

A regular meeting of the Board of Aldermen was held Tuesday, January 24, 2023, at 7:30 p.m. in the aldermanic chamber.

President Lori Wilshire presided; City Clerk Dan Healey recorded.

Prayer was offered by City Clerk Dan Healey; Alderman June M. Caron led in the Pledge to the Flag.

Let's start the meeting by taking a roll call attendance.

The roll call was taken with 13 members of the Board of Aldermen present: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly (via Zoom), Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire.

Alderman Moran and Alderwoman Timmons were recorded absent.

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

President Wilshire

Mayor did you wish to address the Board this evening?

REMARKS BY THE MAYOR

Yes, thank you Madam President. So I wanted to apologize for missing our last meeting but I had COVID at the time so I didn't think it was wise to come but I see you made progress and so that's good.

I want to mention a few things Madam President. First, a couple of the Directors will be here to tell you a little bit about a couple of things during the public comment period. First, Bobbie Bagley will be here to discuss R-23-083 which is a grant acceptance which as a result of the need to act quickly, she's going to ask for action on tonight but again, it is a grant acceptance involving no City money.

Number two, Matt Sullivan, of course Community Development, will be talking with you to describe some service cut backs on a couple of the routes or a few of the routes of the bus system which are going to be necessary as a result. They're temporary but a result of the fact that there's not enough money to continue to operate them at least for the time being.

But on other issues Madam President, I wanted to mention the fact that our local City team who's been working on the Mohawk Tannery - Tim Cummings, Matt Sullivan I know gave you a presentation regarding the Mohawk Tannery. Those have been around for a while. Remember what a noxious environmental problem this was. I was just talking to someone today who lived up on Denise Street. He said he grew up there. He said you could smell it all over Little Florida. You could smell it even up on Denise Street he said when he was a kid. Anyway, it closed in 1984 leaving these lagoons of deposits of tannery sludge. So the EPA, the State is somewhat involved, and private developers, and of course the City have been talking about this clean-up for several years now. There've been detailed negotiations over the arrangements. You have already heard the details.

One though that I definitely wanted to reiterate, and you'll be hearing more about this in the Committee and obviously we'll have to make a decision, but the question that I've always had is like what happens if the cost of the clean-up goes over the estimated amount which is \$13 or \$14 million? We did at one point have an engineer, our engineer - a landfill engineer, look at this thing and he said it could go higher than that. Now the EPA is saying, and this I think is very important, that they will cover the cost if it goes over the estimate. The other thing they're saying is that they do not and will not participate unless there's a private development. That it's a public/private partnership. They will not pay for just a flat clean-up. This has been their position from the beginning as a result of it started during the Trump administration really and the then EPA Director wanted public/private partnerships and that's what they began with and that's what they're going to insist on. In any

event, I think this has been a terrible – you know it's been a significant environmental problem for 39 years since the place closed and hopefully this will result in a clean-up and a productive use of that property.

I can't help it but return Madam President to rail. The derailing, pardon the pun, of the Capital Corridor Project by the Executive Council. I recently went to the U.S. Conference of Mayors meeting in Washington and they talk about a lot of different issues but one of them is they had a panel - one of these roundtable panel/seminar things on rail. Chaired by the Mayor of Normal, Illinois, and the Mayor of Salt Lake City. Various rail projects were discussed. In other parts of the country, rail projects are being advanced. For example in Utah and Idaho on a bi-partisan basis, I mean both parties see this as infrastructure improvements which are important to the economies of their regions. Idaho and Utah very red states. They're advancing a north/south project. Texas, Virginia - this is happening all over the country but for some reason here in New Hampshire - and the other point that was made by the Director of the Federal Rail Administration and by the Director of Amtrak unprecedented amounts of federal money to complete rail projects right now. Unprecedented amounts and yet we have three Executive Councilors and for whatever reason I don't get why the Republicans in the Legislature and the Executive Council are so adamantly opposed to this but they cut off the funding of the final planning. Even though it doesn't cost the State any money. I mean they've already spent 90% of the money. There's no State money involved. Let's at least see what the final planning shows us. I just don't get why here, here one place in the country where one group of people just can't understand that these are important infrastructure projects that will yield significant economic benefits. The polling in our town, in our city supports that entirely and they're polling it across the State. It's like 75% support a commuter rail project. I don't get it but unfortunately I think we have to look for another way to try to at least complete this planning so we can see what this could look like. They're 90% of the way there. A lot of the work is already done. State DOT is telling us that they have no problem handing over whatever has been done to whoever wants to pick it up. AECOM is involved so I don't think we should just walk away from this because three people in the State of New Hampshire on a three to two vote have decided they want to try to stop this project.

Finally, I did want to mention Madam President, the resolution which will go to Committee but which essentially and the number is R-23-082 which essentially would - it recommends and would if adopted authorizes the City to enter into the CPCNH. We're already part of it but begin to commit to - it would result in the commitment of the City to enter the purchase of electricity on behalf of all customers of the default carrier which is Eversource and thereby seek to achieve lower electric rates for Nashua customers. This is something authorized by the Legislature. We have an Aggregation Committee here in the City consisting of Frank Teas, of Larry Lutton, President Wilshire, Doria Brown, myself (although I could not be at this meeting because I was away at this conference). They've recommended unanimously that we proceed with CPCNH and with the objective of purchasing power at different times than Eversource does. We know that Eversource is now charging customers 22 cents a kilowatt. It seems realistic that a lower price can be obtained through this approach. You will hear a lot of detail much more than I can give you now in the Committee process as to how that could be accomplished. A very interesting and potentially very beneficial piece of legislation for the residents, the electric consumers here in our City. So please when that comes up for a hearing try to attend so you can hear all the details.

