my video. Here we go. I just wanted to briefly comment that the dog park has been around or the idea of having a dog park or the want to have more dog parks have been around since I've been on the Board in 2008. In addition to that, we as a City should keep improving and should keep improving the lives of our residents. And one of the ways to do that is to create new parks, new public spaces for people to enjoy. It is actually in my opinion a responsibility of our City Government. So I believe that this is a worthwhile venture. I think that the dog park is a good idea. I think that there is going to be a lot of people who will utilize it and enjoy it. I understand that the City is facing a lot of pressure from the State and that there are a lot of other spending priorities that need to happen.

But we are a City that we need to look at everything. We need to be able to walk and chew gum at the same time. I think we are able to do that. I think this is a creative financing option for this to make it happen and I fully support it. I think it is the right thing to do and I think people will really like the fact that we did this 5, 10, 15, 100 years from now.

President Wilshire

Anyone else? Seeing none, the motion before us is for final passage of Resolution 21-145. Would the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 13

Nay: Alderwoman Lu 1

MOTION CARRIED

Resolution R-21-145 declared duly adopted.

R-21-146

Endorser: Alderman-at-Large Lori Wilshire

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK EAST UTILITY, INC. TO ENTER INTO A TERM LOAN WITH COBANK, ACB

Given its second reading;

MOTION BY ALDERMAN LAWS FOR FINAL PASSAGE OF R-21-146, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

Resolution R-21-146 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES**O-21-062**

Endorsers: Alderman June M. Caron

Alderman Richard A. Dowd

Alderman Linda Harriott-Gathright

Alderman-at-Large Michael B. O'Brien, Sr.

ESTABLISHING A HANDICAPPED PARKING SPACE IN FRONT OF 3 CROWN STREET

Given its second reading;

MOTION BY ALDERMAN CARON FOR FINAL PASSAGE OF O-21-062, BY ROLL CALL

ON THE QUESTION

Alderman Caron

And may I speak?

President Wilshire

Alderman Caron.

Alderman Caron

Yes thank you. So the Corpus Christie Food Pantry is on Crown Street and they reached out to me because they do have a lot of handicapped people to see if we would be willing to put one handicap space for their clients who come in to the facility which is maybe about three times a week for three or four hours. And I hope that we get final passage on this very important parking space for them. Thank you.

President Wilshire

Thank you. The motion is for final passage of Ordinance 21-062 by roll call. Is there further discussion on that motion? Seeing none, would the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	14
Nay:	0

MOTION CARRIED

Ordinance O-21-062 declared duly adopted.

O-21-063

Endorser: Alderman Jan Schmidt

ESTABLISHING A NO PARKING ZONE ON THE SOUTH SIDE OF NEWTON DRIVE

Given its second reading;

MOTION BY ALDERMAN SCHMIDT FOR FINAL PASSAGE OF O-21-063, BY ROLL CALL

ON THE QUESTION

And may I speak on this?

President Wilshire

Alderman Schmidt?

Alderman Schmidt

Thank you. I just wanted to let everyone know that this is a request by DPW. There's a space that is absolutely is required for them to turn their trucks around and I appreciate your support on this.

President Wilshire

Anyone else? Any discussion on that motion? Seeing none, would the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	14
Nay:	0

MOTION CARRIED

Ordinance O-21-063 declared duly adopted.

NEW BUSINESS – RESOLUTIONS**R-21-149**

Endorser: Alderman Thomas Lopez
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Jan Schmidt
Alderman-at-Large Ben Clemons
Alderman-at-Large Brandon Michael Laws
Alderwoman Elizabeth Lu
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

APPROVING THE USE OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS BY NEIGHBORWORKS OF SOUTHERN NEW HAMPSHIRE FOR 40 ASH STREET

Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE, by President Wilshire

R-21-150

Endorser: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman June M. Caron
Alderwoman Elizabeth Lu
Alderman-at-Large Brandon Michael Laws
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

