

A regular meeting of the Board of Aldermen was held Tuesday, November 12, 2019, at 7:30 p.m. in the Aldermanic Chamber.

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

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

The roll call was taken with 15 members of the Board of Aldermen present.

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

REMARKS BY THE MAYOR

Mayor Donchess

First we held a City Election last Tuesday, a week ago tonight and I want to congratulate everyone who was successful in the election. Of course we want to thank all of the voters who participated; the turn out over the last couple of years has been higher than previously. We had over 10,000 voters in years in which we didn't have a contested Mayor's race, so that's very good. And again, congratulations to you all and thank you to the voters for coming out.

Also, certainly a special thank you to our Election Day workers who work a long day for a modest amount of money who make sure that the election runs smoothly in each of the wards. And finally to City Clerk Lovering, this was her first election and it seemed like she was born to the job; she was out there registering voters and making sure the polls were working correctly throughout the entire day and leading up to election day. So I thought it all went very well.

Certainly on a sad note, Marion Savage, who is a long-time Nashua resident, a native of resident, passed away in the last week or so. She, over the years, contributed more to the City than I think nearly any other resident. She and her husband Al were very active and were for decades active in the Elks Club, in Youth Sports, they promoted all kinds of youth activities and did just so much good for our community. Marion passed away and her wake was this week so I want to extend my condolences to Al and her family. There are a number of children and all of their relatives, the entire family, because Marion was a very large loss for the community and I am sure for the family.

Madam President, I wanted to mention a couple of the articles that are on the agenda tonight. First R-19-190 proposed that we transfer money from contingency to fund the hiring of a Chief Assessor, something that we have discussed in the past, for quite some time. This is a step that has been recommended by the Administrative Services Director, Ms. Kleiner, something we have talked to the DRA about and a step that now seems appropriate. We've, I think, made enough progress in the Assessing Department in terms of making sure that things are systematized in the proper way in terms of new software, in terms of better management practices so that now is the best time to bring into the Department a Chief Assessor to whom we can give a well-functioning department.

In addition, we want to make sure, I think the delay has enabled us to ensure that we can at least find the best person we possibly can now that the Department has made a lot of improvements. Of course, I am sure that will get referred to Committee and we will discuss it in more detail there but I just wanted to let you know that that is moving forward.

Finally, R-19-188, is the Resolution that would transfer \$200,000.00 from contingency to the School Department. You will recall that in the Budget that we passed last June, we allocated \$200,000.00 into the Contingency Account for the hiring of extra ELL Teachers. Those teachers have been hired by the School Department but they need the money to make sure that they can meet their obligations through the entire year. So we are proposing that the money be transferred to them. That also will, of course, go to Committee, but I just wanted to alert you to the fact that is on the agenda and alert you to the purpose of that Resolution.

And Madam President, that's all I have.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Lopez

I just wanted to add to what the Mayor said regarding elections, I wanted to thank all that were willing to run. I know my particular opponent and I have a tradition of running against each other. He has assured me that he will run to keep me honest and make sure that voters have a choice. So it is a little tongue in cheek but at the same time, you don't stand out in the rain for 12 hours, unless you are really ready to serve. So I just want to recognize all the people that were willing to step forward, regardless of whether their campaign strategies panned out our not, because it still takes a lot just to put your name on the ballot.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

Board of Aldermen..... 10/22/2019

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meeting of October 22, 2019, accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Celia K. Leonard, Deputy Corporation Counsel
Re: Street Acceptances

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

From: Roger L. Houston, AICP, Planning Director
Re: Referral from the Board of Aldermen on proposed R-19-178, authorizing the sale of City land located at 141-143 Burke Street (Map 11, Lot 158) to Loyal Holdings, LLC for \$3,900,000

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

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

Stacie Laughton Stacie Laughton, 80 Elm Street, Unit 1 here in Nashua, Ward 4. The item I am speaking on tonight is – the area where it says the return for the municipal election. I just wanted to also echo some of the other things that have been said, you know, congratulate those who have been re-elected. Myself, I stood out there with my Alderman all day and ran a write-in campaign, write-in campaigns are tough but it still panned out and I was able to win my election and so long as the Board tonight certifies those results, it will be an honor to serve the City yet again as a Selectman. And right now we don't know what the future holds for what I might do but right now it is an honor to be able to stand before you eligible to serve and having won a seat as a Selectman again, thank you. And also note I did sign up for the second public comment period, you can strike my name from that list. Thank you.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Susan K. Lovering, City Clerk

Re: Record of Returns of the Municipal General Election held November 5, 2019

MOTION BY ALDERWOMAN MELIZZI-GOLJA TO ACCEPT AND PLACE ON FILE THE RECORD OF THE RETURNS FROM THE MUNICIPAL ELECTION OF NOVEMBER 5, 2019; THAT THE ELECTION RESULTS FOR THE CANDIDATES NAMED THEREIN BE DECLARED FINAL AND CONCLUSIVE; AND THAT THE CANDIDATES HAVING RECEIVED THE LARGEST NUMBER OF VOTES CAST FOR THE NUMBER OF POSITIONS AVAILABLE FOR THE RESPECTIVE OFFICES, BE DECLARED DULY ELECTED BY ROLL CALL VOTE FOR THE ENSUING TERM

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

Yea: Alderman O'Brien, Alderman Gidge, Alderman Harriott-Gathright, Alderman Dowd
Alderman Klee, Alderman Laws, Alderman Lopez, Alderman Caron, Alderwoman Kelly,
Alderman Jette, Alderwoman Melizzi-Golja, Alderman Tencza, Alderman Schmidt,
Alderman Clemons, Alderman Wilshire 15