That Madam President is all that I have tonight.

RESPONSE TO REMARKS OF THE MAYOR

President Wilshire

Thank you Mayor. Responses? Alderman Thibeault?

Alderman Thibeault

Thank you, Madam President. The one thing I just want to say is as far as the Mohawk Tannery goes, I know we're all already seeing Right-to-Know requests on everything that has been talked about with the Mohawk Tannery. We're seeing opposition already spouting online. So I just want to make sure that we're very transparent on the process going forward. Any information that we have, we're not releasing it I should say

because it is a big deal. It's an important thing. I think it's a good thing. I think we're going to need to do this but I think people will start to put opposition out there for it. It's too good an opportunity to get shot down by certain things. So I want to make sure that we're very clear and we're very open about it to the public. That's all.

President Wilshire

Anyone else on this side? Alderman Lopez?

Alderman Lopez

I just had a question of the Mayor. In response to your comments about commuter rail, we had a presentation here by Boston Surface Rail which essentially wouldn't necessarily require the inclusion of the rest of the State. Has there been any communication from them or updates from them on that project?

Mayor Donchess

So for those who weren't here at the time, Boston Surface Rail was a private company seeking to establish an entirely private service on a more limited basis than a State project would entail. A lot fewer runs. They had ambitious agenda or were very ambitious about what they wanted to accomplish but they were trying to do it elsewhere in New England as well but they ended up going bankrupt. So they're no longer in the picture. They never really accomplished any private rail project anywhere. The DOT is saying in this project that their work suggests that this project could operate on a break even basis or better. Another words - and that's the Capital Corridor Project. In other words once the rail is improved and the rail is already there, but once it is improved and the rail stock is required, the additional cars and the engines that they that believe that ridership would be sufficient and revenue would be sufficient to operate the system on a long-term basis without any subsidy. That's what DOT is saying. That's New Hampshire DOT.

Assuming they're correct, all that's required is - and it's not a small amount of money - but all that's required is the capital investment to improve the tracks and acquire the necessary equipment. In terms of rail projects, this is a small amount of money. I mean yes it is \$500 million or so payable over 30 years or whatever but compared with other rail projects across the country, this is a small project and with the interest, I think that Secretary Buttigieg has already shown in this thing. I mean he hasn't committed but he's come up here to talk about it. Secretary of Transportation with that level of interest, the chances of getting funded would be very good if we could ever get the State off the dime. So yes the State would have to contribute something but it's a potentially a very successful project that's being killed. Anyway I think that I went a little bit beyond but Boston Surface Rail did go out of business.

Alderman Lopez

So my understanding is this the only way to go forward now because Boston Surface Rail isn't an option.

Mayor Donchess

Correct.

President Wilshire

Alderman Klee?

Alderman Klee

Thank you, Madam Chairwoman. I'm sorry Madam President. I apologize. Two comments. One is just to remind those that are opposed to the Mohawk, and I'm glad that Alderman from Ward 8 commented about being transparent. I think we are transparent. I think we have been transparent. I think we will be transparent

going forward. But those that are opposed if this gets stopped like the last ones had and so on, it means that this sludge is sitting there in these lagoons in what is called "a 100-year flood guarantee" as this moment. This change will bring it to a 500 year and we've seen a few 100 year floods in the last few years. So be careful what you keep opposing and so on and putting up opposition. I tell that to my Ward as well. Be very cautious on that.

The other thing in comments to the rail. It's very frustrating. I'm not up in Concord anymore so my heart goes out to Alderman O'Brien relative to that. It's a fight that's very difficult up there. I don't know why. It's hard not to take it personally meaning that you're hurting Nashua and why would you do this. The comments that I've heard about there Mr. Mayor is that well the State is going to have to pick it up but we know that that's not the case. We know that there's a lot of toll credits I believe can be used for a lot of this stuff and so on. It's a language they like to throw out there. I wish more people here in the City and in the surrounding communities would be contacting Concord and saying how upset they are. We know by doing surveys that people want this and so on but they're got to make it very vocal up there. It keeps getting put in the 10-year plan and then it gets pulled out of the 10-year plan. I was quite disturbed to see this by the Executive Councilors up there. Again, I have to say it's hard to not take it personally. I think that it's – it's just painful. It's painful to see this fight go on and it would be wonderful to do that. The Boston Surface Rail their plan was very unique and then kept saying they'd be here in Nashua, and then they were going to have a stop in Bedford, and it was going back and forth. You just knew that was doomed to fail because they kept going back and forth.

I want to Madam President and the Electric Aggregation Committee - I just want to thank them for all the hard work that they've done. I hope we can pass that plan too. So thank you.

President Wilshire

Alderman Sullivan?