AMENDING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ANNUAL ACTION PLANS FOR FISCAL YEARS 2021 AND 2022 RELATIVE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG")

Given its first reading; assigned to the HUMAN AFFAIRS COMMITTEE, by President Wilshire

R-21-151

Endorsers: Alderman-at-Large Michael B. O'Brien, Sr.
Alderman-at-Large Ben Clemons
Alderman Patricia Klee
Alderman Richard A. Dowd
Alderman Jan Schmidt
Alderman-at-Large David C. Tencza
Alderman Tom Lopez
Alderman Linda Harriott-Gathright
Alderman-at-Large Brandon Michael Laws
Alderman Skip Cleaver
Alderman-at-Large Lori Wilshire

RELATIVE TO A BALLOT REFERENDUM CONCERNING SPORTS BETTING WITHIN THE CITY OF NASHUA

Given its first reading; assigned to the PERSONNEL/ADMINISTRATIVE AFFAIRS COMMITTEE and SCHEDULE A SPECIAL BOARD OF ALDERMEN meeting on Tuesday, July 6, 2021, in the aldermanic chamber at 7:00 p.m. by President Wilshire

NEW BUSINESS – ORDINANCES - None

PERIOD FOR GENERAL PUBLIC COMMENT

Laurie Ortolano 41 Berkeley Street. I want to use this time to speak briefly about the Police Commission again and keeping the Commission the way it is, appointed through the State. As most of you know, over the last couple of years I've put in quite a few Right-to-Know requests. They have been the center of a good bit of controversy. I want to let you know that I've put requests at State Agencies, top government bureaus and other municipalities. And what I find is for all of those requests I put in, I received what I thought was a professional response. If my request wasn't clear, the agency or municipality would call, they would explain what information is available, allow me to express what I am interested in and provide the information.

The Nashua Police Department has also operated that way and although I might not be in full agreement on how they have handled some situations involving me, when it has come to my Right-to-Know requests, they have practiced the utmost courtesy. They pick up the phone, they call and ask for clarification, they explain what they have for data. And when I have asked questions in writing, the Records Department comes back with pretty long, lengthy explanations of what I am looking for.

City Hall, on the other hand, is the most oppressive, vindictive, and personal government I have ever worked with. They don't respond to Right-to-Knows in the way that any State agency or other municipality does. They will not pick up the phone, they will not explain what records are available. They will not work with you to let you know what is available. You are playing a guessing game in Nashua at City Hall and that's by design, through a Mayor and a Legal Office. It is obnoxious, it's crushing to citizens, it closes the door to transparency, it is oppressive. I am glad that the Police Department is operating like top governmental agencies in the State. And I don't want to see the appointments of these Commissioners come from a Mayor and a Board President because I don't want them taking on the oppressive form of government that City Hall is practicing right now in their citizens. I want that Police Department to continue with its professional response to citizen request. And the other issues that may exist that I may differ on can be worked on and improvements can come and will come with time. Thank you.

President Wilshire

Anyone else? Beth? Name and address for the record please?

Beth Scaer 111 East Hobart Street. First of all I wanted to correct the Mayor. FB 52 was written by the sponsor according to the sponsor to protect every cap in the entire State, every city and town and it specifically protects the spending cap in Nashua and tax caps in Franklin, Laconia, Rochester, Manchester, Somersworth,

Derry and Dover. So the Mayor is incorrect at FB 52 is written just to cause trouble for Nashua. And also the spending cap didn't just drop out of the sky on to the Mayor's head. It was passed by the voters of Nashua. And that seemed like it came out of nowhere and doesn't reply to him and this Board of Aldermen but the City residents voted for it and it was never rescinded and this Bill just repairs what was broken by a previous Bill.

