

A regular meeting of the Board of Aldermen was held Tuesday, March 26, 2019, at 8:50 p.m. in the Aldermanic Chamber.

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

Prayer was offered by City Clerk Patricia D. Piecuch; Alderman Tom Lopez led in the Pledge to the Flag.

The roll call was taken with 13 members of the Board of Aldermen present; Alderman Gidge and Alderman Klee were recorded absent.

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

REMARKS BY THE MAYOR

Mayor Donchess

I will try to keep it brief. There are a couple of landfill related items on tonight. The cost for us and for communities across the United States really in terms of handling solid waste are going up significantly; so you see some of those costs hitting. The first is the bonding of \$6 million dollars for the construction of Phase III of the landfill. Right now were nothing done at the landfill there would be maybe a year, or year and a half left of life and then it would have to be closed. So the construction of Phase III which has been licensed by DES will buy an additional 10 to 15 years and then Phase IV, Public Works is seeking to license Phase IV which they think they can ultimately do. That will enable the life of the landfill to be extended for another 40 or so years. All these projects are necessary unless we wanted to just close the landfill down and then the cost of shipping waste out of town would be, of course, very, very significant.

The other solid waste related cost is the \$120,000.00 which is necessary to pay for the disposal to the recycling for the remaining three, the last three months of the year or so. I think you've heard a lot about that so I won't go into it too much more. One thing that I hope that you've noticed is that the "Your Voice, Your Choice!" project finished. We appropriated \$25,000.00 to be spent in the Tree Streets. The project was for people within the neighborhood to develop possible projects which they did with the cooperation and assistance of PAL and NeighborWorks and other organizations. There were about 10, Alderman Lopez was very involved, but about 10 projects that were put forward. Then there was a vote in the neighborhood of more than 300 people.

The project that came out, I mean the whole experience if you talk to Ms. Marchant or Ms. Chizmas was extremely positive. In the end the neighbors voted to spend \$20,000.00 on a Futsal Court and then \$5,000.00 on Community Gardens. Now Futsal Court is something we would not ever have thought of I think. What it is, is a soccer field or court the size of a basketball court where kids can play soccer in a much more urban setting in a much more confined space. They play soccer in an enclosed space with fencing on like a basketball court sized court. It is a smaller team, it's like 5 on 5; not a full 11 person team. But the soccer people say that this is a great way, not only to engage the young people in an urban environment but also to teach soccer skills because the footwork required on a small court is very intricate and therefore soccer players develop their foot skills more quickly in this type of environment than on a larger field.

So it turned out great, the project is fantastic, we should definitely think about doing this again. This money was escrowed and then devoted to this purpose and I just think it was really positive; great for the neighborhood. They came up with a really good idea and in the end I think we did something really good for the City.

On the Assessing front you got a report from Ms. Kleiner and Mr. Griffin about various steps that have been taken over the last couple of weeks; one of which was a meeting with the DRA. Also, I think you got a copy of the KRT report which was posted on the web site which explains the assessing process and what was done here in Nashua which is typical is what is done everywhere in revaluation.

I think it gives people a very in-depth insight of what the revaluation process is; it has tables with all the properties in Nashua. I think it shows people and gives them more insight than they had as to what happens in the revaluation.

And finally I thought I would mention that Saturday is the 7th Walk against Heroin organized by Darlene Pena who lives here in Nashua. This will start at Greeley Park and come down to City Hall and go back. Darlene is very devoted to making and organizing these walks and I think they show a lot of support for the families that have been deeply affected by the heroin opioid crisis as well as those in recovery. Again it is a very positive experience, obviously anybody on the Board would be more than welcome if you wish to participate in the walk and otherwise I just want to thank Darlene for organizing this again. So that is all I have Madam President.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Lopez

So a quick response regarding the "Your Choice, Your Voice" I was involved in proposing garbage cans along the rail trail and a bus shelter, so not the real exciting stuff. It was actually the kids at the PAL Center who when they heard that they actually had a choice and their voice would be heard, several of them starting organizing projects, proposals, you know, visual aids which were shown to us at a resource fair. So they were the ones, I think his name was Devonte, who were pushing the futsal court and advocated for it and developed the community support. So I think a really good lesson for them; they were also interested in a gaga pit which I also had to look up, it sounds like a great idea and I invite anyone to check into that.

I just wanted to clarify with the Mayor regarding the Awareness is Healing Walk this Saturday, my understanding was it going to start at City Hall and then loop around back to City Hall.

Mayor Donchess

That may be, I'm so used to doing it the other way so we should look into it before Saturday. I'm just used to it, but I think you are right, that they've decided to reverse it this time.