Nay: 0

MOTION CARRIED

From: Mayor Jim Donchess

Re: Contract Award with Conway Technology Group for Copier Purchase and Maintenance Agreements and with US Bank for the lease of this equipment

MOTION BY ALDERWOMAN KELLY TO ACCEPT, PLACE ON FILE, AND AWARD THE PURCHASE CONTRACT TO CONWAY TECHNOLOGY GROUP FOR COPIER PURCHASE AND MAINTENANCE AGREEMENT S WITH US BANK FOR THE LEASE OF THIS EQUIPMENT

ON THE QUESTION

Alderwoman Kelly

Allow me to be nerdy for a moment here. The Energy & Environment Committee had a presentation regarding how we could reduce waste and paper. A couple of the things were features we didn't have on our current copier. So I don't know if you know if that was built into these new copiers? Things like you can badge in to get your paper so it doesn't print before you get to the printer, so it cuts down on waste; you don't print it again because someone threw it in the trash can or that kind of thing.

Mayor Donchess

I will check that out.

Alderwoman Kelly

OK I appreciate that thank you.

MOTION CARRIED

There being no objection, President Wilshire suspended the rules to allow for reading of a communication received after the agenda was prepared.

From: Kim Kleiner, Administrative Services Director

Re: R-19-190 Relative to the transfer of \$95,700.00 from Contingency to Assessing for the funding of a Chief Assessor position for the remainder of Fiscal Year 2020.

There being no object, President Wilshire accepted the Communication and it was placed on file.

PETITIONS

Petitions for Street Acceptance: Bancroft Street, Legacy Drive, Serenity Lane, and Pilgrim Circle

- Committee on Infrastructure Recommends: Final Passage with amendment pending receipt of documentation from Corporation Counsel

**MOTION BY ALDERMAN HARRIOTT-GATHRIGHT TO GRANT THE PETITIONS FOR STREET ACCEPTANCE FOR BANCROFT STREET, LEGACY DRIVE, SERENITY LANE AND PILGRIM CIRCLE
MOTION CARRIED**

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Appointments by the Mayor

Auditorium Commission

Paul LaFlamme (Reappointment)
28 Lutheran Drive
Nashua, NH 03063

Term to Expire: December 31, 2021

Conservation Commission

Joshua T. Hauser, Alternate (New Appointment)
9 Cobble Hill Road
Nashua, NH 03062

Term to Expire: December 31, 2020

Hunt Memorial Building Board of Trustees

Stacy Baxter, (Reappointment)
38 Berkeley Street
Nashua, NH 03064

Term to Expire: December 31, 2024

Tammy Crisp (Reappointment)
7 Bartlett Avenue
Nashua, NH 03064

Term to Expire: December 31, 2020

Charles Matthews (Reappointment)
17 Shelburne Road
Nashua, NH 03063

Term to Expire: December 31, 2023

Rosalie McQuaid (Reappointment)
17 Reservoir Street
Nashua, NH 03064

Term to Expire: December 31, 2021

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

REPORTS OF COMMITTEE

Special Finance Committee..... 10/21/2019

There being no objection, President Wilshire declared the report of the October 21, 2019, Special Finance Committee accepted and placed on file.

Committee on Infrastructure..... 10/23/2019

There being no objection, President Wilshire declared the report of the October 23, 2019, Committee on Infrastructure accepted and placed on file.

Budget Review Committee..... 10/28/2019

There being no objection, President Wilshire declared the report of the October 28, 2019, Budget Review Committee accepted and placed on file.

Pennichuck Water Special Committee..... 10/30/2019

There being no objection, President Wilshire declared the report of the October 30, 2019, Pennichuck Water Special Committee accepted and placed on file.

Personnel/Administrative Affairs Committee..... 11/04/2019

There being no objection, President Wilshire declared the report of the November 4, 2019, Personnel/Administrative Affairs Committee accepted and placed on file.

Planning and Economic Development Committee..... 11/04/2019

There being no objection, President Wilshire declared the report of the November 4, 2019, Planning and Economic Development Committee accepted and placed on file.

Finance Committee..... 11/06/2019

There being no objection, President Wilshire declared the report of the November 6, 2019, Finance Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Animal and Dog Park Advisory Committee

There being no objection, President Wilshire confirmed the appointment of Becky Longval, 24 Ferry Road, Nashua, to the Animal and Dog Park Advisory Committee with a term to expire November 12, 2022.

Auditorium Commission

There being no objection, President Wilshire confirmed the reappointment of Keith Weirich, 14 Court Street, Nashua, to the Auditorium Commission with a term to expire March 31, 2021.

Conway Ice Rink Commission

There being no objection, President Wilshire confirmed the reappointment of David Fredette, 229 Main Street, Nashua, to the Conway Ice Rink Commission with a term to expire December 31, 2023.

Citizen's Advisory Commission

There being no objection, President Wilshire confirmed the reappointments of the following individuals to the Citizen's Advisory Commission: Patricia Casey, 15 Pine Hill Avenue, Nashua, and Jason Telerski, 5 Shakespeare Road, Nashua, both with terms to expire October 1, 2022; and Beth Quarm Todgham, 14 Ellis Drive, Nashua, with a term to expire October 1, 2021.

Cultural Connections Committee

There being no objection, President Wilshire confirmed the appointment of Jessica Gorhan, 97 Western Avenue, Henniker, to the Cultural Connections Committee with a term to expire December 31, 2020.