And also for Pride Month I wanted to let the Mayor know that Save Women's Sports is still a very serious concern of mine. He took down my flag and Alderman Schmidt helped him in that. I wanted to let him know that according to Mary Higgins in South Carolina they now have full transgender cycling women's teams that go to these races. When girls line up they are lining up with 5 men; 5 men in a biking race and those 5 men crush the women. This is what you, Alderman Schmidt and Mayor Donchess, are supporting. And then from Beth (inaudible) Save Women's Sports she says, these women call me a warrior for being in this spot today and I gladly take that title because my words are my sword, the truth is my shield and today this room feels like a battle to protect reality. So forgive my sharpness of my sword. I would rather be rude than a liar, despite death threats, I stand here today because there is great power in that truth. Simply put identities don't play sports, bodies play sports. Set a precedence that tells women and girls they matter. We are women here saying no, why is that not enough? Thank you.

President Wilshire

Alesha Houston?

Alesha Houston Thank you so much. I want to appreciate the entire Board of Aldermen for taking a moment. I am at 139 Westwood Drive in Nashua. I wanted to speak in opposition to the changes to the Commission that are being suggested for our Nashua Police Department. I want to remind all of the Board of Aldermen that are here this evening, that our Police Department is one of the most recognized and successful Police Departments with their training and all of the pieces that make them our Nashua Police Department and that is recognized nationally. I just feel like if everyone could just take a moment and think that if it's not broken, why would we try to fix it. I don't see that adding additional Commissioners to this is going to change anything. I see that the people that are the most qualified for these positions, and I am saying this as a female, the people that are the most qualified for these positions should be the ones that we receive these positions. I know that there is a lot of division in Nashua right now. And I would just welcome everyone to come together and look at what Nashua looks like right now and let's focus on the areas of opportunity and one of those areas of opportunity is not the Police Commission. Let's leave them the way that they are and let them continue to protect and serve our City. Thank you.

President Wilshire

Steven Scaer.

Steven Scaer Hi, I am Steven Scaer, 111 East Hobart Street. Since this is June I wanted to ask the City to consider honoring fathers for Father's Day. May was Mental Health Awareness Day and we know that fatherlessness is a leading cause of mental health disorders in children. We know that children who don't have their dads at home are twice as likely to commit suicide, 32 times as likely to run away from home, 9 times as likely to drop out of school, 20 times as likely to exhibit symptoms of mental health behavioral disorders, 10 times as likely to end up in a chemical abuse center, more likely to face abuse and neglect at home and 4 times as likely to live in poverty.

I appreciate everything the City and the State does for young people suffering from mental health problems, but no amount of money spent on extra hospital beds for the State or therapists or on-line therapies can ever compensate for the crisis of not having a dad at home. Four out of ten children right now are being born out of wedlock and black communities have been especially hard hit as Barack Obama noted in 2008 with now 7 out of 10 black children being born out of wedlock. What real social justice would mean is providing each child with his or her dad in the home and nothing else makes up for that. So with so many children suffering from not having fathers at home, I'd ask that this Board considering honoring the fathers that have stood through the trials and temptations of being a modern dad to raise their own children by recognizing Father's Day.

President Obama said that what makes you a man is not the ability to make a child but the ability to raise a child. Fatherhood is an unappreciated job, fathers are often derided and Nashua owes a debt of gratitude to those men who are stepping up and raising their own children. Thank you.

President Wilshire

OK I don't see anyone else from the public looking to speak.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman O'Brien

Thank you Madam President. I wasn't really going to mention it too much because quite frankly I am still trying to digest. But as many of the people at home know, the other political hat that I wear is I am a State Representative. And despite what some people may think, please allow me to tell you what I know. I was there and I was able to give the floor speech. This thing with the tax cap there was something about it that did not have an override provision in it. It was discovered in a court case and instead of fixing the City Charter what we had when those particular people lost their court case, they brought the issue, via the Senate to be heard and then it came into the House where it was vetted. But when it came to the floor, we did make a motion to table it and it came out 180 to 180 to table and the speaker basically came out and voted on the side because it was a tie which would have probably delayed the Bill and he voted in favor and the Bill passed.