Alderman Sullivan

Thank you, Madam President. Just for a point of clarification Mayor Donchess. I made this note and I just wanted to make sure that I heard you correctly. If the clean-up for Mohawk the amount that's forecasted/budgeted if it goes over that amount, the EPA will pick up the difference?

Mayor Donchess

That's what they're telling us, yes. We've raised that question over the years that this has been discussed with them. Its three, four years this has been in discussion. We raised this from the beginning. We had our engineers look at the project. We've told them that we think it's possible that it would go over. They're aware of that and they're telling us that they will make up the difference. Because what we don't want is to be stuck holding this thing if the amounts that we're discussing, that they're discussing, everybody's agreeing to if the project goes ahead, we're not enough. We don't want to be stuck with a half-completed clean-up. I'm sure during the - I believe during the...maybe they'll show up and reiterate that. I don't know if they're going to come to the committee meetings or not but we've met with them and discussed this a number of times.

Alderman Sullivan

Okay. Thanks.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the regular Board of Aldermen meetings of November 9, 2022, November 22, 2022, and December 27, 2022 be accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS
FROM LIAISONS

From: Charles A. Hall, Chairman, Nashua Ice Skating Center Corp.
Re: Follow up to proposed skating rink at the site of Elm Street Junior High

From: John L. Griffin, CFO/Treasurer/Tax Collector
Re: Purchase of Police Department Animal Control Vehicle

From: Dan Healey, City Clerk
Re: Special Election dates to fill vacancy in Hillsborough County State Representative District No. 3

Alderman Gouveia

Madam President, I do have a clarifying question if I can?

President Wilshire

Alderman Gouveia?

Alderman Gouveia

Thank you. I just have a quick question about the first communication that can probably be answered by Mr. Mayor. The letter that sent in talks about a conversation that you had. Was that just with Mr. Hall or is that with the full Commission?

Mayor Donchess

Mr. Hall. I think he called me but I might have called him. I forget how that happened. Yeah it was just - his point was look the employees are very enthusiastic about the work they do there and for good reason. Sometimes employees get overly enthusiastic and there was one person who sent something saying that they objected to Rivier undertaking this project. The Board understood where Rivier is and that wasn't really their position. They'd love it if the City were to tear down the Public Works garage so they could build a second sheet but I keep saying we don't have \$60 million right now which is basically what it would cost. We'd love to do it but we don't have the money. So if someone gave us \$60 million, we'd be happy but that is not happening. Anyway, so he said want me to write a letter to make it clear and that's how this came about.

Alderman Gouveia

Excellent. Thank you. I'm still in the hockey community and hear a lot of rumors about this whole project and have ended up being thrown in the middle of it so just wanted to answer that clarifying question. Thank you.

Mayor Donchess

But I think their committee met together but I didn't meet with them.

Alderman Gouveia

Sure. Thank you.

President Wilshire

Alderman Comeau?

Alderman Comeau

Thank you, Madam President. Just to add on to that real quick. After the email was sent to us from the woman from Conway, my colleague from Ward 9 and I were invited down there to speak with them. They did make that clear to us that she sent that not as a representative of Conway but just as a private citizen of Nashua. It wasn't representative of the views of Conway as a whole so just so that's clear for everybody. Thank you.

President Wilshire

Thank you.

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

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

President Wilshire

I know we have Director Bagley and Director Sullivan here. Did you want to come up now and speak about your legislation? Director Bagley?

Bobbie Bagley, Division of Public Health and Community Services Director

Good evening. It's good to see everybody. Happy New Year. It's my first time seeing you all since we're still in January. I can still say Happy New Year.

So the item that is on the agenda for this evening R-23-083. This is for acceptance of grant funds which is an amendment to the contract that we already have. This will be in the amount of \$158,574 from the State of New Hampshire Department of Health and Human Services. This is actually funding the first amendment is for emergency preparedness and that's in the amount of \$18,778. This is money that is going to be rolled over from last year because the State had intended to provide us with this funding but they needed to put it into an amendment.

The second amount for COVID health disparities in the amount of \$139,796 is additional funding that the State received and they wanted to award that to an approved contract amount of \$15,000. This is to help support the Community Health workers that we already have hired but \$15,000 buys you nothing so they had the funding to add the \$139,000 to this. The amendment is to support the existing services that we currently have.

President Wilshire

Thank you.

Bobbie Bagley, Division of Public Health and Community Services Director

Can I just add?

President Wilshire

Oh yeah, sure.

Bobbie Bagley, Division of Public Health and Community Services Director

So the reason that I was asking for a first and second read this evening is because they're trying to get this on the Governor and Council agenda to get this passed tonight so they can get it on the agenda next week. Thank you for that consideration.

