

A regular meeting of the Board of Aldermen was held Tuesday, October 27, 2020, at 7:32 p.m. via teleconference.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderman Richard A. Dowd 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: 811 6856 5211 Passcode: 896485

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 anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049 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 Patricia Klee, , Alderman Richard A. Dowd, Alderman June M. Caron, Alderman Benjamin Clemons, 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 Shoshanna Kelly was recorded absent.

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

ROLL CALL

Alderman O'Brien

I am present, I can hear the proceedings and I am home alone.

Alderman Klee

I am here, I can hear the proceedings and I am alone.

Susan Lovering, City Clerk

Alderwoman Kelly?

President Wilshire

She won't be joining us this evening.

City Clerk Lovering

Thank you. Alderman Dowd?

Alderman Dowd

Yes, I can hear everyone, I am home alone and practicing social distancing.

Alderman Caron

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

Alderman Clemons

I am here, I can hear everyone and I am currently by myself although my wife may come home during the meeting.

Alderman Lopez

I am here, I can hear and see everybody, I am home alone mostly, I have a cat but he doesn't really participate.

Alderman Tencza

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

Alderwoman Lu

I am here, alone and I can hear you.

Alderman Jette

I am here, I can hear the proceedings, and I am staying safer at home with my wife.

Alderman Schmidt

I am present and I am alone in the room.

Alderman Laws

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

Alderman Cleaver

I am here, I am alone and I can hear the proceedings.

Alderman Harriott-Gathright

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

President Wilshire

I am here, I am alone and I can hear everyone, I am practicing social distancing. Also with us this evening is Mayor Donchess and Corporation Counsel Steve Bolton. Does the Mayor wish to address the Board this evening?

REMARKS BY THE MAYOR

Yes, Madam President, thank you very much. I had a few things I wanted to speak with you about. The first is the election coming up on November 3rd, a week from today. We want everyone in Nashua to vote, either by absentee or at the polling place, whichever they feel most comfortable with. The City Clerk, Sue Lovering, and all of the people working with her, her staff have done a tremendous job in processing a large amount of absentee ballots, people who would prefer the absentee approach to going to the polls for COVID-19 reasons and other reasons. Sue Lovering and her staff have mailed out over 10,000 absentee ballots already and will be processing more between now and Election Day.

In addition to accepting absentee ballots and registering voters at the City Clerk's Office, they have opened the facility for absentee ballot requests and basically early voting at Court Street and that has gone extremely well. Many people have gone there in order to get absentee ballots and then to cast them. They will be open through Saturday, this coming Saturday, and I just wanted to make it – I've seen how hard that they are working. I went down to the City Clerk's Office I think on Friday and everybody, one person said, we are not even looking up we are just focusing on these ballots trying to get them all processed. So I wanted to thank them all and congratulate them on the good job they have done so far.

Madam President, there's another item I did want to mention tonight which is one that I am concerned about which is the Firefighter's Proposed Contract. Of course, I respect and I appreciate everything that the Fire Fighters and the Fire Department has done for the City and does for the City, I see Tom Wholey who is the President of the Union as well as Steve Buxton, the Assistant Chief on the meeting tonight. I am sure they will to you or I expect they will speak to you as well. But I believe that we have a primary responsibility and maybe our first responsibility is to the hardworking taxpayers and residents of the City of Nashua.

Now I know that they want us to be fair to our employees which I think is what we all want. We are facing three main challenges, big financial challenges right now. Number One- COVID and the lasting effects of that, we are not even aware of in terms of – we are not fully aware of. We don't know how this is going to play out exactly but we know that there will be a significant financial impact. Number Two – we have been hit with a \$4.4. million dollar downshifting of pension costs by the State of New Hampshire. That has come in the last few months, that alone would drive taxes up. And Third – we have rising health care costs, \$3 million dollars a year, two years in a row. Now these challenges are largely, externally imposed on us, but we still need to try to work with them to create the budgets that our people deserve, which would deliver high quality services at a reasonable cost.