Alderman Lopez

Well they posted it on their Facebook page and they told me to play guitar at the beginning of it so I hope I'm in the right place.

Mayor Donchess

I'm sure you are right; I'm just going by the past.

President Wilshire

Well Alderman I know what futsal but whatever that other thing you mentioned, gaga?

Alderman Lopez

Yes it is basically a pit where you use your hands instead of your feet with the ball. It is very interesting and it is very compact too.

President Wilshire

But it's not like futsal.

Alderman Lopez

No it's basically the opposite, "handsal".

President Wilshire

Thank you.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETINGS AND PUBLIC HEARINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meetings of March 7, 2019, March 12, 2019, and the public hearing conducted by the Planning and Economic Development Committee on March 19, 2019, accepted, placed on file, and the readings suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Jeffrey L. Snow, Superintendent, Edgewood Cemetery
Re: Request to Meet in Joint Convention with Edgewood Cemetery Board of Trustees

There being no objection, President Wilshire accepted the communication, placed it on file and scheduled a Joint Convention with the Edgewood Cemetery Board of Trustees on Tuesday, April 9, 2019, at 7:30 p.m. in the Aldermanic Chamber

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

COMMUNICATIONS REQUIRING FINAL APPROVAL

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

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

From: Mayor Jim Donchess
Re: Contract Award for Phase III Landfill Construction

**MOTION BY ALDERWOMAN KELLY TO ACCEPT, PLACE ON FILE AND AWARD THE CONTRACT TO CHARTER CONTRACTING COMPANY, LLC, IN THE AMOUNT OF \$5,525,525.
MOTION CARRIED**

PETITIONS

Petition for Street Discontinuance: Portion of Lakeside Avenue

There being no objection, President Wilshire accepted the Petition for Street Discontinuance, referred it to the Committee on Infrastructure and the Nashua City Planning Board, and scheduled a public hearing for Wednesday, April 24, 2019, at 7:00 p.m. in the Aldermanic Chamber

NOMINATIONS, APPOINTMENTS AND ELECTIONS – None

REPORTS OF COMMITTEE

Budget Review Committee..... 03/18/2019

There being no objection, President Wilshire declared the report of the March 18, 2019, Budget Review Committee accepted and placed on file.

Finance Committee 03/20/2019

There being no objection, President Wilshire declared the report of the March 20, 2019, Finance Committee accepted and placed on file.

Human Affairs Committee..... 03/11/2019

There being no objection, President Wilshire declared the report of the March 11, 2019, Human Affairs Committee accepted and placed on file.

Pennichuck Water Special Committee..... 03/21/2019

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

Planning & Economic Development Committee..... 03/19/2019

There being no objection, President Wilshire declared the report of the March 19, 2019, Planning and Economic Development Committee accepted and placed on file.

Substandard Living Conditions Special Committee..... 03/14/2019

There being no objection, President Wilshire declared the report of the March 14, 2019, Substandard Living Conditions Special Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS – None

UNFINISHED BUSINESS – RESOLUTIONS

R-19-108

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$15,573 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES, EXOTIC SPECIES PROGRAM AND AUTHORIZING THE TRANSFER OF MATCHING FUNDS

Given its second reading;

**MOTION BY ALDERMAN SCHMIDT FOR FINAL PASSAGE OF R-19-108
MOTION CARRIED**

Resolution R-19-108 declared duly adopted.

R-19-109

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Jan Schmidt
Alderman-at-Large David C. Tencza
Alderwoman Mary Ann Melizzi-Golja
Alderwoman-at-Large Shoshanna Kelly
Alderman Patricia Klee
Alderman Linda Harriott-Gathright
Alderman-at-Large Michael B. O'Brien, Sr.

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK WATER WORKS, INC. TO BORROW FUNDS FROM THE STATE OF NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER TRUST FUND

Given its second reading;

**MOTION BY ALDERMAN TENCZA FOR FINAL PASSAGE OF R-19-109
MOTION CARRIED**

Resolution R-19-109 declared duly adopted.

R-19-111

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF AN ADDITIONAL \$138,937.92 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO TRANSIT GRANT ACTIVITY "FEDERAL TRANSIT AUTHORITY ("FTA") OPERATING GRANT"

Given its second reading;

**MOTION BY ALDERWOMAN MELIZZI-GOLJA FOR FINAL PASSAGE OF R-19-111
MOTION CARRIED**

Resolution R-19-111 declared duly adopted.