What I have an issue with, this is a Bill that solely bull eyed Nashua, nobody else, no other communities they all have override position in their Charter, Nashua does not. This is somebody showing up to the construction site and repairing something you didn't pay for. I see it is nothing but partisan politics, I often wonder about these people that fly the yellow flag the flag that says "Don't Tread on Me" but yet to come up the whole State of New Hampshire to vote on what we want to do here with our Charter. To me the Municipal Charter is a very sacred government, we follow it. Underneath my desk here and next to my seat mate we do have it and try to run our government by it. But it is sad when there's a right way and that is going out and getting 1,500 signatures or an Aldermen of this Board to sponsor it to make a referendum change instead of running up to the Legislature and changing it in a very backdoor type of manner.

So like I say, I'll leave it at that, I am very disgusted. It has to go down in my 14 years in the State House of one of the most disgusting things, very rarely in the House of Representatives, it is sort of like herding cats. But when you have 400 Representatives but to have a tie like that, and to have the speaker break a tie is extremely rare and to do it on the side of politics or partisan means it was greatly disappointing. Again, I think I am very proud all 27 Nashua Representatives that the people of Nashua elected to speak their voice in the State House did not support this measure. And not one Nashua Representative, duly elected by the citizens of Nashua did not support this or never asked to even sponsor this. So again, totally disgusted; from time to time we see that up there. I am still again trying to digest it and hopefully at a later date probably we will feel better about it, but right now it was a very shameful moment for bipartisan politics and running the State when the great State of NH has to put on the boxing gloves and go after one particular City, the City of Nashua. Thank you Madam President.

President Wilshire

Alderman Klee?

Alderman Klee

Thank you Madam President. And I have to correct a couple of statements that Alderman O'Brien and State Rep O'Brien made. The actual vote was 186 to 185 and there was not a tie at the beginning the Speaker actually created the tie to make it 186 to 186 which is absolutely unheard of by creating the tie the table went down and it went on to pass. That was a division vote so for all of those that are listening that was a division vote that was a nonpartisan vote. That meant Republicans, Democrats voted to do the table, they continued on to pass and there is other things including reconsideration, each time they didn't call for a division, they called for a roll call.

They called for a roll call to bully certain individuals into voting the way they wanted to. And this is proof positive when the Speaker created the tie and it went down, the next vote that went on went to do exactly what they said, because they were determined that they were going to win. And for those people who do not think this was for Nashua, read the Bill, notice who it points out by stating "all up beyond this date". That was Nashua and only Nashua.

They put in a paragraph about super majority and for complete transparency, this is my Committee that heard this. Municipal County Government heard this particular vote. It was very specific. If you listen to the audio, you hear Nashua, Nashua, Nashua. At one point someone finally does turn around and say, well, you know, others were at risk. Others were not at risk because if you go in and you look at it they are absolutely not at risk because they do not have the same issues. What this did was, this said to Nashua you will put in a spending cap you will not have an override. Because we don't have an override, we have two excludable items. This means that if the City were to get a grant that would bring us over the spending cap we could not take that grant. This would not hurt the taxpayers but we could not spend that money. That's what this does. This is basically saying to Nashua, we don't care if you are going to raise the taxes, you can't spend that money. It's a three year running average. So for those people who say this was to affect other – Franklin, etc. etc. – no it's not. It was significantly put towards Nashua. And anybody who doesn't believe it read it. Read it. Listen to the speaking point that were made. I along with I am sure my other 26 other Reps were quite alarmed by this. I have never seen one community targeted and my Committee over and over and over again said the State was not meant to fix what the citizens felt was wrong with the City. It should not have been fixed in Concord, it should have been fixed her in Nashua. There are ways of fixing. So I am sorry for going on so long, but I did decide I needed to clarify that. Thank you.