The financial challenge of the health care cost is a solvable challenge; it's a serious challenge but a solvable one. You have asked us, you the Board of Aldermen, to work on a solution and we have come up with one at a minimum can reduce the rate of increase and possibly stabilize the cost of healthcare to the City and really to employees for a period into the years that are coming. The solution that we have come up with is to require some changes in the plan design of the healthcare that is offered to City Employees, mostly having to do with deductibles. And we could talk about the details later on and you've heard them already. And if we do this, we can save a lot of money for the City and for taxpayers and for employees because their weekly rates will go down.

But, we need to implement that solution. We have done it with two employee groups so far, the unaffiliated workers and last night with the Communication workers at the Police Department. But in order to make this solution work, the Board of Aldermen has to require that these changes be in all contracts, all labor contracts, no exclusions, no exceptions because exceptions will grow and grow and grow. Now I was disappointed that starting about last December the Fire Commission stopped working with the City's Finance Team regarding this negotiation. I think if they had worked with us we could have come to an agreement with the Fire Fighters that everyone could live with. One thing that I am disappointed about in terms of what is being proposed is that the healthcare changes which we have asked for are not included in the contract. Contracts like this could result in unsustainable budgets, we've got to get these healthcare costs under control and unsustainable budgets mean either higher taxes or reduced services or both.

I wish that the Fire Commission had worked with us and I have expressed this point of view to them directly, we have tried to reach out to them, tried to get their cooperation but that didn't occur. In any event, I will be discussing this in more detail with the Budget Committee, I believe – and just before I conclude on this subject. It's not like the Fire Fighters that we think that they shouldn't get a raise. Before the Fire Commission stopped cooperating with us, we offered 11% raise, pretty reasonable I think pretty generous, people could say maybe it's not enough under the circumstances, but still certainly a lot more than nothing. A pretty good raise, more than many employees in the City have gotten. So we are trying to reach an agreement but this health care issue is very, very, very important. Thank you for listening on that Madam President.

Finally, I wanted to say that at the Finance Committee, I wanted to remind people that we approved contracts to begin the implementation of the Riverfront Master Plan. This is something I know that we are all very interested in and excited about. Of course, the River is a natural asset that is very valuable to the City and we are beginning to develop it to beautify it and make it so that people can use the river, and enjoy the river to a much greater degree than they have been able to do in the past. So this lighting project that was approved will provide lighting for the Riverwalk and the Cotton Transfer Bridge and I am just very happy that we are moving forward and beginning with the implementation. In any event, that's all I have Madam President, unless people have questions for me.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Clemons

Thank you, Madam President. Yeah, I just want to respond in regards to the Fire Fighter's Contract. I was very proud to support this contract, I supported the last one. I think the Fire Union has really made some concessions in this one and I think that enough is enough, I think it's time, it's been over a year that they haven't had a contract, it's almost a year and a half. I think enough is enough, we need to move this one forward. I encourage my colleagues to please co-sponsor this if you believe in it because these men and women have been working night and day for this City without a contract and they do it without hesitation. So I would recommend that we try to move this forward and you know, I understand the Mayor's concerns about the healthcare, but the bottom line is we need to walk and chew gum at the same time. You know, it becomes very hard to justify doing things like the Performing Arts Center and a lot of the other projects like the Riverfront and things like that when at the same token some of us refuse to pay our employees a decent wage and give them a contract that they deserve. And I think that it's high time that we move this forward. Thank you.

Alderman Lopez

Yeah I just wanted to recognize the efforts that were made both on the City side and the Fire Department. I think what was presented as we all received initial copies, I think it looks – a lot of work has been done on it and I think throughout all of that work the Fire Fighters continued to show up and do their job and respond to fires in extremely professional and timely manner. So I appreciate that work. I am looking forward to seeing a deeper dive right down into this to understand all the perspectives involved. And then additionally, with regard to other people that are working night and day, I just wanted to point to the Mayor he might be a little too harsh with the City Clerk's Office, working on all the voting registration because they may not have a lot of time to look up and for some people it takes longer to look up, so there is that.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meeting of October 13, 2020 accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

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

There being no objection, President Wilshire accepted the communication and placed it on file.