R-19-115

Endorsers: Mayor Jim Donchess
 Alderman Ernest Jette
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Richard A. Dowd
 Alderman Linda Harriott-Gathright
 Alderwoman Mary Ann Melizzi-Golja
 Alderman Jan Schmidt

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$120,000 OF UNANTICIPATED REVENUE FROM FUND 6000 "SOLID WASTE FUND", ACCOUNT 44286 "COVER MATERIAL REVENUE" INTO FUND 6000 "SOLID WASTE FUND", ACCOUNT 55699 "OTHER CONTRACTED SERVICES"

Given its second reading;

MOTION BY ALDERMAN JETTE FOR FINAL PASSAGE OF R-19-115 BY ROLL CALL

A Viva Voce Roll Call was taken, which resulted as follows:

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

13

Nay:

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MOTION CARRIED

Resolution R-19-115 declared duly adopted.

R-19-116

Endorsers: Alderman Richard A. Dowd
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Linda Harriott-Gathright
 Alderman Patricia Klee
 Alderman Tom Lopez
 Alderwoman Mary Ann Melizzi-Golja
 Alderman-at-Large David C. Tencza
 Alderman Jan Schmidt

CHANGING THE PURPOSE OF UP TO TEN THOUSAND DOLLARS (\$10,000) OF UNEXPENDED BOND PROCEEDS FROM THE ROOF REPLACEMENT WORK AT FAIRGROUNDS MIDDLE SCHOOL AND LEDGE STREET ELEMENTARY SCHOOL TO PAY COSTS OF ROOF ASSESSMENTS AT MAIN DUNSTABLE, BIRCH HILL, AND BICENTENNIAL ELEMENTARY SCHOOLS

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-19-116 BY ROLL CALL

A Viva Voce Roll Call was taken, which resulted as follows:

Yea:	Alderman O'Brien, Alderman Harriott-Gathright, Alderman Dowd Alderman Laws, Alderman Lopez, Alderman Caron, Alderwoman Kelly, Alderman Jette, Alderwoman Melizzi-Golja Alderman Tencza, Alderman Schmidt, Alderman Clemons Alderman Wilshire	13
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Nay:		0
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MOTION CARRIED

Resolution R-19-116 declared duly adopted.

R-19-119

Endorsers: Alderman-at-Large Lori Wilshire
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Linda Harriott-Gathright
 Alderman Richard A. Dowd
 Alderman Patricia Klee
 Alderwoman Mary Ann Melizzi-Golja
 Alderman-at-Large David C. Tencza

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

Given its second reading;

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-19-119
MOTION CARRIED**

Resolution R-19-119 declared duly adopted.

R-19-122

Endorser: Mayor Jim Donchess

DISCONTINUING THREE EXPENDABLE TRUST FUNDS

Given its second reading;

**MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-19-122
MOTION CARRIED**

Resolution R-19-122 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES

O-19-038

Endorsers: Alderwoman Mary Ann Melizzi-Golja

Alderman June M. Caron

Alderman Tom Lopez

**AMENDING THE SIGN ORDINANCES RELATIVE TO ADDRESS NUMBERS OF GROUND
SIGNS**

- Also assigned to the Planning Board; Favorable Recommendation Issued 3/7/2019
- PEDC Amended and Tabled pending the Scheduling of an Additional Public Hrg

**MOTION BY ALDERWOMAN MELIZZI-GOLJA TO WITHDRAW FROM COMMITTEE ORDINANCE
O-19-038
MOTION CARRIED**

Ordinance O-19-038 given its second reading;

**MOTION BY ALDERWOMAN MELIZZI-GOLJA TO AMEND O-19-038 WITH THE PROPOSED
AMENDMENTS MADE BY THE PLANNING & ECONOMIC DEVELOPMENT COMMITTEE ON
MARCH 19, 2019**

ON THE QUESTION

Alderwoman Melizzi-Golja

I will just describe those. The amendments are for the letters to be a minimum of four inches to a maximum of eight. The printed area cannot be more than 10 square feet and it is not included in the size of the sign.