Historic District Commission

There being no objection, President Wilshire confirmed the appointment of William Slivinski, 46 Berkeley Street, Nashua, to the Historic District Commission with a term to expire June 30, 2022.

Planning Board

There being no objection, President Wilshire confirmed the appointment of Lawrence Hirsch, 12 Salmon Brook Drive, Nashua, to the Planning Board with a term to expire March 31, 2020.

Tax Increment Financing Advisory Board

There being no objection, President Wilshire confirmed the reappointment of the following individuals to the Tax Increment Financing Advisory Board: Michael Cerato, 4 Water Street, Nashua; Tim Cummings, 229 Main Street, Nashua; Eric Drouart, 52 Main Street, #206, Nashua; David Fredette, 229 Main Street, Nashua; Chris Lewis, 670 North Commercial Street, Manchester; Sarah Marchant, 229 Main Street, Nashua; Tia Phillips, 2 Clocktower Place, Nashua; and Arthur Spilios, 15 Technology Way, Nashua, for terms to expire September 30, 2020.

UNFINISHED BUSINESS – RESOLUTIONS**R-18-102**

Endorsers: Alderman-at-Large Lori Wilshire
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman-at-Large Brandon Michael Laws
Alderman Jan Schmidt

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF POLICE COMMISSIONERS AND UFPO LOCAL 645 PROFESSIONAL EMPLOYEES OF THE NASHUA POLICE DEPARTMENT FROM JULY 1, 2018 THROUGH JUNE 30, 2022 AND AUTHORIZING RELATED TRANSFERS

- Tabled at BOA meeting 09/24/19 with approved amendments

R-19-178

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Ken Gidge
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Benjamin M. Clemons

AUTHORIZING THE SALE OF CITY LAND LOCATED AT 141-143 BURKE STREET (MAP 11, LOT 158) TO LOYAL HOLDINGS, LLC FOR \$3,900,000

Given its second reading;

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-19-178
MOTION CARRIED**

Resolution R-19-178 declared duly adopted.

R-19-181

Endorsers: Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman June M. Caron
Alderman-at-Large Michael B. O'Brien
Alderman Linda Harriott-Gathright

RENAMING "PARK SOCIAL AT LABINE" AS "PARK SOCIAL"

Given its second reading;

**MOTION BY ALDERMAN LOPEZ FOR FINAL PASSAGE OF R-19-181
MOTION CARRIED**

Resolution R-19-181 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES

O-19-056

Endorser: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman Tom Lopez
Alderman Jan Schmidt

UPDATING THE ENVIRONMENT AND ENERGY COMMITTEE

Given its second reading;

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF O-19-056
MOTION CARRIED**

Ordinance O-19-056 declared duly adopted.

O-19-063

Endorsers: Alderman Ernest Jette
Alderman Patricia Klee
Alderman-at-Large Brandon Laws
Alderman Thomas Lopez
Alderman June Caron
Alderwoman Shoshanna Kelly

AMENDING THE ELDERLY AND DISABLED TAX EXEMPTIONS

Given its second reading;

MOTION BY ALDERMAN JETTE FOR FINAL PASSAGE OF O-19-063ON THE QUESTIONAlderman Jette

I would like to be heard on it. What this Ordinance does is it makes some amendments to the tax exemptions for the disabled and the elderly. This came about because a constituent of mine pointed out that there were some differences between the two that were somewhat confusing. When I looked at the Ordinance I noticed that for the disabled the exemption starts at \$194,000 and for the elderly it starts at \$192,000.00, just a \$2,000.00 difference. Also for the eligibility for the disabled, for a single person it is a maximum income of \$36,000.00; married couple \$40,000.00, whereas for the elderly the maximum income is \$50,000.00 for single or a couple. Also for the maximum assets that can be held by someone applying for the disabled exemption is \$125,000.00, whereas for the elderly it is \$150,000.00.

I talked to the Assessing Department and they confirm that this was confusing to people. So I thought that making them the same, so increasing the elderly the minimum the lowest level of elderly exemption from \$192,000.00 to \$194,000.00. Then on the income, the maximum income, raising the maximum income for the disabled to \$50,000.0 for a couple; the same as for the elderly, and then the maximum assets for the disabled raising that from \$125,000.00 to \$150,000.00 to make it consistent.

I also noticed that the current Ordinance, so like a lot of our Ordinances this comes from State Enabling Legislation. We can't do anything that the State doesn't let us do. For these exemptions the State has very detailed rules and they are quite lengthy. Our current Ordinance when it was adopted, tried to paraphrase these lengthy qualifications into a sentence and it left out some things and it was confusing. So people coming in to apply for the exemptions weren't prepared. Our Assessing Department would tell them they have to go back and get this, that and the other thing.

So what I did, with the help of the Legal Department, is we just copied the qualifications as stated in the State Law and put them in our Ordinance, if this passes, it will be in our Ordinance. So it will be clear to people exactly what the qualifications are. So the Mayor's Office, the Mayor agreed that this would be a good thing. The Administrative Services Director agreed as well and the Budget Review Committee recommended that this be passed. So I ask you all to support it.

Alderman Dowd

We want to thank Alderman Jette for pointing out all these things and changes to this Ordinance makes it much fairer for all involved. At first we were skeptical of what the changes were but when he explained it, we all understood it and it fully passed Budget.

MOTION CARRIED

Ordinance O-19-063 declared duly adopted.