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

President Wilshire

Is there anyone who wishes to address the Board on anything we are going to take action on this evening?
Seeing none, Communication Requiring Final Approval.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Kim Kleiner, Administrative Services Director
Re: Coronavirus Disease COVID-19 Policy Amendment

MOTION BY ALDERWOMAN LU TO ACCEPT AND APPROVE THE CORONAVIRUS DISEASE COVID-19 POLICY AMENDMENT AS OUTLINED IN DIRECTOR KLEINER'S MEMO DATED OCTOBER 19, 2020, BY ROLL CALL

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

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

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| Nay: | 0 |
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MOTION CARRIED

Alderman O'Brien

Madam President may I take a moment of your time for an item to be discussed for the betterment of the group, if I may please?

President Wilshire

Alderman O'Brien?

Alderman O'Brien

In the point where you asked the question if anybody in the public had a comment, I thought Union President Thomas Wholey may have had his hand up. I just wondered if it possible for you, if he so wishes to speak, if you could go back to him, if you could give him that indulgence.

President Wilshire

If he wants to speak on a contract, we are not taking action on that this evening, he can speak at the second comment period.

Alderman O'Brien

Alright very good, thank you for that.

President Wilshire

Because we are not taking action on it tonight.

Alderman O'Brien

Very good, Madam President, like I said, I thought I just saw his hand was up. Thank you.

President Wilshire

Thank you. Madam Clerk? I think we lost our Clerk. I know she's busy. Donna are you on?

Donna Graham, Legislative Manager

I am.

President Wilshire

Can you read the next motion for us?

Ms. Graham

Absolutely.

From: David Fredette, Treasurer/Tax Collector

Re: Purchase replacement for one (1) 2019 Ford F350 Pickup – Vehicle Id #638 From FY 2021 Capital Equipment Reserve Fund (CERF)

City Clerk Lovering

And I'm back President Wilshire, thank you.

President Wilshire

Thank you, Madam Clerk. Alderman Clemons?

MOTION BY ALDERMAN CLEMONS TO APPROVE THE PURCHASE OF A 2020 FORD F350 XL 4WD CAB PICKUP TRUCK FOR THE PARK AND RECREATION DEPARTMENT. THIS VEHICLE WILL REPLACE THE 2019 FORD F-350 PICKUP TRUCK ID #638 WHICH WAS TOTALED IN A RECENT ACCIDENT, BY ROLL CALL

ON THE QUESTION

President Wilshire

Discussion on that motion? Alderman Jette?

Alderman Jette

Yeah, I'd just like to ask is this the same vehicle that was reported to us that was totaled or are there two or three vehicles that have been totaled? Are we having a rash of accidents?

President Wilshire

I can't answer that. Mayor Donchess, are you able to answer that question?

Mayor Donchess

Alright now the question has to do with the vehicle right?

President Wilshire

Correct.

Mayor Donchess

Well first it needs to be placed on file and if you wish approve the recommendation.

President Wilshire

Well the question was did we have multiple vehicle accidents, because I think we just approved one of these at our last meeting or two meetings ago?

Mayor Donchess

Well this is the same one that the Finance Committee voted on just last week. So the Finance Committee approved or recommended to you the approval of this because of this accident and that just occurred last week.

Alderman Jette

Madam President?

President Wilshire

Alderman Jette.

Alderman Jette

So Mayor, the question is, is this just one vehicle that was in an accident that we are replacing or have there been more than one? It seems like we have talked about 2 or 3 vehicles, maybe it's the same vehicle, I don't know. That's what I am asking; have we had one vehicle totaled or have there been three?

Mayor Donchess

This is one, I mean this is just one vehicle. There have certainly been other vehicles in the past yes. There have been other accidents in the past.

Alderman Jette

And by the past, the recent past? It seems like there was a Police Vehicle...

Mayor Donchess

I think there was a second accident in the recent past, yes.

Alderman Jette

OK, thank you.

President Wilshire

Anyone else? Alderman Lu?

Alderwoman Lu

I just wanted to follow up. So there was one for Parks & Rec and then there was a Police vehicle. And if that helps recall what this is from, perhaps someone knows what Department it was in. And the other question I have would be, was there insurance, have we collected any insurance on that accident? Does anyone know that?

President Wilshire

I do not; Mayor you are on mute.