MOTION CARRIED

**MOTION BY ALDERWOMAN MELIZZI-GOLJA TO RE-REFER O-19-038, AS AMENDED, TO THE
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE AND THE NASHUA CITY PLANNING
BOARD, AND THAT A PUBLIC HEARING BE SCHEDULED ON TUESDAY, APRIL 16, 2019, AT
7:00 PM IN THE ALDERMANIC CHAMBER
MOTION CARRIED**

NEW BUSINESS – RESOLUTIONS**R-19-124**

Endorser: Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman June M. Caron
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza
Alderman Jan Schmidt

**NAMING THE INTERSECTION AT GRAND AVENUE AND NORTH SEVENTH STREET
“LITTLE LEAGUE SQUARE”**

Given its first reading; assigned to the COMMITTEE ON INFRASTRUCTURE by President Wilshire

R-19-125

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large Ben Clemons
Alderman-at-Large David C. Tencza
Alderwoman Mary Ann Melizzi-Golja
Alderman Linda Harriott-Gathright

**APPROVING THE COST ITEMS OF A SIDEBAR AGREEMENT BETWEEN THE NASHUA
BOARD OF POLICE COMMISSIONERS AND UFPO LOCAL 645 PROFESSIONAL EMPLOYEES OF
THE NASHUA POLICE DEPARTMENT REGARDING SPECIAL PROJECTS**

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

R-19-126

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

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

Given its first reading;

There being no objection, President Wilshire accepted the first reading of R-19-126, assigned it to the Human Affairs Committee and scheduled a public hearing for Monday, April 8, 2019, at 7:00 pm in the Aldermanic Chamber

R-19-127

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

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF TWO MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$2,800,000)

FOR

POLICE DEPARTMENT HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM (HVAC),

AND WINDOW IMPROVEMENTS

Given its first reading;

MOTION BY ALDERMAN DOWD TO ACCEPT THE FIRST READING OF R-19-127 BY ROLL CALL, ASSIGN IT TO THE BUDGET REVIEW COMMITTEE AND THAT A PUBLIC HEARING BE SCHEDULED FOR MONDAY, APRIL 15, 2019, AT 7:00 PM IN THE ALDERMANIC CHAMBER

A Viva Voce Roll Call was taken, which resulted as follows:

Yea:	Alderman O'Brien, Alderman Harriott-Gathright, Alderman Dowd Alderman Laws, Alderman Lopez, Alderman Caron, Alderwoman Kelly, Alderman Jette, Alderwoman Melizzi-Golja Alderman Tencza, Alderman Schmidt, Alderman Clemons Alderman Wilshire	13
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Nay:		0
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MOTION CARRIED

NEW BUSINESS – ORDINANCES – None

PERIOD FOR GENERAL PUBLIC COMMENT

Laurie Ortolano, 41 Berkeley Street. I wanted to start off by extending an apology to the Board of Assessors. I went out to their meeting on Thursday and at the end of the meeting one of the members was pretty deeply offended by my comments at this meeting where I stated that meetings had been cancelled because there wasn't a quorum. And I believe I said that three meetings were canceled and it turns out that the two meetings that were cancelled in February were canceled, a meeting was cancelled on February 7th because they didn't have a quorum and I got an e-mail. Then a week later a meeting was cancelled on February 14th because they didn't have a quorum and I got an e-mail. But it wasn't a separate meeting, so that wasn't two meetings cancelled in their mind, it was one meeting cancelled twice. I was not really aware of that because I wasn't paying attention to the date; I was busy. And the meeting prior to that that was cancelled was cancelled due to a lack of work to do in their minds so they didn't hold the meeting.

I told the Assessor member that I would come forward and clarify that; I think there is still some other issues with our Board that we can work on and deal with. I want to extend that to you, any misinformation I gave you. It was only the two meetings that were cancelled for a quorum and I don't know if we are still looking for somebody for that Board or not. So that is taken care of.

I would like to talk to you about your nepotism policy. I was unaware and as you know my husband and I had our issues in the Assessing Department and one of our concerns is the fact that relatives work in the Assessing Department, we have two brothers. It really didn't work for us, the whole situation ended up being, I think, handled in a complete conflict of interest by the two brothers being involved in our case. It has bothered me a lot when I came out to the meeting and the Mayor spoke about the changes at the management audit meeting and he mentioned that we have an assessor in the office who is a Certified Supervisor who could take over working for the office. I was really upset by that because it is one of the brothers and I just could not stand the thought of a relative taking over as an assessor, as a leader over a sibling, a relative. It just upset me enough that the next day I went to Kim Kleiner's office and said – You just can't do this. Then last Friday, out of the blue, I don't even know why, I never checked. I e-mailed your HR Director and I said – Do you have a nepotism policy. Well it came to me Friday afternoon. The policy very clearly states that “no relatives will work in the same office if it creates the appearance of a conflict of interest” that was number one. The second part of the policy was “no relative will work in a supervisory or managerial position above any other relative”. No questions asked, it is just not happening; well in my opinion we violate that in both cases. We have brothers in there, not only were they working in the same office, they actually had the same role, they were both the residential assessors. You have four assessors, the two that served as the residential assessors were the relatives for 10 years.