NEW BUSINESS – RESOLUTIONS**R-19-186**

Endorser: Mayor Jim Donchess
Alderman-At-Large Michael B. O'Brien, Sr.
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman Patricia Klee
Aldерwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF ONE MILLION FOUR HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$1,495,000) FOR VARIOUS IMPROVEMENTS AT THE SOLID WASTE DEPARTMENT FOUR HILLS LANDFILL AND THE PURCHASE OF TWO REFUSE TRUCKS

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE and the BOARD OF PUBLIC WORKS by President Wilshire

R-19-187

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large Michel B. O'Brien, Sr.
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Tom Lopez
Aldерwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF SIX MILLION DOLLARS (\$6,000,000) FOR THE DESIGN AND CONSTRUCTION OF A DIVISION OF PUBLIC WORKS OFFICE FACILITY

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE and the BOARD OF PUBLIC WORKS by President Wilshire

R-19-188

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

RELATIVE TO THE TRANSFER OF \$200,000 FROM DEPARTMENT 194 "CONTINGENCY", ACCOUNT 70112 "CONTINGENCY FOR EDUCATIONAL PRIORITIES"

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

R-19-189

Endorser: Mayor Jim Donchess
Alderman-at-Large Michel B. O'Brien, Sr.
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja
Alderman Jan Schmidt

RELATIVE TO THE APPROVAL OF THE PURCHASE OF ONE ELECTRIC CAR AND INFORMATION TECHNOLOGY BACKUP SERVERS FROM THE CAPITAL EQUIPMENT RESERVE FUND (CERF) DURING FY2020

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

R-19-190

Endorser: Mayor Jim Donchess
Alderman-at-Large Michel B. O'Brien, Sr.
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman June M. Caron
Alderwoman-at-Large Shoshanna Kelly
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt
Alderman-at-Large Ben Clemons
Alderman-at-Large Lori Wilshire

RELATIVE TO THE TRANSFER OF \$95,700 FROM DEPARTMENT #194 "CONTINGENCY", ACCOUNT #70100 "GENERAL CONTINGENCY" INTO VARIOUS ACCOUNTS IN DEPARTMENT #132 "ASSESSING" FOR THE PURPOSE OF FUNDING THE SALARY AND BENEFITS OF A CHIEF ASSESSOR POSITION FOR THE REMAINDER OF FY2020

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

R-19-191

Endorser: Alderman Richard A. Dowd
Alderman-at-Large Michel B. O'Brien, Sr.
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja
Alderman Jan Schmidt
Alderman-at-Large Ben Clemons
Alderman-at-Large Lori Wilshire

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF ONE HUNDRED AND EIGHTEEN MILLION DOLLARS (\$118,000,000) TO FUND THE DESIGN AND CONSTRUCTION OF A NEW MIDDLE SCHOOL AND RENOVATIONS AND EXPANSION OF THE EXISTING TWO MIDDLE SCHOOLS (PENNICHUCK AND FAIRGROUNDS), INCLUDING THE PAYMENT OF COSTS INCIDENTAL OR RELATED THERETO

Given its first reading; assigned to the BUDGET REVIEW COMMITTEE and BOARD OF EDUCATION by President Wilshire

NEW BUSINESS – ORDINANCES**O-19-064**

Endorser: Mayor Jim Donchess
Alderman-at-Large Michel B. O'Brien, Sr.
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman-at-Large Brandon Michael Laws
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt

ADDING ADDITIONAL PARCELS TO THE NASHUA RIVERFRONT TAX INCREMENT FINANCING DEVELOPMENT DISTRICT

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

Alderman Dowd

On the R-19-191 the bonding, do we not have to refer that to a public hearing? On these motions for bonds I believe we have to, as referring them to the Budget Committee, has to have a Public Hearing on the bond at that Budget Review Committee on December 2nd?

President Wilshire

Yes.

Alderman Dowd

And I believe that requires a roll call?

President Wilshire

The Public Hearing requires a roll call?

Alderman Dowd

To send it to a Public Hearing.

Steven Bolton, Corporation Counsel

I think you should accept the First Reading by Roll Call and schedule a Public Hearing for December 2nd at 7:00 in the Aldermanic Chamber.

President Wilshire

Ok, that's what we will do. We will accept the first reading and submit it to the Budget Review Committee and hold a Public Hearing on December 2nd by roll call.

A viva voce roll call was taken for R-19-186 which resulted as follows:

Yea: Alderman O'Brien, Alderman Gidge, Alderman Harriott-Gathright, Alderman Dowd
Alderman Klee, Alderman Laws, Alderman Lopez, Alderman Caron, Alderwoman Kelly,
Alderman Jette, Alderwoman Melizzi-Golja, Alderman Tencza, Alderman Schmidt,
Alderman Clemons, Alderman Wilshire 15

Nay: 0

A viva voce roll call was taken for R-19-187 first reading assignment to Budget Review Board of Public Works and a Public Hearing scheduled at 7:00 PM on December 2nd, 2019 which resulted as follows:

Yea: Alderman O'Brien, Alderman Gidge, Alderman Harriott-Gathright, Alderman Dowd
Alderman Klee, Alderman Laws, Alderman Lopez, Alderman Caron, Alderwoman Kelly,
Alderman Jette, Alderwoman Melizzi-Golja, Alderman Tencza, Alderman Schmidt,
Alderman Clemons, Alderman Wilshire 15

Nay: 0

A viva voce roll call was taken for R-19-191 accepting the first reading, assignment to the Budget Review Committee, The Board of Education and Public Hearing at 7:00 PM on December 2nd, 2019, which resulted as follows:

Yea: Alderman O'Brien, Alderman Gidge, Alderman Harriott-Gathright, Alderman Dowd
Alderman Klee, Alderman Laws, Alderman Lopez, Alderman Caron, Alderwoman Kelly,
Alderman Jette, Alderwoman Melizzi-Golja, Alderman Tencza, Alderman Schmidt,
Alderman Clemons, Alderman Wilshire 15

Nay: 0

PERIOD FOR GENERAL PUBLIC COMMENT

Laurie Ortolano Good evening, Laurie Ortolano, 41 Berkeley Street, congratulations to those who got through their races and are back in the Chamber. I want to thank the Board for bringing forth the Resolution to look at funding a Chief for 2020. That makes me immensely happy and I am pleased that you are considering doing that. I will come out to the Budget Meeting and listen up when that takes place.