Mayor Donchess

We have definitely collected insurance. I think the numbers are, the repurchase is \$38,000.00 and I think we got \$35,000.00 in insurance recovery. I believe those are the correct figures.

President Wilshire

OK back to the motion, any other discussion? 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 |
|---|----|

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| Nay: | 0 |
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MOTION CARRIED

Mayor Donchess

Madam President, in answer – I was looking back to the minutes and the like. There have been two vehicles, there was this one and then there was a Police Vehicle that was totaled a month or six weeks ago. So there have been two recent accidents.

President Wilshire

Thank you, Mayor.

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Appointments by the Mayor

Master Plan Committee

Bob James (new appointment)
20 Trafalgar Square, Suite 101
Nashua, NH 03063

There being no objection, President Wilshire accepted the Appointment by the Mayor as read and referred him to the Personnel/Administrative Affairs Committee.

REPORTS OF COMMITTEE

| | |
|------------------------------|------------|
| Human Affairs Committee..... | 10/14/2020 |
|------------------------------|------------|

There being no objection, President Wilshire declared the report of the October 14, 2020 Human Affairs Committee accepted and placed on file.

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|---|------------|
| Pennichuck Special Water Committee..... | 10/19/2020 |
|---|------------|

There being no objection, President Wilshire declared the report of the October 19, 2020 Pennichuck Special Water Committee accepted and placed on file.

Finance Committee..... 10/21/2020

There being no objection, President Wilshire declared the report of the October 21, 2020 Finance Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS - None

UNFINISHED BUSINESS – RESOLUTIONS

R-20-073, Amended

- Endorsers: Mayor Jim Donchess
- Alderman Richard A. Dowd
- Alderman Linda Harriott-Gathright
- Alderman-at-Large Brandon Michael Laws
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Skip Cleaver
- Alderman-at-Large Lori Wilshire

AUTHORIZING THE MAYOR TO ENTER INTO PILOT AGREEMENT PURSUANT TO RSA 72:74 WITH PENNICHUCK WATER WORKS, INC.

Given its second reading;

MOTION BY ALDERMAN LAWS TO AMEND R-20-073 BY REPLACING IT WITH THE GOLDENROD COPY OF AMENDMENTS MADE AT THE PENNICHUCK SPECIAL WATER COMMITTEE, BY ROLL CALL

ON THE QUESTION

Alderman Laws

And I could speak to that but I think it would probably be a more efficient use of time if we had Corporation Counsel do it since he was involved with this. Thank you, Madam President.

Steve Bolton Corporation Counsel

The amendment makes no substantive change, it just rewords the formula for determining what the pilot amount – pilot means payment in lieu of taxes – the pilot amount will be. It doesn't change the formula but it tries to make it a little more clear and essentially what we are doing is we are saying you won't be taxed on the solar facilities. You will pay the same amount of taxes as if the solar facilities were not there.

President Wilshire

Thank you, Attorney Bolton. The motion is to amend by replacing R-20-073 with the Golden Rod copy. Further discussion on the motion to amend? Alderman Klee?

Alderman Klee

Thank you Madam President. I just want to ask Corporate Counsel, I believe that it is the same thing. This pilot keeping the value or so on to be excluding the solar panels, that's done with residential property is it not? Because those people that put solar panels on their homes, we did not add that to the taxable assessed value, is that correct?

Attorney Bolton

It accomplishes a very similar thing. It's a different means of accomplishing that.

Alderman Klee

I just wanted to clarify that for the viewing public.

President Wilshire

Any more discussion on the motion to amend? 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**MOTION BY ALDERMAN LAWS FOR FINAL PASSAGE OF R-20-073 AS AMENDED, 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-20-073 declared duly adopted as amended.

R-20-074

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

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$821,500 FROM THE
U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION INTO
TRANSIT GRANT ACTIVITY "BUSES AND BUS FACILITIES GRANT PROGRAM"**

Given its second reading;

MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-20-074, 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-20-074 declared duly adopted.

R-20-075

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

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL \$7,060.53
FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION INTO DPW
GRANT ACTIVITY "SAFE ROUTES TO SCHOOL – CHARLOTTE AVENUE"**

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-20-075, 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-20-075 declared duly adopted.