President Wilshire

Thank you. No one else has signed up. I see Karen Smith, Brian Soyka, you're good. Okay.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Mayor Jim Donchess
Re: Multi-Year Contract Award – Greenman-Pederson

MOTION BY ALDERMAN GOUVEIA TO APPROVE CONTRACT AMENDMENT #2 WITH GPI (GREENMAN-PEDERSON, INC.) AND A CONTRACT EXTENSION DATE FROM JUNE 30, 2022 TO MARCH 31, 2023 TO PROVIDE ASSISTANCE TO NTS FOR CONSTRUCTION PHASE SERVICES, RESIDENT ENGINEERING, ARCHITECTURAL SUPPORT, INSPECTION, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE TRANSIT CENTER RETROFIT PROJECT IN THE AMOUNT OF \$32,975.93. FUNDING WILL BE THROUGH DEPARTMENT 186 TRANSPORTATION; FUND: 54120 CONSTRUCTION SERVICES/FTA GRANT FUNDS, BY ROLL CALL

President Wilshire

Discussion on the Motion? Seeing none, will the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez,
Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau,
Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault,
Alderman Wilshire 13

Nay: 0

MOTION CARRIED

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

The following appointments were read into the record:

Ethics Review Committee

Lyndsay N. Robinson, Esq. (new appointment) Term to Expire: January 10, 2026
Main Street
Nashua, NH 03061

Michael J. Tabacsko (new appointment) Term to Expire: January 24, 2026
5 Federal Hill Road
Nashua, NH 03062

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

Committee on Infrastructure 10/26/2022

There being no objection, President Wilshire declared the report of the October 26, 2022 Committee on

Infrastructure be accepted and placed on file.

Finance Committee.....11/16/2022, 12/21/2022, 01/04/2023

There being no objection, President Wilshire declared the reports of the November 16, 2022, December 21, 2022, and January 4, 2023 Finance Committee be accepted and placed on file.

Pennichuck Water Special Committee..... 01/09/2023

There being no objection, President Wilshire declared the report of the January 9, 2023 Pennichuck Water Special Committee be accepted and placed on file.

Personnel/Administrative Affairs Committee..... 11/01/2022

There being no objection, President Wilshire declared the report of the November 1, 2022 Personnel/Administrative Affairs Committee be accepted and placed on file.

Planning and Economic Development Committee 11/15/2022, 12/20/2022

There being no objection, President Wilshire declared the reports of the November 15, 2022 and December 20, 2022 Planning and Economic Development Committee be accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS - None

UNFINISHED BUSINESS – RESOLUTIONS

R-22-077

- Endorsers: Alderman Richard A. Dowd
- Alderman-at-Large Michael B. O'Brien, Sr.
- Alderman Patricia Klee
- Alderman Alex Comeau
- Alderman June M. Caron
- Alderman Derek Thibeault
- Alderman-at-Large Lori Wilshire

REGARDING THE CARE AND CONTROL OF 9 RIVERSIDE STREET

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-22-077, BY ROLL CALL

ON THE QUESTION

Alderman Dowd

I'd like to speak to it briefly.

President Wilshire

Alderman Dowd?

Alderman Dowd

Yes, this is in keeping with our Charter. So the DPW is moving out into their new building and we will soon be getting legislation to allow them to manage that building. This is to allow for the Police Department to take over this building and manage it as was described by the Chief of Police during the committee meeting.

President Wilshire

You've all heard the Motion is there discussion on the Motion? Seeing none will the Clerk call the roll?

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

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire	13
Nay:		0

MOTION CARRIED

Resolution R-22-077 declared duly adopted.

R-22-078

Endorsers: Mayor Jim Donchess
Alderwoman-at-Large Shoshanna Kelly
Alderman June M. Caron
Alderman Derek Thibeault
Alderwoman-at-Large Gloria Timmons
Alderman-at-Large Melbourne Moran, Jr.
Alderman Patricia Klee
Alderman-at-Large Michael B. O'Brien, Sr.

AMENDING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ANNUAL ACTION PLAN FOR FISCAL YEAR 2023 RELATIVE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG")

Given its second reading;

MOTION BY ALDERMAN LOPEZ FOR FINAL PASSAGE OF R-22-078, BY ROLL CALL

President Wilshire

Motion is for final passage of R-22-78 is there discussion on that Motion? I will not be voting on this. I believe this affects my employer. Will the Clerk call the roll?

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

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault	12
Nay:		0
Abstained:	Alderman Wilshire	1

MOTION CARRIED

Resolution R-22-078 declared duly adopted.

R-23-080

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderdwoman-at-Large Gloria Timmons

REGARDING THE CARE AND CONTROL OF SCHOOL BUILDING PROPERTIES

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-22-080, BY ROLL CALLON THE QUESTION

Alderman Dowd

I'd like to speak to it briefly.

President Wilshire

Alderman Dowd?

Alderman Dowd

Yes, again this an administrative item. We have started the work on Main-Dunstable and Birch Hill. The State requires that we say that we're going to maintain that building as a school for at least 50 years. It's much like when we do things with the airport and then need a 99 year lease. So this is to allow us to submit pay applications to the State to pay for the State's part of the project.

President Wilshire

You've heard the Motion, is there discussion? Alderman Sullivan?

Alderman Sullivan

Thank you, Madam President. Just a clarifying question. I was reading through the Resolution and it says "Resolution confirms it acknowledges existing City Charter etc., etc." My question is we need to pass legislation to confirm what's already in the Charter? That is my question. I read it as we already have legislation saying that we have control over school property but we have to pass an additional legislation.