I want to share a little bit of information with the Board. We know that the BTLA came down with a ruling at the end of the month, the 29th or something that they are going to keep the docket open and ask for quarterly reports from the Assessing Office to follow-up on what is going on with the List & Measure until we complete the update in 2022. I am very happy with that and I'm glad that's happening. That all came about because of the Hearing on August 6th where I presented data in a report that was fairly comprehensive with some members of the community. The City took the position to ask for a continuation to counter the data that was given by members of the public. I had a chance a couple weeks ago to get ahold of that rebuttal of sorts that Celia Leonard provided to the Board up at the BTLA.

I have to tell you I was pretty underwhelmed and pretty disappointed in it because it just showed me that this Administration does not recognize any of its errors; does not recognize the things that the public has been addressing – permit capture, timeliness of permit valuation. You know the document harped on the fact that I'm not an Assessor, I'm not trained, I'm not certified, I can't make judgements on proprieties. What I want you all to know is while that is true it is funny to me that when I brought my assessment issue to KRT a year ago and had the chance to go through a Hearing and I brought comparable properties in my neighborhood that I used as examples, the City then told KRT, "Oh go down that street again and take a look at these properties that she's called out. I think there's some problems". They didn't tell me they were doing it, they didn't tell my neighbors they were doing it.

They didn't knock on the door, they didn't ask to go in, they didn't ask to look at the properties. They took 5 properties that they said I identified and they raised them \$350,000.00. They credit me with that maneuver, they said "Wow Laurie, you're so good at this, you nailed it, these houses aren't right". And while I may not be an assessor and I may not be qualified, it is amazing to me how they put that on me and said "you did the job that we needed to do, thank you". That has proceeded to happen.

I think Ms. Leonard should be very careful about dissing the public and our qualifications because we have an acting manager right now that is no more qualified than I am. And that has been a great source of problem. Now one of the items that she highlighted to the BTLA was the fact that we were cherry picking. We were cherry picking data and making it look bad when really it just represents a little bit of data. Well I really didn't cherry pick, I lived in a north end neighborhood and I looked at every street up there and then branched out into other neighborhoods. What I find interesting is our past Chief two ago, Angelo Marino, is that this name, I can't remember, Angelo Marino. He was very much into neighborhood assessing. That was his technique was, I guess to cherry pick throughout the City. So I started off doing that myself because I was familiar with my neighborhood, but I looked at all the properties, I looked at 300 or 400 properties. I didn't look at just 5 or 6 on my street, I looked at the whole north end, that's how I ended up discovering the Mayor's property card.

In this Hearing Document that went to the BTLA, my issue with the Mayor's property card had always been that the permit was never captured in a timely manner. It was opened in 2007, it was taxed in 2012. There was one visit in 2008 that didn't gain entry and the assessor put no value on the permit. And the assessor did not go to the property during the Annual List Timeframe, by April 1st. The assessor shows up a year later in September and misses the April 1st deadline to assess the permit; doesn't get in, doesn't go back, doesn't call, goes back 3 years later, again after the annual list of April 1st when we should be capturing permits, goes again in September. Then he captures the permit but it is too late to assess it in 2011 because the tax bill is closing within a month. He taxes that property in 2012. It took 5 years to put value on that property and that is a text book example of a property mismanaged. And when the assessor goes in he makes a determination on the card that he is going to change the EYB to 1985. But he gets back to the office and he only changes it to 1970, 15 years less. It was 1959, so he raises it 11 years. Ms. Leonard points out that EYB is subjective, it is. We have a huge problem with how subjective we have been using that.

What makes one assessor determine that a house that has had the walls ripped down, the wiring and plumbing done, new sheetrock put up, new kitchens, baths, built-in cabinetry and basically a total remodel moved 11 years. Other houses that didn't even do that moved 30; what is the difference on your tax bill? On the Mayor's tax bill it would have been \$50,000.00. On my tax bill it was \$160,000.00. She blows all of that off and uses his property card in here to site as a job well done. That's when I lose faith. I lose faith that we don't take ownership for our mistakes; that we don't recognize that we have done some things wrong and we need to change the way we do those things. So reading that document that she sent to the BTLA was wholeheartedly disappointing a week ago.

But a month ago, I started a data dig and it was interesting to me when she said I cherry pick; I don't look at enough data. I hadn't read this document. I decided that I am going to take all of the sales data from October of 2015 until KRT took the sales data of April 1st, 2017. I am taking 19 months of sales data, and I am running a sales report and I am going to make a spread sheet. I am going to go in and I am going to pull every property card up and I am going to pull every MLS up and I am going to look at all the qualified sales and I am going to look at every picture and I am going to see what our assessors saw.