R-20-078

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large David C. Tencza
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Thomas Lopez
Alderman Skip Cleaver
Alderman Linda Harriott-Gathright

AUTHORIZING PENNICHUCK CORPORATION TO RENEW AND EXTEND ITS LINE OF CREDIT WITH TD BANK, N.A.

Given its second reading;

MOTION BY ALDERMAN CLEAVER FOR FINAL PASSAGE OF R-20-078, BY ROLL CALL

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

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|---|----|
| 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-20-078 declared duly adopted.

R-20-079

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large David C. Tencza
Alderman Thomas Lopez
Alderman Linda Harriott-Gathright
Alderman-at Large Brandon Michael Laws
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Skip Cleaver

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK WATER WORKS, INC. TO ISSUE BONDS AND RENEW ITS FIXED ASSET LINE OF CREDIT WITH TD BANK, N.A.

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-20-079, BY ROLL CALL

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

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|---|----|
| 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-20-079 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES - NoneNEW BUSINESS – RESOLUTIONS**R-20-082**

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$825,000 FROM THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION TO ESTABLISH A "CARES ACT REVOLVING LOAN FUND"

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

R-20-083

Endorser: Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien, Sr.
Alderwoman Elizabeth Lu
Alderman-at-Large Benjamin Clemons
Alderman Tom Lopez
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire

AUTHORIZING THE ACQUISITION OF PROPERTY AT 36 BUCKMEADOW ROAD, TAX MAP C, LOT 762, FOR A PURCHASE PRICE OF \$370,000

Given its first reading; assigned to the PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE and NASHUA PLANNING BOARD by President Wilshire

R-20-084

Endorser: Mayor Jim Donchess
Alderman June M. Caron
Alderman Jan Schmidt
Alderman Tom Lopez
Alderwoman Elizabeth Lu
Alderman Richard A. Dowd
Alderman Linda Harriott-Gathright
Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$30,000 FROM THE KRESGE FOUNDATION INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITY "ADVANCING PUBLIC HEALTH IN COMMUNITIES"

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

R-20-085

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$58,000 FROM THE STATE OF NEW HAMPSHIRE, DEPARTMENT OF JUSTICE, INTO POLICE GRANT ACTIVITY "2021 VIOLENCE AGAINST WOMEN ACT (VAWA) GRANT PROGRAM" AND TO AUTHORIZE THE TRANSFER OF MATCHING FUNDS

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

R-20-086

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

RELATIVE TO THE ACCEPTANCE OF DONATED SERVICES IN THE AMOUNT OF APPROXIMATELY \$140,369 FOR THE PURPOSE OF PROVIDING CELLULAR PHONE SERVICES FOR LAW ENFORCEMENT PURPOSES

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

R-20-087

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

RELATIVE TO THE ASSIGNMENT OF THE COMMUNITY DEVELOPMENT FINANCE AUTHORITY GRANT ACCEPTED BY R-20-002

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

R-20-088

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

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE MAYOR AND THE BOARD OF FIRE COMMISSIONERS OF THE CITY OF NASHUA, NEW HAMPSHIRE AND LOCAL #789, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS FROM JULY 1, 2019 THROUGH JUNE 30, 2023 AND AUTHORIZING A RELATED TRANSFER

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

NEW BUSINESS – ORDINANCES

O-20-033

Endorser: Mayor Jim Donchess
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman Tom Lopez

REPLACING CORPORATION COUNSEL WITH THE ADMINISTRATIVE SERVICES DIVISION DIRECTOR ON THE CABLE TELEVISION ADVISORY BOARD (CTAB)

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

O-20-034

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

EXTENDING TEMPORARY ADJUSTMENTS TO SITE PLANS TO ALLOW FOR GREATER OUTDOOR SEATING AT RESTAURANTS

Given its first reading; assigned to the PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE, NASHUA PLANNING BOARD, and SCHEDULE A SPECIAL BOARD OF ALDERMEN PUBLIC HEARING ON NOVEMBER 17, 2020 AT 7:00 PM by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT

President Wilshire

Anyone from the public wish to address the Board?

Beth Scaer I do this is Beth Scaer.