Alderman Dowd

The RSA. What you're talking about in the Charter is that the School Department has control and the City have control over the school buildings. What this is saying is they're giving us money for two specific schools and they want us to ensure that we're going to keep those open for at least 50 years, which by the way is a

shorter period than all of our other schools. Even the ones we've closed were open for longer than 50 years. We're rebuilding these two schools. Obviously, we're not going to closing them anytime soon. So this is to when the State gives us the monies under their rules, they just want us to say yes we know you control the schools but you're going to keep it open for 50 years because we're going to give you all this money to rebuild the schools.

Alderman Sullivan

Thanks.

President Wilshire

You're welcome. Any further discussion? Seeing none, will the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire	13
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Nay:	0
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MOTION CARRIED

Resolution R-22-080 declared duly adopted.

R-23-081

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

AUTHORIZING THE CITY OF NASHUA TO ENTER INTO A CONTRACT WITH ATA OUTDOOR MEDIA FOR TRANSIT ADVERTISING SERVICES

Given its second reading;

MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-22-081, BY ROLL CALL

ON THE QUESTION

President Wilshire

You've heard the Motion, is there discussion on the Motion? Alderman Sullivan?

Alderman Sullivan

Thank you, Madam President. I have a few questions around this contract. I did watch the Finance Committee meeting from 18 January and I just had a few questions about this company. I know that this is a new contract with a new company who was the prior and why did we decide to part ways with them? I didn't know if there was anybody that could...?

Mayor Donchess

Matt Sullivan is very on top of this. So if he could address that Madam President?

President Wilshire

Yes, certainly.

Matt Sullivan, Community Development Division Director

Thank you Madam President. A very appropriate question and one that I had actually thought had come up at the Committee meeting but I don't think it did directly. As it turned out, and we actually went out for new proposals for the contract, the existing contractor did not submit a new proposal for the contract. Frankly, I don't think there was any specific reason for that. We actually had a very productive relationship working with them. That's sort of how the path went. I will say that the proposal to bring on ATA Outdoor Advertising - they were actually the City's contractor prior to our existing partner Fuel Media. So we have a level of familiarity with them but the existing contractor did not rebid the project.

Alderman Sullivan

Follow-up please?

President Wilshire

Umm, sure.

Alderman Sullivan

Thank you. In the contract, it says the City gets a minimum amount in year one of \$21,000 etc. etc. It escalates as it goes on. Then earlier in the contract, it says there's a 60/40 split of gross revenue. I think in the committee meeting you said that we get \$21,000 and that represents 60% or could you explain that please?

Matt Sullivan, Community Development Division Director

Madam President if I may?

President Wilshire

Yes.

Matt Sullivan, Community Development Division Director

The \$21,000 is a minimum payment of revenue to the City. Independent of that though, there's a 60/40 split assuming and exceeding number beyond that. In the event for example that the transit contractor collected \$100,000 in revenue, we would obviously receive 60% of that, them receiving 40%. That \$21,000 and the additional \$36,000, \$48,000, \$50,000, those are minimum thresholds for revenue to be distributed to the City.

Alderman Sullivan

Okay. One more question.

President Wilshire

You bet.

Alderman Sullivan

How two, three year revenue history on advertising on buses for the City. I couldn't find it anywhere in the budget so I was just curious about what that number is?

Matt Sullivan, Community Development Division Director

I'd be happy to address that. It's interesting. We should not look at the last three years because they've been a very challenging environment for transit advertising. This has been a bit of a moving target for us but I should note that as part of a prior contract iteration with a different entity, we actually had to adjust the revenue expectations and the minimum revenues because of COVID. So we had to drop these thresholds below even what you see here with this new contractor. Looking back at the budget figures, and I assume this question may come up this evening, we ranged anywhere between about \$40,000 to \$50,000 in revenue in recent years. In years present to COVID, the numbers were higher than that. It is somewhat entity specific in who our partner is in the contract. There has been volatility associated with the general economic market as well. So while we're confident in the minimums that are presented in the contract should some significant worldwide economic recession take its hold, it is possible that there could be an adjustment needed but these are intended to be reasonable expectations of revenue.

Alderman Sullivan

Got it. Thanks. Thank you very much.

President Wilshire

You're welcome. Alderwoman Kelly did you have a question?

Alderwoman Kelly

I was just going to say pretty much what Director Sullivan said. As someone who works in the industry and has placed advertising in transit, the last few years were not a good measure for revenue.

President Wilshire

Okay, thank you. Further discussion? Seeing none will the Clerk please call the roll?

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

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire	13
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Nay:		0
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MOTION CARRIED

Resolution R-22-081 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES - None

NEW BUSINESS – RESOLUTIONS

R-23-082

Endorsers: Alderman-at-Large Lori Wilshire
Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman Richard A. Dowd
Alderman Derek Thibeault

AUTHORIZING THE MAYOR TO ENTER INTO A COST SHARING AGREEMENT WITH COMMUNITY POWER COALITION OF NEW HAMPSHIRE

Given its first reading; Assigned to the FINANCE COMMITTEE, by President Wilshire

R-23-083

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Thomas Lopez
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault
Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Lori Wilshire

RELATIVE TO THE ACCEPTANCE OF GRANT FUNDS PURSUANT TO CONTRACT AMENDMENT #1 IN THE AMOUNT OF \$158,574 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO VARIOUS PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITIES

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

MOTION BY ALDERMAN O'BRIEN TO SUSPEND THE RULES FOR A SECOND READING OF R-23-083, BY ROLL CALL

ON THE QUESTION

Alderman O'Brien

May I speak to this Amendment?