Alderman Dowd

Just two quick things. One I would like to request if we can get the people that are responsible for the pension fund in the State down here to talk to us. It is my understanding that they earned less on the pension fund this year that you can earn in a savings account; that's ridiculous. And the way that they are running it is not conducive to any city or town in NH. And it's not just cities, it is also towns. So I'd like to have them down here and answer some questions. The other thing is I do want to express my condolences on the loss of former Mayor Don Davidson. I knew Don for a number of years, we didn't always agree, but we agreed to disagree. He was a pilot with Eastern Airlines, he owned a fixed base operator establishment at the Nashua Airport when I was Chairman of Airport Authority. He was an Aldermen, President of the Board of Aldermen, a Mayor and also on the Fire Commission. So like I said, we didn't always agree on things but I am sorry to hear of his passing.

Alderman Caron

Yes thank you. I too would like to extend my condolences to the Davidson's family and the loss of Don. Mayor Davidson, I worked with him, he could be contentious at times, but he is the one that brought in the Nashua Pride to Holman Stadium which started that ballpark to come alive again after so much time with nothing going on there. So he as we were talking the other day, Commissioner Tolner and I when there was this big controversy about taking the recreation basketball program within the City, this room was filled to capacity with parents, children and everyone coming out. And Mayor Davidson realized that this wasn't the way to go and kind of backed off and I have to say I was very proud that he realized that a mistake was made and rectified it. So I think that tells you what kind of a person he is and as Alderman Dowd says, you don't always have to agree but sometimes you can make the corrections that you need to and compromise. So I always chuckle about that one, hopefully we never have to see that again. Thank you.

Alderman Harriott-Gathright

It has been a while since I put my hand up but I just want to say ditto to Alderman O'Brien but even more so to Alderman Klee because that's exactly what I wanted to say that we did not have a tie we actually would have stopped that Bill had it not been for our Speaker. And that's important because typically that doesn't happen. I don't think in my 3 terms I've ever see that happen what he did, because that was a downright out partisan type of situation. It was non-partisan but he made it partisan. So that's all I need to say. Thank you.

President Wilshire

You're welcome. Alderman Cleaver.

Alderman Cleaver

Thank you Madam President. I would like to say a good word for our City employees now that COVID is being mitigated and opening back up, City Hall is open and so on and so forth. I would like to thank all the City Hall workers, all the City employees generally for all the great work they've done through COVID through all the heartaches and difficulties that created. They have done a fantastic job. Well before I got into government either State or local, I recognized that our City Hall was outstanding, our present Mayor was Mayor before and always presented a very good administration. They do a fantastic job and each one is to be congratulated. They are under appreciated as many government employees are, but I would like to thank them both for myself and for the Board for all the work they've done. Thank you.

President Wilshire

You're welcome. Alderman Jette?

Alderman Jette

Thank you Madam President. I wanted to commend you and Alderman Caron for scheduling the public hearing on the issue of the Referendum Question about the Police Commissioners. Lots of times we have Public Hearings and then we have a Committee Hearing immediately thereafter. And I've always felt that it didn't really give a chance for us to really digest what the public had to say during the Public Hearing before we were called upon to vote on it in Committee. This time, the Public Hearing was scheduled and many people appeared and expressed their opinion; I found it very informative on both sides of the issue. And now it is going to go, not that same night, but sometime in the coming weeks the Personnel & Administrative Affairs Committee Chaired by Alderman Caron is going to consider it and make a recommendation. And then, at some point after that, the Full Board would vote on it. I appreciate that because it gives us a chance to have a full discussion, a full debate. And I want to remind people that what is before us, this Resolution is not to change anything at this point. The Resolution is to put on the ballot the question about whether or not the voters think that the way that we select the Police Commissioners should be changed.

I don't know how I am going to vote on this but if it does pass, all it does is it puts it on the ballot and then a full debate will occur and then the voters will decide whether any change is warranted or not. And I think that a lot of people are under the mistaken impression that this Resolution is affecting that change right away. It would just put it on the ballot and allow the voters to decide. There are people who are against it and want it to stay the same and feel that there should be no question and it shouldn't even be on the ballot. But I just wanted to clarify and I wanted to thank you Madam President and Alderman Caron for arranging for this debate to occur over several meetings. And thank you.