For our situation, you know, we had a dispute with how an assessment was created on a property by one individual. When we asked for a review of the property the individual that came to the door was the other brother. My husband was really upset about that, he came to the door, my husband took his business card, read it and said – Oh any relationship to the gentleman who created our assessment? And he chuckled and he went – Well yes, I know it doesn't look good but ... Personally I don't think anyone should be at your door telling you it doesn't look good “but” if it doesn't look good it's not good and you shouldn't have been there. But he came in, I said to my husband – and my husband's next comment to him was – By chance is the supervisor or management, do they carry the last name as well. And he chuckled and said – Well no. We had him come in, he spent about 40 minutes there, I said to my husband privately – We are going to throw his brother under the bus, because we ain't holding back. It's not our fault he sent the brother. We've got a problem and we are going to put it all on the table. So we did; we went through everything. We showed him the property card at 17 Berkeley Street that his brother discounted deeply on a half-price home, how that happened. He kept circling our dining room table and flipping to that property card and pursing his lips and just looking at the data.

We peppered him with a lot of questions, we walked him outside, down the street. We asked him to explain effective year build to us and he couldn't. He said – I just can't really explain that to you right now. And we said – OK but we are really trying to understand what happened to our property. He came back in the house and he said – You've asked a lot of good questions, you have a bigger issue here I can see. He said – Give me a week and I'll get back to you. He left and we never heard from him again. Now I held out, I know I am more naive than my husband, my husband said – This is over, you know, this brother ain't going to do anything for us. I held out hope and I said – Well give him a chance, give him a chance, give him a week. One week went by, two weeks went by, three weeks went by. I'm in and out of City Hall, the third week I saw him in the hallway, I said “Greg I am waiting for your response, have you looked into our situation and what did you determine? Oh, Oh, I'm talking to my boss, I'll follow up, I'll get back to you tomorrow. The next comes, nothing; the next day I send an e-mail. Oh, Oh, I still haven't followed up, sorry. And we just never heard and that was the issue with our abatement that set us off so much is that our issue was a fight that needed a legal entity we felt because we couldn't even get the City to agree that there was a legitimate dispute here.

So we knew we were going to be locking horns. And when they Mayor was talking about our tax rate going down publicly we were so concerned that he was sending a message with his authority and his influence to the assessing office saying – these people really don't have a legitimate complaint. What are they talking about? Their tax bill is going down. So I have a Mayor who is making those public statements, I have a brother at my door who is backing his brother. And I am just going to tell you it was an awful experience. And this should not be happening, it is too small an office to have family in there. Now to extend it further, sometimes when family is in an office together things can get a little chatty about family stuff. Do we have that situation going on? Well maybe I won't answer that for you tonight. But I think and I spoke to Steve Bolton about it and he said he has heard that is an issue. Now that doesn't mean that Steve agrees it is or has looked into it; but he's heard that, ok? I've spent enough time down there where I have an opinion. But that happens because you put relatives together.

I met with Kim Kleiner today and I said – Imagine what it is like for the other two assessors down there and imagine what it is like for the rest of the staff when you're working. I think that's a problem. I spoke to Larry the head of Human Resources yesterday after I got the policy on Friday and I said to him – Now that one of them is gone off and done a supervisor certification, was that individual told that you cannot serve in a management capacity in City Hall because you cannot manage your brother? You cannot serve in that capacity? Because I don't think that was told and it should be explained. It's great you're moving up, it's great you want a promotion but you are going to have to seek that outside of Nashua, or one of you has to go because we are not going to allow a supervisory role in our City Hall. And he couldn't answer me that was explained to the employee but it sure as heck should have been. The policy was last updated in 2014, I really think those policies should be given to every employee. And I asked Larry – What other relatives do we have in City Hall that are working together in the same Department? Are others working under managerial roles, because we should know that, just from a conflict of interest standpoint. I cannot tell you, I took this to Commissioner Stepp, how much and strongly I feel that in an Assessing Office, where they follow Code of Conduct and Ethics Rules from the IAAO, from the NHA AO, from the DRA itself there are 3 different conflict of interest in ethics policy from every organization that our folks belong to because assessing and the money are important issues. When you have that kind of regulation there at that level, I really believe that you should not set up that type of conflict.