President Wilshire

Alderman O'Brien?

Alderman O'Brien

Yes, thank you. This is very rarely that the Board does something like this. It's usually when matters are very timely and this does affect our Health Department so I hope my fellow Alderman will support the Motion to suspend the rules. Thank you.

President Wilshire

Alderman Lopez?

Alderman Lopez

Through the President to Attorney Bolton, we don't have to have any kind of special public hearing for this

because it's been amended, correct?

Steve Bolton, Corporation Counsel

You don't have to have any special public hearing for this, no.

Alderman Lopez

I would just want to express that I think the manner in which this was approached is a little bit unfortunate. The Human Affairs Committee has been willing in the past to review pending legislation. In fact, we had legislation that the Public Health Department indicated needed to be passed with a second reading last year and we were willing to review it in Committee before it came to the Board so that at least the Committee members who were on the Board and anyone interested would be able to have a question and answer period and review it. So we probably could have done that last week. It sounds like this is a rapidly unfolding situation but there was enough time for at least the concept of it to be brought to us even if there wasn't formal legislation in place.

I would also want to point out that the Human Affairs Committee is pretty flexible in its membership and we are willing to meet under short notice. We talked about this at last week's meeting with regards to CDBG but per Director Bagley's report trying to get everybody to meet before next week would have been a little bit of a stretch even if it was for just an informational kind of presentation. There have been a number of situations where additional money has been allowed by the State of New Hampshire while the State of New Hampshire has also asked us to kind of march to their tune and move to their beat. So we are typically as a City and the Public Health Department as a Department is pretty nimble in those kind of situations recognizing that being able to deliver the services is key and we are more organized than the State is on virtually every scenario that they've brought to us. So I don't necessarily see this as anything out of the ordinary. I would just express that as a Committee, we probably would have reviewed this under slightly different circumstances and it seems like the best thing to do is to move forward with giving it a second reading.

President Wilshire

Motion is to suspend the rules. Anything further? Will the Clerk please call the roll?

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

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire	13
Nay:		0

MOTION CARRIED

R-23-083

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman Thomas Lopez
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault
Alderwoman-at-Large Shoshanna Kelly
Alderman-at-Large Lori Wilshire

RELATIVE TO THE ACCEPTANCE OF GRANT FUNDS PURSUANT TO CONTRACT AMENDMENT #1 IN THE AMOUNT OF \$158,574 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO VARIOUS PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITIES

Given its second reading;

MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-23-083, BY ROLL CALL

ON THE QUESTION

Alderman O'Brien

May I speak briefly?

President Wilshire

Alderman O'Brien?

Alderman O'Brien

Madam President and I'm sure every single member of this Board recognizes the fine work of the Human Affairs Committee. Again in listening to Director Bagley, this matter has some timeliness to it so I urge you to support this to the betterment of receiving \$158,574 into our Public Health Department. Thank you.

President Wilshire

Discussion? Will the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire	13
Nay:	0

MOTION CARRIED

Resolution R-23-083 declared duly adopted.

NEW BUSINESS – ORDINANCES - None

PERIOD FOR GENERAL PUBLIC COMMENT

Matt Sullivan, Community Development Director

Good evening everyone. Thank you Madam President. I wanted to speak under this portion of the agenda rather than the beginning because this is not a specific piece of information related to legislation. I did just want to take a moment to address some of the Mayor's comments related to recent transit route cancellations as part of the Nashua Transit System and more accurately temporary suspensions that have been put in place by NTS until the end of March.

I want to start by thanking our riders specifically for their patience and understanding. It doesn't go quite far enough obviously because this has been a life-altering change for many folks not only during the week days but on Saturday's as well. We're working through that disruption as best we can in partnership with our contracting entity First Transit but really the riders have bearing the brunt of this. I want to thank those of you who have reached out and those that will reach out to connect constituents that you may have that are concerned about these service interruptions and we certainly appreciate and we'll do our best to address those.

Again, I want to emphasize these are temporary modifications in nature but just review what these entail. Monday through Friday the following route modifications are in place. As of yesterday, there will be no Route 2 in place which is primarily an Amherst Street Route but touches other areas. Route 2A will continue to be provided. There will be no Routes 3, 5, and no central route in the evening and no on-demand van. That's Monday through Friday. Again, I'm happy to review these in detail with any member of the Board after the meeting if you'd so approve or allow.

On Saturdays we'll be offering three modified routes that are sort of a hybrid of some of our existing routes. Throughout the day albeit under modified hours of operation and all of this is being done really because of a bus shortage more than the Mayor's sort of touched on it. It is a financial issue but it's not the Nashua Transit is not financially viable. It's actually that bus drivers are very hard to come by particularly at the rates that we're able to offer right now but we are working towards a solution on this. So I want to emphasize this is temporary and we will be coming back to you to propose some form of solution to address this, although we know the period in the interim will be very challenging.