Alderman Clemons

Thank you Madam President. I wanted to give my condolences to the Davidson family tonight. Don Davidson was Mayor in the 90's when I was a teenager in Nashua. He actually inspired me to get involved in City Politics, but not in the way you might think. I was actually very against Mayor Davidson and some of the things that he proposed in his first two years in office and some of the crazy things he did. But I learned a lesson from Mayor Davidson and that is that people can change and people can, if you listen to your constituents, you can govern better because Mayor Davidson in the second two years of his term was a fine Mayor, a very good Mayor, somebody that I agreed with. Somebody who worked with the people of Nashua and worked with the Legislature and other folks in the State to try to make Nashua a better place and, in fact, we were named the Number 1 City in the Country for a second time under Mayor Davidson.

When he was recalled I supported him in the recall and I supported him in his reelection campaign which he did not ultimately win in 1999. But I think his legacy here in the City you can see it everywhere, whether you are traveling down Kinsley Street or West Hollis Street, he changed those streets to one-ways, those are major thoroughfares in the City. Now when you go down to the Maplewood Area we often call that Captain's Corner which was named after his convenience store which was there. Mayor Davidson will always hold a place in Nashua, he served the public very well and his family should be proud. And I was proud to be a supporter of his, to come around to be a supporter of his. So thank you very much.

Alderwoman Lu

Thank you Madam President. I would like to address just some concerns about unsealing minutes. There have been a lot of requests by Nashua residents for sealed minutes to be unsealed when appropriate. I have heard a great deal of concern particularly regarding the Assessing Department minutes. And it doesn't seem that they are being unsealed with qualifying reasons cited for sealing them no longer apply. And residents are asking for them to be unsealed. I understand that we seal minutes because they involve discussion of settlement proposals and it is an excellent reason to seal minutes. But it would seem to be that once the settlement is made, unless there are qualifying reasons that remain that we would unseal these minutes as a matter of course.

I understand the rationale for not unsealing the minutes in the Assessing Department that the settlements that are under discussion become publicly available. But I don't agree that this is the same as unsealing the contemporaneous minutes of the meeting. I feel that true transparency would involve unsealing the records when the reason for sealing no longer exists to allow the public a view of how decisions are made by our officials. To the Chairmen of the Committees I am requesting that the use of a non-public session be viewed as a temporary means to keep sensitive information quiet while it can damage reputations or to keep negotiations effective. But in the interest of some people who are asking and for the rights of all of the City of Nashua residents, that those rights and interests be kept in mind when weighing how much priority is given to unsealing the minutes in a timely manner. Thank you.

President Wilshire

You're welcome. Alderman Lopez, you're up.

Alderman Lopez

I wanted to start by expressing my condolences to Melbourne Moran, State Representative on the passing of his father; recently his father passed away due to COVID-19. So I wanted to express my condolences to him and his family and those who knew his father. I wanted to extend my condolences to the family and friends of the recently deceased Mayor Davidson. And then I also wanted to comment on the spending cap issue too. Those State issues and those bipartisan back and forths are why I dislike the intrusion of partisan politics into local issues. As local Aldermen, we represent our Wards just our Wards and our fidelity needs to be to the people we are elected to serve. And I feel like bipartisan politics can definitely take the focus off of the issue and have people start playing larger games that removes the public from the decision making. And I think for the entire Nashua Delegation to vote against something that would impact Nashua but for a larger than them group to vote in favor of something that impacts Nashua on party lines is detestable. It definitely gives me pause when we consider things like the appointment of Police Commissioners, because while we certainly have good Commissioners at this point, I don't want to see the day come where the Police Department is weaponized against us for political purposes.