I was in Kim Kleiner's office today and I showed her a property card that was worked by the relatives and everything on it that was wrong and not owned by those individuals for what they did wrong, until a property owner in your neighborhood behind you bought it in 2017 and got completely screwed because permits weren't handled correctly. The MLS correction wasn't handled correctly and when they moved in, they didn't realize that a permit that was opened in 2010 and closed, was never valued. It didn't get closed until 2016, you've heard me argue that you can't leave permits open that long. When it got closed in 2016 the relative assessor, one of them, didn't value it. The house sells in the fall of 2017, the couple comes in, they think – OK. Then all of a sudden in December they get a call from the bank that their escrow account is empty and they owe \$2,500.00. They were stunned and they didn't get a letter from the City, they didn't get the Assessors calling saying we are so sorry, we screwed this up, we own this. They got a hard EYB adjustment like I did so their assessment went up \$100,000.00 more and you know with the tax rate at \$25.00, they owed \$2,500.00 bucks more, it wasn't in escrow.

Of course as property owners they called the Assessing Office and said – What happened? And they got a story – Well you know you did pay more for the house and this was the type of adjustment we make and this is what we do. I went over to that property this weekend. I brought that card, I brought all the information and I showed them what happened to them. It wasn't right and it's manipulated by two relatives I don't like it. It's not good business. So you know, I'm a little hell-bent about changing that, there's no question I am not going to put up with that right up to the State level. That is going to be something we work on and try to fix.

The other thing I want to talk to you about, I think I could safely say Steve Bolton and I have pretty much locked horns on the issue regarding the equalization ratio. We had a good battle at the end of the Board of Assessor's meeting. So I think my job is to push and his job is to resist and so that's the way it is but I want to explain something to you. I'm really sensitive about the use of this ratio on these abatements. The use of a ratio is a complex issue and maybe most of you here don't know about it, I certainly didn't. I feel that our Assessing Office is not using this ratio uniformly the way the State has set it up to be used. I see assessors, namely the relatives, applying the ratio randomly. I started digging into this two or three months ago. The abatements for 2015, 2016 and 2017 were the ones that I looked at. It seemed like for every cluster of 6 that I would look at, 3 got the ratio, 3 did not. When I filled out my state complaint, I sent this data to the State on my PA71 saying – Why is this happening? Why do some get the ratio and some don't?

When I talked to Steve about it back a little while ago, his position well abating is a negotiation and you find that in the negotiation process, the ratio, some people if they've negotiated, the ratio is just kind of taken away, it's all part of the negotiation. I agree with him on that for commercial properties. Commercial properties and the bigger properties where it is lawyer to lawyer, those are, they are negotiated. You've got two well-educated attorneys that are battling out what I see the big accounts; Pheasant Lane Mall, the utility companies, the big boys. They are working on striking an agreement and I agree that the ratio gets mixed in to that type of negotiation. But I will tell you for residential properties, really 100%, I don't see negotiating going on. It is not happening. The residents don't know how to negotiate, they are pretty ignorant and they are not even doing a good job picking properties because the tools they have are pretty terrible. And the assessors are high school diploma people, certified. They are not appraisers, they are not lawyers and they are not negotiators. So you've got these certified assessors talking to the ignorant ratio people/property owner about what value their home should be. I see no evidence of negotiation. What I see over and over again is all the properties that the resident lists, the assessor says – Yeah your choices stink, I threw them all away; ok here's my 3 choices, here's the number I came up, here's your value. And they call the guy up on the phone or the lady and they say – This is the number I got. And I don't see any negotiation going on where the numbers are changed or are different, that's the number. And the people have to go – Yeah OK that's what you say. Because they don't really know how to argue. So now once you pick the market value then you multiply by the ratio.

In the last 3 years the ratio has been below 1 so what it means to an assessor is that they are going to pick a market value like \$300,000.00 and then they agree on it. The ratio is 80% so that means that the house is going to be actually assessed for at \$300,000.00 it is going to be assessed for \$240,000.00. It is going to be 20% lower of \$300,000.00. So the assessment is going to be \$240,000.00. So they look at what the people paid last year is what they are supposed to do, look at what the new assessment is and refund them the money. That is an equalized assessment; that's done to maintain equity within the data base of the assessing data. Ok, now people don't know they are supposed to get that ratio. One of the reasons they don't know is that form that we give out to file an abatement that I used, doesn't have the ratio information on it. I kept saying to Commissioner Stepp up at the DRA, she said to me – The form has the ratio information on it. I said – We don't know about the ratio, we don't understand the ratio down here. Well the abatement form has the ratio on it. There's a section that explains the ratio; so I kept going back to my form going – there's no section.