President Wilshire

OK I had somebody raise their hand, hold on a minute Beth. Tom Hooley?

Thomas Wholey, President Nashua Fire Fighters Local 789

Good evening, this is Thomas Wholey, President of Nashua Fire Fighter's Local 789. I just want to thank the Board for this evening and taking the first read at our contract that was negotiated in good faith on both sides, not only with the Fire Fighters and we are working with the Administration and also with the City. I appreciate all the sponsors tonight, it is a pleasure speaking to all those that I've been able to reach out to. I hope you found your packets that were mailed to you from our Union and have been able to write this contract down and have pertinent information in front of you.

I just want to say that within the budget I am very hopeful that it will come out of there and come to the final reading and get your full support of this Board. I appreciate the Mayor's concerns with the citizens of this community. We share the same concerns. We are on the front lines for the City of Nashua, protecting this community proudly. We have made concessions in this contract from the first TA that was before you. We took 4% off of (inaudible) bringing us down four years, 10%. We have recognized health care, I just want to point out that in 2019 when this contract was first started to negotiate, healthcare was not an issue. We are understanding that coming of times, we are the first union to adopt health savings account language in our contract and that was to address concerns to the taxpayer and health care costs.

Like I said, I appreciate your time this evening. I look forward to this contract moving through the process, the next Budget Meeting speaking again on it. And if any of you have any questions or concerns, please contact myself. I just want to note that the 160 plus Union Members, the Fire Fighters that serve this community proudly, that have risen to the occasion during this pandemic, the previous epidemic, I am their voice tonight and I'll be their voice all the way through this. This is not just about paying employees, this is about families and supporting your fire fighters. So thank you and have a good evening.

President Wilshire

Thank you. Beth Scaer?

Beth Scaer Hi, did you call me, I'm sorry?

President Wilshire

I did, name and address for the record, please.

Beth Scaer Beth Scaer, 111 East Hobart Street. I'm calling in because Alderman Jan Schmidt posted on her Facebook Page a pole in front of City Hall is reserved for the citizens of Nashua to fly a flag in support of their cultural heritage, observe an anniversary or honor a special accomplishment. Beth's hate flag does not fit into any of these requirements. I'm flattered that Alderman Schmidt wrote about me and my Save Women's Sports Flag. But I wanted to let her know that my Save Women's Sports Flag is not about hate, it's about love and concern for our female athletes and their right to have their own sport separate from men. And the flag was flown to support a fund raiser for Save Women's Sports and it was supposed to fly all week to call attention to the fundraiser and celebrate it. And celebrate Selena Soule who lost her competition to two men in the Connecticut Championship. So thank you Jan Schmidt for calling attention to my flag and I appreciate the attention. Thanks, Bye.

President Wilshire

Anyone else wishing to give public comment this evening? OK I don't see anyone with a hand raised, so I am going to move on.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMENAlderman Dowd

Three quick things; one, I had done a presentation on the acquisition of land for the new middle school and the people that are on the Joint Special got it. I will be sending that to all the other members so they will have the information on all the details on the purchase and sale. I think you will find that very interesting and we will be discussing that in the Committees that it was assigned to.

One thing I want to say about the contracts that have been coming through lately. A big chunk of the expense that is flow down from the State on the Pension Plans which we have no control over. And unfortunately, we get stuck with the bill. We've had too many things coming down from the State, which based on the Governor's wording, I consider that attacks and it is adding to people's property taxes. So hopefully we can get that fixed.

The other thing is Charlotte Avenue is undergoing the Safe Routes to Schools, we passed that additional funding since the bids were a little higher so that's all taken care of. That is presumably, if the weather cooperates, will all be done before the voting next week. The paving is scheduled for Thursday, we will keep our fingers crossed and that's on the sidewalks and the bump out. They have extended the corner so it's a right turn now rather than just a bend between Charlotte Street and Charlotte Avenue to slow the traffic down. The speed indicators, the solar speed indicators may go in this year or may go in the spring, again depends on the weather, they are the last things to go on to the project. It is a Federal Project so we have a little say but a lot of the control is Federal. But it is going to make it 100% safer for the kids in that neighborhood going to school. Thank you.