I created a spreadsheet of 10,000 data points, this was hand scraping, and this is why I tell you that I want data on-line. So I scraped this data, I put it together, and I find out exactly what is going on when they sales adjust property. Over that 19 month period, 27 homes were adjusted with their EYB. The sales guys, the assessors looked at the data and they were very nicely done, they deserved to be adjusted. They had a total value of \$8.7 million of property sales; 27 homes. The assessors increased the assessment value by \$1.12 million. Those 27 homes saw, on average, a \$2,000.00 increase in their tax bill for 2016 and 2017 until KRT came in and equalized.

But I put together this book that I sent up to the DRA and I sent the report to the assessors today. This is all the data that they didn't capture, 272 qualified homes, that were very nicely done, pictures that are beautiful, updates, granite kitchens, new baths, tiled, stainless steel appliances, lovely, lovely homes. They didn't get touched. What was their value? So it was 272 properties that valued \$80 million. 27 properties valued \$8.7; a tenfold difference. These 272 homes saw a tax increase of \$180.00 a year compared to the 27 that were totally screwed by the City and had to incur \$2,000.00 a year. That's what happened to us; I can't help but tell you how strongly I feel that we don't have competent people down there.

Now I am pulling all of the 2014 data for the year. I sent this all up to the State. I said, "This is all the data, this is everything, this is all the sales data on 1,023 properties; 821 were qualified sales". That's a good take of data. They are running an accuracy rate of about 60%; the Assessing Standard Board requires that their property data capture be at 90% or better. On this 19 month piece of data, it was about 60%; that is horrendous. It is so unfair, I've asked you at this Board 2 or 3 times, I've said to the Board of Assessors, "Shut down that MLS correcting, don't do it, because you are really screwing people and you are not doing it fairly". That is what has happened here. I am mortified by this, I really am. I think that we haven't addressed manpower, nice to see a Chief, but you have not addressed manpower issues. I am very disappointed in the Budget Hearing I watched in September where the Ms. Kleiner and the Mayor came out and asked for \$50,000.00 because of Right to Know requests. Clemons, Tencza, Schmidt, who else is in there, a couple others, nobody asked meaningful questions. What is your manpower to cover 2,000 permits? I pulled the work log and data for the one assessor who has been in question because I wanted to see what is that assessor doing with permits? Not going out at all to capture permits. Why didn't somebody ask is everyone doing permit work? That answer would have been "no". Instead of blaming the public for putting forward Right to Know requests, why don't you address your manpower and look at what they are able to do; because you don't have the manpower to grab these permits. Once again, people are getting taxed on them and then there's a whole slew that don't get caught and they get a pass.

All of this update that goes on, is dependent on the quality of the data and how you maintain it. Outside of an update, there's very few things you can do. You can use sales data to correct a property card, you can use permit data to adjust and abatements. You can occasionally go after a segment of properties that you want to adjust but that is almost never done and I don't know of a case where it has been done here. You have very limited means to make changes, but you have means and you are using them so ineffectively, inaccurately and non-uniformly that you have created a mess in your data. It is just unbelievable to me that it took 10,000 data points and data scraping at this level to be able to prove that Celia Leonard's position that we are cherry picking is really not the case at all.

I do not know if the RSA's apply to the public, I need a lawyer to answer that, but the RSA through the ASB that puts 90% accuracy on the data. When I measure all of the sales data and I see 60%, can we do anything about that? Can the public complain and say we are not meeting our standards? I don't know, I don't know if I have any grounds. But I can tell you it is not good enough. In 2014 you only had 400 property sales. You are asking two assessors to each correct 1 home a day four times a week, not even all week. You're not capturing that data, what is the excuse? It's not like they're bombed, it's not like they are busy with thousands of property sales; it was a slow economy and we didn't capture the data. I had to pay \$5,000.00 more but a lot of houses didn't.

President Wilshire

Ms. Ortolano, one minute for public comment, thank you.

Ms. Ortolano I'm all set, thank you.

President Wilshire

Thank you.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

- Board of Aldermen meeting on December 24th has been moved to Monday, December 23rd

Alderman Clemons

I just want to thank everybody who came out and voted on Election Day. To all the candidates who ran who won and lost, it's always good to put yourself out there. I certainly appreciated the people who came out and voted appreciate it. And finally I just wanted to belated, but I wanted to wish everybody a Happy Veterans Day. Thank you.

Alderman Schmidt

I would like to thank Ward 1 for again proving that we are the best in the City; 25% - topped everybody. Thank you for coming out and it was really great seeing everybody. Thank you.

Alderwoman Melizzi-Golja

Yes I'd also like to thank everyone who came out and congratulations to all of those who participated and especially those who will be inaugurated in January. Thank you to the City Clerk, I guess this prep for what you have in the New Year. So congratulations to you and your workers.

And then also thank you to those who came out for the Veterans Day Parade. I think the weather was really iffy, but I think for those who came out, it turned out to be a much nicer morning than we anticipated. So thank you.

Alderman Jette

So one of the things that we are looking at, you know, that got introduced tonight was the bond to build a new Public Works Building. I have already received comments from people from Ward 5 and I want to tell them that at the Board of Public Works Meeting I was assured that people would have a chance to be heard about this issue. I guess the first opportunity will be the Budget, the bond that is coming before the Budget Review Committee on December 2nd. I am not encouraging people to oppose this, I am just saying that if you have concerns about it, please take advantage of the opportunity to get your voices heard, by either coming to that meeting or if it is not possible for you, communicate with the people on the Board of Public Works, the people on the Budget Review Committee, me, the other Aldermen, the Aldermen-at-Large to let us know what your concerns are or whether you support this. Hopefully once people understand what is going on and what the reasons are for it, they will support it. But your opportunity to make us hear what your point of view is coming up and please take advantage of it.