I was in a discussion today where someone accused Mayor Craig of dislocating a group of homeless people because she was running for office. That's not the case. There's accountability and there is change. But if it were a circumstance like that had happened in Nashua, I would want our constituents to be able to take action. So I personally am very closely, I am very conflicted over the actual decision over whether we should change the Police Commission or not but it is becoming more and more clear to me that it will be a political issue unless we make it a referendum. I have been outreached by a lot of people who are opposed to it who do not live in Ward 4, a number of whom do not even live in Nashua and they are expressing their opposition while asking me not to

politicize it. I feel like it has been politicized when somebody who does not live in the area and is not directly engaged in that situation or when their experience with the Police are much more visceral and profound than going to their administrative office and being impressed with their ability to provide Right-to-Know. That's not the experience of a lot of local Ward 4 resident's experience with the Police. That's not a lot of the work going on here. Police are seen sometimes as the first contact is when a Police Officer might arrest a family member and we have a lot of programs in place in the community to create a positive experience like the Nashua PAL Program, like the NERD Program – Nashua Economic Racial Disparity.

The Police work very hard to manage their impact in the community in a positive way in Ward 4. That's recognized, that is not political. That is a consequence of being in a community and doing community policing. So I think there's an assumption here, possibly a political one that if those goes to Nashua constituents they will be uninformed, they will be ignorant, they won't come up with the right decision and I think that's when people start to use politics. That's when people who are not in a specific area or directly impacted by something seen as part of a larger strategic goal. I caution against that kind of thinking. Like I said, there's still a lot more discussion to be had on even the Ordinance that we have right now which would put it in referendum. But I am starting to think that this is not a decision that Concord should be making because if Concord is going to make decisions about our spending cap in this particular manner, that's not doing it for the right reasons.

I will also point out that this is my 3rd term as Alderman, no one has ever approached me about repairing the spending cap. We are authorized as Aldermen to at least propose an Ordinance or the amendments to those Ordinances that would do that and no one has brought it up. No one has even asked for it to be put on the table for discussion. So there was never even a discussion here or the debate or any of that kind of thing which robs Nashua constituents and residents of that opportunity. Because they saw no public hearing, no public comment, no in-Nashua or Nashua managed conversations. They, at best, would have had to be following all of the State exercises that happen and they, at best, would have had their voices divided 400 times by the other State Representatives, which is unfortunate. I think election season is coming up for many of us; I hope we are able to keep things focused on local issues and not partisanship and not larger political parties.

On to a more positive note, we were talking about different past Mayors. The mural in Le Parc de Notre Renaissance Francaise is underway, it is being painted. One of the faces that the Richelieu Club nominated to be put on as a person of Franco-Nashuan descent who has contributed to the community is Mayor Lozeau. So I hope people will stop, take a look at that, if they are interested in supporting or sponsoring project it can be found by going to www.involvedtoimpact.org. And if you are interested in participating in the Tree Streets Block Party, that is going to be on June 26 on Ash Street as well. Some of the Aldermen might recognize the address as containing the house that we are looking at supporting Neighborworks revitalizing. So there are a lot of positive things that are going on. If anyone is interested in sponsoring any of the events at the Block Party or getting involved in the more local issues that affect people in the Tree Streets, then feel free to come by. You are all welcome. So that's June 26th and if you want more information you can find it at www.involvedtoimpact.org. Thank you.

President Wilshire

You're welcome. I too would like to send my condolences to the family of Don Davidson. Enough has been said this evening. He was a good Mayor, he was a good person so my condolences to his family.

Committee announcements:

Alderman Dowd

Yes, we have two more Budget Meetings this week; Wednesday and Thursday at 7:00. They are going to be conducted here in the Chamber but the public can access via Zoom. We are still under the Governor's order. On Wednesday it is going to be Community Development and on Thursday it is going to be Education; two very serious budget areas so I hope that everybody will participate.

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE JUNE 8, 2021, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Dowd,
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,
Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws,
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

MOTION CARRIED

The meeting was declared adjourned at 9:23 p.m.

Attest: Susan K. Lovering, City Clerk