Alderman Jette

Thank you, Madam President. I hope I can be afforded this personal privilege. I would like to make note of the fact, I wanted to say this at the last meeting but it went too long and I didn't think it was appropriate. But I wanted to make note of the fact that 50 years ago, on September 18 I was admitted to practice law in the State of New Hampshire, that was 1970. Back then we had, you know, it was the height of the Vietnam War, the United States invaded Cambodia. There was a big protest about it. Kent State had a big protest and there was the unfortunate killings of some students by the National Guard. That resulted in a much larger protest nationwide, a lot of the schools were closed including the Law School that I was attending, Boston College.

So my graduation from Law School was cancelled because of that protest and it's kind of ironic that 50 years later when I am celebrating my 50th Anniversary, the dinner that was planned by the New Hampshire Bar Association to honor all of our – me and the other lawyers who were celebrating our 50 years was cancelled because of COVID. So it's ironic or appropriate depending on your point of view, but I wanted to have the opportunity to make note of that. Thank you very much.

President Wilshire

You're welcome. Alderman Clemons.

Alderman Clemons

Thank you. Well congratulations Alderman Jette on 50 years of public service. I am sure that you've helped a lot of people along the way and you continue to do so through that and your service as an Alderman. So thank you.

I just wanted to wish everybody a safe and happy Halloween for this Saturday. Please make sure that you are doing everything and following the guidelines. This hopefully will be an opportunity where wearing a mask won't be a problem because it's Halloween. In any case the other thing I wanted to just bring up was make sure that if you have not already, please go and vote. You can register right at the polls on election day and just bring a photo ID and we are getting great turnout in the City so you know we've – the City Clerk is doing an awesome job and we hope that everything will go smoothly on Election Day but really if you haven't got a chance to go and vote or send an absentee in please do that on November 3rd.

One thing, Ward 6, your voting has changed, it's not at the Middle School but it's at the Elementary School. So again, happy Halloween everyone and don't forget to vote.

Alderman Lopez

First, I want to say congratulations to Alderman Jette both for 50 years as a lawyer and I would probably put you as just over 50 so you're doing something right with the old skin care or whatever. So congratulations to that. I also wanted to comment, I've had a lot of constituent outreach recently regarding the Court Street Theater. And I just wanted to ensure the public that we are continuing on that project. There are a number of City improvements that are being made to it; they have just been slowed down with the COVID-19. I know Alderman Clemons and I are working on encouraging strategic planning with that particular site and the Mayor is supportive. So we are still working on that.

I also wanted to encourage people to vote. I wanted to encourage them to be kind and considerate of their fellow voters and the poll workers because this is a very, very unusual time to be working in the polls. A lot of our poll workers have stepped forward out of concern for some of our more legacy poll workers who are trying to practice safety due to COVID-19. So there are going to be some people who are eager and energetic but they've never really seen this in practice. We have a lot of really good leaders that are organizing for these unique set of circumstances. I know that the City Clerk's Department have been burning the midnight oil and then some to try to be as prepared for this as possible. And I just want to remind everyone that as usual the NTS is providing free transportation for people to the polls who need to be able to get to it. Thank you.

Alderman Klee

Thank you, Madam President. I feel at this point I'm kind of doing a lot of me too but I'd like to start by thanking Alderman Dowd and those that were involved in the acquisition of the land by the school. I know there's been a lot of work, I know there is still a lot more to do but I appreciate all the hard work and the diligence that's been on that. I also would like to thank Alderman Dowd for all of the information he has been giving to us as the JSSBC on Fairgrounds and all the changes. I know he's been working towards Pennichuck and the entrance and exits and so on. It's been a lot of work and I know it's almost daily for him (audio cuts out). I really appreciate all of that work that he has been doing on that.

As far as Charlotte Ave. is concerned, I drive through there a lot and I've noticed the change and I think it's going to be a nice, safe one it's completed and so on. I'd also kind of like to speak to the elections and to our incredible City Clerk. The Bridge Street change and I have been getting so many compliments for all the workers that have been there to the fact that we've done, they've made it easy. I know registration has stopped until the day of the election but it makes me so proud every time I get a phone call to say what a great job we are doing and I haven't done anything. So I take the compliments for her and I appreciate all the wonderful work she's doing so that I get these compliments.