Similarly the Budget Review Committee on December 2nd will be hearing the bond issue on the new Middle School. Here's another opportunity for people to voice their concerns or ask their questions. We are all available to provide information and please take advantage of it. Thank you.

Alderwoman Kelly

Thank you. I feel like everyone always says everything before they get to the middle, either way you start. But I was just going to say that I was happy to see the contingency for the education funding coming through. It is a great point to see that we are able to hire those people for our schools, I know that was really important for them. I was going to bring up the Middle School and that will be brought up on the December 2nd, I am looking forward to hearing more about that and also hearing from people in terms of what their questions are, I know I've already got a couple.

We came out for Veterans Day Parade, it looked colder and looked like it was going to rain but it ended up being a very nice event for everyone. So I appreciate everyone in the City who participated but also helped make that happen. That's it.

Alderman Caron

Yes thank you. I too would like to thank everyone who came out to vote on Election Day; it was not a bad day unless you were standing there for 14 hours in the rain and cold. But also to Ms. Lovering and her staff, congratulations, you jumped in with both feet, now wait for the primary which is going to be a lot of fun. But everything seems to have gone smoothly; I heard a lot of good compliments so that is a wonderful thing.

On another note, I too would like to give condolences to the Savage Family and also to the Elks because they were such a big part of the National Lodge of Elks. I know that I worked with them for over 40 years and Marion was always there by Al's side, whether it was in the kitchen, in a parade, and back in the early 70's when the City gave out the Service Youth Award during 4th of July, Al and Marion Savage were the first people to receive it as a couple because they always did everything together concerning the youth of the City. It is a tremendous loss I know. So thank you.

Alderman Lopez

I would also like to congratulate Ward 1 on being the best Ward and I'd like to thank Ward 4, everybody who showed up despite having multiple jobs, being single parents. Thanks for making the time, although we might want to do slightly more turnout for the primary. I also appear to have received on my desk a petition from most of Eighth Street regarding on-street, overnight parking and it is printed on the back of a parking ticket. So I am guessing that the parking department has been out. I got it guys. So I am planning on giving this to City Clerk Lovering and maybe we can put it in the minutes of the Committee of Infrastructure. We are in the middle of working on approving and finding a vendor for a comprehensive parking plan for the City. We are going to hear more about that in the Committee; so we will take it up.

And then on a completely unrelated note, Mayor we have Coffee with the Mayor tomorrow at 8:00 right at Ja Ja Belles?

Mayor Donchess

Yeah can you please try to be on time this time?

Alderman Lopez

I am promising nothing, the parking it terrible.

Mayor Donchess

At least you come.

Alderman Laws

I'd like to congratulate Ms. Lovering, I'm sure that was a daunting task. You did an exceptional job. I'd like to congratulate everybody who ran here and won, I sincerely believe that the outcome was the best for the at least next two years of this Board. I'd also like to point out that since Tuesday, at least 70 people have come to me and complained that Sports Betting didn't pass which is an odd coincidence, because it didn't pass by fewer than 70 votes. I would just like to take this opportunity to remind people that there are elections every November and it would behoove you if you care about your community to show up and vote. So thanks to the 60% of eligible voters in Nashua did make it to the polls. Let's aim a little bit higher next time. Thank you.

Alderman Klee

Yes I have a couple things I'd like to say and I'd like to also give my condolences to the Savages for the loss of Marion and so on. And I read her obituary and was just blown away and much of what Alderman Caron had said about the awards that they had been given as a couple and so on. So knowing how much that they've done together it is going to be very difficult and my condolences go out to the family and especially to her husband.

I'd also like to thank everybody here on the Board as well as the public at large who have contacted me for well wishes for my surgery. As you can tell my voice is slowly coming back. Luckily for my husband I'm not allowed to yell and whispering is a big, bad no no too. He still keeps saying, what, what? Anyways I am doing better, I decided to come in today rather than sitting home and pining away about the pain. It would be much easier to be here.

I'd like to address two more things; one is the Veterans Day Parade. Because of the surgery and so on I was not able to walk in the parade and I usually so proudly walk with my Veteran husband. I am always very proud to walk beside him any day of the week but especially during that particular parade. He was drafted back in 1969 and he did his time when Uncle Sam came calling he was there. Luckily we don't have the draft anymore, but he was one of those that didn't go to Canada, who did serve. And I wrote a little piece and I'd like to kind of talk to that just for a second. Veterans are very special and the Veterans that we have today are extraordinarily special; they do many things that the Veterans of yesterday didn't do. But the one thing that they don't do is they don't have to hide their uniform when they get off a plane because the people here in this country treated them the way they did when they came back from Vietnam or just the Vietnam era. So for all of the Veterans, thank you. For all of our Vietnam Era Veterans as well as our Vietnam Veterans, I salute you and thank you so much for everything that you did. And whether you got saluted back then and appreciated then, you are appreciated now.