I also want to point out that our primary objective in these rail modifications was to ensure that all stops continue to be provided for albeit with a different level of frequency of the routes that are actually getting to those stops. We've been relatively successful with that but there are some stops where folks will have to walk to alternative transit stops in order to grab the bus they would normally take.

All of our ride guides and maps will be updated this week. Our timing was not perfect there but we had to sort of move quickly when it came to these suspensions. We know that folks rely upon those two pieces of information - the ride guide and the map. So those will be released this week so the public has the most accurate information.

We're also doing a level of outreach we haven't really done with a temporary suspension like this both at the Transit Center on weekends and during the week. We'll also be holding two public meetings. One of which is tomorrow at 9:00 a.m. in Room 208 to speak to the public and collect input. We're also offering a Zoom option. Then on February 14th we'll be offering a meeting at 3:00 p.m. in Room 208 to talk in sort of a group format for the public as well. But again, we'll be doing ongoing outreach through that. If there are any questions, please do not hesitate to reach out to me, to Camille Correa, the Transit Administrator, or to call us 603-880-0100, or to email us at ntsfeedback@nashua.gov. Again, we recognize the implications of these routes and we're working diligently to try to resolve this as soon as possible and I'll be back before you hopefully to talk about what that solution actually looks like. But we appreciate your patience and understanding during this very difficult time for particularly our riders in the community.

If I could just finish very briefly. Switching to a different topic on the agenda this evening. I did just want to encourage everyone relative to R-23-082 which is the Community Power Coalition Resolution. There will be sort of a unique finance presentation at the Finance Committee meeting that Doria Brown is planning to some extent bringing in members and subject matter experts specifically from Community Power Coalition of New Hampshire to offer some insight into what this means for the City of Nashua and to answer any questions that members of the Board might have because we do recognize this is a very complex issue. So I would just encourage you to attend that meeting. Of course reach out to Doria Brown if you have any questions about anything related to that Resolution, that legislative action in front of you. Thank you.

President Wilshire

Thank you, Director Sullivan. Alderman Lopez?

Alderman Lopez

Before Director Sullivan goes could you clarify whether or not para-transit is active on Saturday?

Matt Sullivan, Community Development Director

Para-transit will be active during the Saturday core hours but not obviously in the evening hours when the service has been truncated. Alderman Lopez if I may, I do want to confirm that with you so after the meeting I'll connect with you. I can certainly issue a clarifying comment but my understanding is that para-transit will be offered during the core hours of the day.

Alderman Lopez

Thank you.

President Wilshire

Alderman Jette?

Alderman Jette

Thank you. So the public knows, they already had some questions about the Power Coalition Resolution. So that the public knows, do you know which Finance Committee meeting this is going to be presented at - the presentation is going occur?

Matt Sullivan, Community Development Director

Alderman Jette I do not know as of this point in time but we can work to ensure that information is shared through all of our traditional methods. I do not know exactly what Finance Committee meeting this will be scheduled for at this point in time. Miss Graham is telling me next week but we'll confirm the date.

Mayor Donchess

Next meeting I believe is February 1st. I assume they would come in at that point but I guess we have to confirm with Community Power people.

Matt Sullivan, Community Development Director

We can work to confirm that.

President Wilshire

Alderman Klee?

Alderman Klee

Thank you, Madam President. I'd like to thank Director Sullivan for putting up with my phone calls over the weekend and calling me back. I truly did appreciate that. All the help that you gave me from Friday right into Sunday.

One of the things that I just wanted to comment is that there's a misconception that these drivers are City employees and the City isn't paying them enough, etc. This is all part of a contract. Could you give not a lot of detail but a slight for the public that are listening?

Matt Sullivan, Community Development Director

Yes, I'd be happy to. Madam President the answer to the question being posed. So we do have a unique situation is that we have a small administrative staff that are City employees associated with Nashua Transit. The contractor that you really see driving the buses and operating the service is an entity known as "First Transit". They have been a long-time City partner and while we are independent entities, we work collaboratively on pretty much everything involved with the transit planning and operation. However when it comes to the drivers themselves, they are actually part of the First Transit Contract remit and therefore there is some complexity when it comes to how wages are paid, what wages look like. We have some contractual obligations and there are contractual constraints. But that also gives us some flexibility when it comes to modifications to wages and other things as well. It's a complicated but has been a very productive relationship for many, many years that we hope to continue.

Alderman Klee

Thank you.

President Wilshire

Thank you very much Director Sullivan.

Matt Sullivan, Community Development Director

Thank you. I appreciate it.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Sullivan

I love snow. However, many people in Nashua do not and hat's off and many thanks to the plow drivers of Nashua's Department of Public Works for keeping the roads clear and not that slippery. I know we have more snow on the way. I just wanted to give them a quick acknowledgement of thanks for what they do.

President Wilshire

Alderman Klee?

Alderman Klee

Thank you Madam President. I want to just kind of echo again what Director Sullivan said about the meeting tomorrow at 9:00 a.m. for the NTS. If you go onto the City's website and look at the Nashua Transit System, and that is what NTS stands for, you'll see the link in the announcement and so on to Zoom for those who don't want to come out tomorrow. I plan on being at that meeting. I did thank Director Sullivan. He has been very helpful. I know that if given the chance to have done something differently, maybe we would have had more of a heads up but it is what it is. I do think that Director Sullivan and staff and so on have been trying to do what they can. I spoke to him over the weekend and there was a specific person that had called me with questions and he or one of his staff members had reached out to that person to try and help them. They may not be able to do the changes that you want but they're willing to listen and see what they can do. So I do tell people to call the 603-886-0100 number if they have any questions. Thank you.