Today she e-mailed me and she said – Here's the link, here's the RSA link in the form for abating printed out. Well sure enough the State form has a whole section that explains how you multiply out the ratio to calculate your new assessment to weigh it off against sales data, but we delete that on our form that we give to the public. So that's why I didn't know about it. That's why to me, it wasn't there. Now I personally don't think it should be deleted, I think the public should see this write up on our form. But I don't care if you delete it, I want you to apply it because it is still a confusing thing. I just want it to go with everyone. So to prove Steve wrong, I said – OK Steve is saying – Oh Laurie, half of those houses are in negotiation so they didn't get the ratio and the other half got it. For three years that's what you've seen in all that data. So I said – Alright, I'm going to go to 2012; the ratio in 2012 was 1.09 it was

above 1 right? So I am going to pull out 50 abatements from this two people in the Assessing Office that are irritating me. I am going to take 50 abatements and I'm going to look 25 on each one and I am going to see how the ratio is applied when it is above 1 because that means that they are going to give, no matter if they multiply by it every time they are always going to give the property owner less money back.

So what did I find? 100% of the time, except one abatement, they applied the ratio. The multiplied on all those abatements 1.09, 1.09, 1.09; so if what Steve is saying to me is true, that in some cases it is a negotiation so the value is just 1 then I would expect to see half of those negotiations happening and the value be just 1. But I don't; it is multiplied every dang time. The one that wasn't correct which I found very interesting, the assessor changed the ratio from 1.109 to 1.15. He multiplied by a different ratio. Why? Because he wanted the assessment price to be higher than what he had calculated, he wanted to make it even higher, by \$4,000.00 grand even though his math showed that it should be \$4,000.00 grand lower, in his mind, he said – Yeah I feel like adding \$4,000.00 grand on this guy. I am going to multiply by 1.15 and he upped it \$4,000.00 grand. That ratio should never change it is a constant calculated by the State.

But if that was a negotiation, maybe the person called and said – I don't want your number of \$216,000.00 I want you to make me \$220,000.00, which I can't even imagine, but then the negotiation should have been on the price, the sale price; but there is no indication that a negotiation took place. That assessor, for some reason in his mind, decided to throw a little more value on that property. So that is a question I had to the State, you know, why should anyone change that ratio. I saw that with some of the ones in 2015, 2016, and 2017 that if the ratio was 88.5 they used 90.2 because they just felt like changing it a little bit. I don't know why. And to me, and it's not because it was last year's and it was the new ratio hadn't come out so they were using the old up until that time, nope it's not that. It's just that the ratio is being tweaked.

We need to figure out how to use this ratio and treat people fairly. I am so staunchly opposed to letting people who aren't educated, like I have become, not receive what I am going to receive because I am going to fight for my ratio because I know how. And all my neighbors on Berkeley Street are going to get it because they are going to know how. And the people in the Assessing Office that have filed abatements they are going to get it, because they know how. But the rest of the public isn't going to get it because they don't know how. And that I don't like, I think everyone gets it or no one gets it. Ok? Tell the State and tell Lindsey Stepp, screw that equalization ratio, dump it and give it to no one, because I'd rather see no one get it, than me get it and no one else because I know how to argue. It's not right for residential properties; everyone should be treated the same.

So what happened is that the State came out with our ratio, it was .95. So that means if you are doing abatement you get 5% off your sale price. Steve informed the Board of Assessors that he thinks KRT feels that's wrong, it's too low KRT thinks it should be 97%. So Legal is considering filing an appeal; they have a month to decide. And they can file an appeal to see if they get it down to 97%. Why are they doing that? Well as I looked at the exposure report that I think you've got a copy of, we have some big accounts, big commercial properties that are going to abate, like Pheasant Lane Mall and some big dollar properties. So maybe saving the 2% is a good bit of money. So for those big commercial properties it makes sense and I get that. But what he told all the assessors in the meeting is – Don't give the ratio, keep the ratio 1 and basically don't give the ratio that the State has set to any of the residential properties. Anything you do from this point forward, just use 1.

Well the meeting ended and my pitch was, why are you doing that? The ratio is set. Now I know you want to potentially appeal it, but I'm going to be smart enough to say – I'm not going to settle mine until I know what the number is. Because even if he announces in the meeting – I think it is going to be 97%, why should this City pocket my 3% in your pocket? Why don't I get the 3%? Why don't I have the option of having the 3% applied before I sign off on my paperwork? I don't want you taking the 3% from

me. I want my 3%. What does 3% mean or 5%, if it ends up being 95% like the State said, on a \$300,000.00 home, your assessment is now \$285,000.00, you save \$320 this year on your tax bill. Multiply that over 5 years with a rate increase; you are going to save \$1,700.00. If you asked a residential property owner – Do you want to save the \$1,700.00 and use the ratio or do you want to let us keep that? How many are going to say – Just keep it? I'm not going to let you keep it because quite frankly, I've overpaid you like \$20,000.00 grand and I feel pretty damn screwed. I want all my money back and I want my ratio and I am going to fight for my ratio. I don't want to give it to you.