The other thing is I do want to mention as others have said, especially Alderman Dowd made a comment about the changes in the State's retirement and so on. Elections matter and there are people that are actually responsible for us having to pay a chunk of that retirement now. So it is important, it's important to get out there and vote and while I do care who you vote for, get out and vote, that's the most important thing. And I am glad to see the Fire Fighters have worked on a contract. I look forward to hearing more about it at the Budget Hearings and I appreciate that coming through.

And yes, Happy Halloween to all of them, I'm one of those people that have been vacillating, do I give out candy, don't I give out candy. I think we've worked something out where we are going to put tables and individual candies and hopefully the kids will come up and then we will run up and refill our little holes in the tables in the driveway. So please just be safe, don't all run up at the same time. I know the parents in my neighborhood, they stay with their kids but this time it's more important than ever before to keep your children safe. So thank you so much for giving me this time.

President Wilshire

You bet. Alderwoman Lu.

Alderwoman Lu

Thank you, Madam President. I just wanted to share that the Board of Health has expressed great concern with the increase in COVID and with the change in the weather. They have, at their last meeting, they decided to get information out regarding parents choosing an alternative to going house to house trick or treating. So I just wanted to pass that on that they are encouraging people to come up with alternatives where there's a smaller number of people interacting and they are just very concerned that people are not considering the danger of this particular Holiday. So I wanted to share that. They have posted on their web site creative ideas for other things to do with your children to celebrate the Holiday. Thank you.

President Wilshire

Anyone else? Seeing none, I wanted to also speak to the City Clerk and the work they've been doing to prepare for the election. I know the amount of absentee ballots they've had to process is immense, just so many that I don't know how they are keeping up. I also want to ask the people that do go out and vote and I hope it's everyone of you, everyone listening and everyone in the City to be kind and be patient. I think there's going to be quite a turn out and trying to keep people socially distanced and with masks on it is going to be a little bit of a challenge for the poll workers, so I would ask that you please be patient and be kind to your fellow voters.

Also, I have heard a lot of feedback on the Court Street, dropping off the ballots there and that people really, really appreciated that so thank you for that, Madam Clerk. I also want to send my condolences to the family of Joe Walsh. Joe Walsh ran a mental health business here in the City and Joe passed away over the weekend. So I just want to send my condolences to his family.

Committee announcements:

President Wilshire

Alderman O'Brien? One moment Alderman Caron.

Alderman O'Brien

I'll yield first to Alderman Caron, we talk about the same thing and then I'll speak afterwards, thank you Madam President.

President Wilshire

You're a troublemaker Mike. Alderman Caron?

Alderman Caron

Thank you, when you said his name I figured that was what he was going to say. So first of all Personnel will be meeting tomorrow at 6:30 to go over the Mayor's new appointments for the Committees and then we will be meeting jointly with Alderman O'Brien's Committee, Infrastructure to talk about the parking fines for overnight parking. That's tomorrow.

President Wilshire

Thank you. Alderman O'Brien.

Alderman O'Brien

Yes, thank you, Madam President. We are very excited to be hosting a joint meeting with the Personnel Administrative Affairs Committee tomorrow night, 7:00 p.m. It is going to be on the parking and for an extra bonus if you really need it, we are going to have a brief presentation from Sarah Marchant going over the Heritage Rail Trail and time is getting pretty close because next month we've got Thanksgiving. So I hope some indulgence allowed it to be presented that way maybe we can free ourselves up for some turkey. And then I would also like to say let's be careful during the witching hour I know with COVID but also driving home, that's when the kids are out. So please, be careful. Thank you, Madam President.

President Wilshire

Any other Committee Announcements? Seeing none, Alderman O'Brien?

ADJOURNMENT**MOTION BY ALDERMAN O'BRIEN THAT THE OCTOBER 27, 2020, 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, Alderwoman Harriott-Gathright, Alderman Wilshire | 13 |
| Nay: | 0 |

MOTION CARRIED

The meeting was declared adjourned at 8:36 p.m.

Attest: Susan K. Lovering, City Clerk