The other thing I would like to talk about is the election. For the first time, again because it was four days after surgery I was not there. But my husband was there with signs, stood in the rain because he knows that 14 hours in the rain or in the cold or anything like that, I was there from 6:00 AM to 8:00 PM the last election for State Rep was there until midnight for the count. I did get there for the count so I was there and I did get there very early in the morning to vote; I was 22 in the voting. So I'd like to thank everybody who came out. While Ward 1 may be number 1, they also have more voters so let's just put that out on the table there. But I appreciate all the people that come out in Ward 1, 2, 3, 4, 5, 6, 7, 8 and 9; I'd like to as Alderman Laws brought up, I would like to see more people coming out to vote. I've been getting a lot of phone calls too about the Sports Betting. I think there was confusion and I am sorry for that. I think people thought, they didn't realize that the State had already approved it, that they were getting a choice to approve whether or not it was in the State, the only thing they were approving is whether or not it would be handled here in Nashua. And I think a lot of people were confused by that. It doesn't mean it can't go on the ballot again; maybe next time around people will come out more. Let's hope for that. I'd like to thank everybody for their vote on November 5th. Thank you so much.

Alderman Dowd

Yes I'd like to thank all the people that came out and supported me in Ward 2 and re-elected me for a couple more years in this position. Also I want to thank all the people who work at the polls, going in and out during the day, they work very hard, they work long hours for very little pay. And also Mrs. Lovering handled the election perfectly, everything went smoothly and congratulations on all your staff and yourself for doing a great job.

The other thing is, as I'm standing at the polls, as everybody knows Paul Bergeron helped Sue during this election and he was coming out of Ward 2 for the second time in the day and he was smiling and whistling and I looked at him and I said, "Is this the least stressful election you've ever had?"

And he said, "Yes I'm not the City Clerk and I'm not running so this is great, no pressure". So thank you very much. And thank you for the words as a Veteran I appreciate it.

Alderman Harriott-Gathright

I'd like to thank everyone that was out there, Sue's staff, all the many people that I know that were at different polls, trying to help everyone get re-elected and what have you. A special thanks to my family and some friends in particular that were all over the City trying to get everyone elected. I am just happy that we are all back together for the next few years at least. I am grateful and I am sorry I wasn't with you guys yesterday but I had other responsibilities on Veterans Day. So I haven't been able to have a Veterans Day here in this City since I've been holding office because I hold another office and unfortunately Veterans Day it is a really huge thing, as a Treasurer I have to be there. But I heard good things from my family that was there and they said they had a wonderful time and a great turn out so maybe next year I can make some other arrangements and actually be there myself. That's it.

Alderman O'Brien

I would just like to thank everybody that came out and particularly to our new Clerk Sue Loving, it was your first one and you did a great job and all your workers and everything. So it should be noted and also a personal thanks to all those people who told totems at the polls, some for me, some for you. We all got to see the sun rise and we all got to see the sun set, it is a very long day. You get to get rained on a little bit and everything, but look, we had a bunch of fun so really enjoyed it. So thank you for coming out.

President Wilshire

Thank you. I would like to also send my condolences to the Savage family on the loss of Marion. She did a lot of great things for the community.

I'd also like to congratulate the City Clerk and all the poll workers who did a fantastic job at the polls. And that said Committee Announcements.

Committee announcements:

Alderman O'Brien

Members of the Infrastructure Committee you want to approach my afterwards, we've got Thanksgiving coming up. For those who aren't working on the butterball you know you might not want to go to Infrastructure if you are working on the butterball. So come and see me we might be changing the date to see if we can get it in there.

Alderman Lopez

I will be there.

Alderwoman Melizzi-Golja

Yes PEDC will be meeting here next Tuesday the 19th. In addition to Legislation that's been referred to the Committee, Director Cummings will be there to give an update on Mohawk Tannery. Thank you.

President Wilshire

Humans Affairs is tomorrow night at 7:00 PM. Our Board of Aldermen Meeting in December, our second meeting has been moved to Monday, December 23 because December 24th is Christmas Eve and that would be our meeting. So the second meeting in December will be Monday, December 23rd.

I have scheduled a caucus for the Aldermen-Elect for next Tuesday, November 19th at 6:00 PM here in the Chamber. And that's it.

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE NOVEMBER 12, 2019, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 8:35 p.m.

Attest: Susan K. Lovering, City Clerk



THE CITY OF NASHUA

Administrative Services Division

"The Gate City"

Date: November 8, 2019

To: Mayor Jim Donchess
Board of Aldermen
Board of Assessors

From: Kim Kleiner, Administrative Services Director

Re: R-19-190 Relative to the Transfer of \$95,700 from Contingency to Assessing for the Funding of a Chief Assessor Position for the remainder of FY2020

On March 1st, the city eliminated the Chief Assessor position and funding was removed from the proposed FY2020 budget, R-19-123. On April 30th, at a Special Board of Aldermen meeting, an improvement plan was introduced. This past September, an update on our progress was delivered to the board. During the September 24th meeting we discussed progress in 5 key areas of improvement: Transparency, Customer Service, Efficiency & Data Collection, Procedures & Communication, and Software Program Applications.

We are proud of the accomplishments of the Assessing staff, they have worked as a team, constantly identifying further advancements. Last April, many Aldermen inquired as to the need of the Chief Assessor position. The administration needed to develop strong management procedures while also evaluating the department's strengths and deficiencies prior to making a recommendation.

We recommend the hiring of a Chief Assessor who has a thorough knowledge of property assessment laws, regulations and ordinances; strong knowledge of the principles and practices of public administration, as applied to a municipal assessment department; experience in property appraisal and assessment; and the ability to present ideas and instructions clearly and effectively, orally and in writing, to establish and maintain effective working relationships with staff, and the general public. The ideal candidate will have knowledge in city wide revaluations, valuing of utilities, and the ability to defend values at the state and local level.

The hiring of a Chief Assessor will not only provide oversight on the day to day operations of the department, but provide mentoring and forward thinking for continued growth within the office.