President Wilshire

Alderman Lopez?

Alderman Lopez

So first I want to remind members of Ward 4 or constituents of Ward 4 that we are planning to have a Mayor's Town Hall tomorrow at 6:00 p.m. at Ledge Street assuming the Mayor can attend and not snowed in.

Mayor Donchess

Well I'm planning on it since I called it.

Alderman Lopez

So we'll see how the Mayor's plans work out.

Monday we are organizing a Crime Watch meeting at Caribbean Breeze at 8:00 a.m. to talk about different circumstances that are happening on Main Street. Nashua PD will present on different kind of interactions they have. We'll also have a couple of the committee agencies there that do outreach there to talk about their services who can support different needs that you see even if you don't feel like it's necessary a law enforcement issue. Again, that's 8:00 a.m. on Monday, January 30th, at Caribbean Breeze. Thank you.

President Wilshire

Alderman Comeau?

Alderman Comeau

Yes thank you, Madam President. I'd like to echo the comments of my colleague from Ward 9. I also love snow. I particularly like it when it falls a couple of hours to our north on ski slopes. But I'd like to address a couple of my snow related pet peeves since I have a moment.

The first being Jessica's Law requires that people clear all of the snow off their cars. I can't tell you how many cars I've seen over the last couple of days with the littlest piece of the windshield cleared off and I don't understand how you can possibly drive safely like that. So please clear off your car before you drive it around.

Also particularly in the downtown areas that have some street parking, if you're parked on the street and the plow kind of plows your car in when you dig your car out, try not to just dig out the minimum and leave massive piles of ice around in those parking spots because it makes it difficult for other people trying to get around. Also if you are physically capable and you're willing, please take a moment to clear out a fire hydrant or two while you're out doing the sidewalks because that greatly helps out Nashua Fire. Thank you.

President Wilshire

Alderman Thibeault?

Alderman Thibeault

Thank you, Madam President. I just have a couple of things. First, I want to thank the DPW, especially Lauren Byers who helped me with a resident this weekend going into Monday. To their points, they've done a great job over the last couple of days. There has been so many outages around the State and I think Nashua is .5% for power outages. So the people that are working in the State to get the snow cleared off who are in the City have done a great job.

Secondly, Spy Glass Brewery is opening having a ribbon cutting on Saturday at 1:00. That's in my Ward behind the Sheraton. Very proud of having another business especially Spy Glass, they do a great job.

Lastly, I want to thank everybody over the last couple of weeks that have reached out to me either personally or through email, or through cards, and especially Alderwoman Timmons who her and Linda Harriott-Gathright were nice enough to attend Temple with us that night for my sister-in-law who had passed away at 61. That's

just too young to go and it's been a tough month for my wife and for our whole family. It wasn't a great Christmas break so I appreciate everybody that's reached out. It's appreciated and everybody knows when you go through these things how much support you need from family, friends, co-workers, and I certainly appreciate it so thank you.

Mayor Donchess

Madam President?

President Wilshire

Mayor Donchess?

Mayor Donchess

Now my understanding is that Spy Glass is at 11:30 a.m.

Alderman Thibeault

Is it 11:30 a.m.?

Mayor Donchess

Maybe we should get together and confirm what it is?

Alderman Thibeault

You might be right on that. I have to look at the email I got from Miss Palmer.

Mayor Donchess

Okay. I think it goes for a while but I think the actual ceremony goes til midnight. I believe the actual ceremony may be at 11:30 a.m.

Alderman Thibeault

All right. I'm ready.

Committee announcements:

President Wilshire

Alderman O'Brien?

Alderman O'Brien

Thank you. Just to remind everybody Thursday there will be a joint meeting of Infrastructure and BPW. This coincides with the project that's going on at the City landfill. The meeting will be held here in the Aldermen's Chamber at 3:00 p.m. I'm going to ask Alderman Dowd if he may Chair it. With the current weather conditions, it cuts down on my land speed record as far as traveling from Concord back so to do it safely. So if you can handle that for me, that would be great.

And then to the Infrastructure Committee and also to Joint PEDC, I don't know what we're going to do but please keep February 7th open. We're working on a date at that particular time. So that seems to be the two things that are popping up. Thank you.

President Wilshire

Other Committee announcements? Alderman Dowd

Alderman Dowd

Joint Special School Building Committee this Thursday at 7:00 p.m. at Nashua High North.

President Wilshire

Any others?

President Wilshire

I'd just like to wish Alderwoman Kelly a speedy recovery. And that's all I have. Do we have a Motion Alderman O'Brien?

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE JANUARY 24, 2023, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED, BY ROLL CALL

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

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderman Thibeault, Alderman Wilshire	13
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Nay:		0
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MOTION CARRIED

The meeting was declared adjourned at 8:32 p.m.

Attest: Dan Healey, City Clerk