So we locked horns at the end of the meeting and didn't come to an agreement. I immediately left that meeting and e-mailed Lindsey Stepp up in Concord, the Commissioner. Then I went up there yesterday and I had a talk with her assistant and I asked today if they could set up a meeting so I could go back up and talk to Chuck Reese or some of the people up there. I'm in the throes of drafting up another letter on what my position is just like I've kind of explained to you. I wish people in City Hall understood what equity means and that the appearance of fairness is really important to some of us. That's all I want to feel like we are being treated fairly. And I want us all to have a fair shot at that ratio. And I want these assessors to know that you just apply it. Negotiate on market value, I don't care but everything you do is on market value. When you are done with that, multiply by the number that the State says to multiply by.

For some reason there is a power trip going on in there, there is a power trip with certain assessors who feel like they can put the screws to somebody by not giving it to them. I don't like that. It's random, it's targeting, it has all the elements in it of something not good. And part of that is happening because we put relatives in the same office.

President Wilshire

Ms. Ortolano if you have something new to add? We've given you a lot of latitude tonight?

Ms. Ortolano Ok thank you.

President Wilshire

Ok thank you.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Lopez

I just want to encourage everybody to check out the Awareness is Healing Event this Saturday. I know a lot of people have sort of quietly declared victory over the opioid crisis; but the reality is that we are holding our own. But it is not over yet, there are a lot of people that are still struggling with addiction and recovery and there are a lot of people that are still mourning people that they have lost. They can use your support and I think people in recovery can use your support too. So please join us on Saturday.

Alderman Caron

Thank you, I'd just like to congratulate Goodale's Bike Shop for celebrating their 100th anniversary. I understand Mayor that you were able to attend and do a proclamation?

Mayor Donchess

I did.

Alderman Caron

Saturday evening, they had about 350 people there, a lot of former employees and people, bike enthusiasts. So I understand that it went well so that is wonderful for a business in Nashua to be here for 100 years.

Alderwoman Melizzi-Golja

First of all I think the recent events in New Zealand were concerning to all of us. I know in our paper we saw the response from our Islamic Community and I just feel that it is important that we let them know that they are welcome here and we support them. So I felt we needed to acknowledge that.

On another welcoming note, the Nashua Regional Planning Commission has spent the past 2 days moving into their new Nashua location. Their phone number will be changing but the old phone number that we all have we have been told will work for at least 2 years. So you will still be able to reach them.

And then just two announcements, the Meri Goyette Spring Art Luncheon is May 14th and the tickets for those are available through City Arts Nashua. And then the month of May also brings us the Sculpture Symposium. This year the three sculptors are from the United States, New Zealand and Kenya. So if you go to City Arts web site there will be information about the opening ceremony, the closing ceremony and if you would like to make a meal for the artist or contribute in some other way, you can sign up.

President Wilshire

Alderwoman Melizzi-Golja you said the City Arts was May 14th, is that April 14th?

Alderwoman Melizzi-Golja

Oh I'm sorry April 14th, yes thank you.

Alderman Clemons

Thank you, I just want to preface what I am going to say here by just saying that I am a proponent of freedom of speech and I am a proponent of people coming and speaking in front of us. However I am not a proponent of bullying and what we saw displayed by Ms. Ortolano tonight was bullying of those two public employees who I'm sure serve their City well. And I don't like it, I don't think it is appropriate and this my freedom of speech to say back to her that I think it is inappropriate and if she has a personnel problem it should not be brought here before the Board of Aldermen. It should be discussed behind the scenes so that those employees aren't embarrassed on public TV.

Committee announcements:

Alderman O'Brien

Thank you Madam President. Tomorrow night Wednesday 3/27/19 Infrastructure Committee, 7:00 p.m. right here in the Chamber.

Alderman Dowd

Yes Joint Special School Building Committee Thursday night at Nashua High School North. The architect and the construction manager will be giving us an update on the project.

Alderman Caron

Yes Personnel will be held April Fool's Day, Monday, April 1st at 7:00 p.m. Short meeting.

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN THAT THE MARCH 26, 2019, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED

MOTION CARRIED

The meeting was declared adjourned at 9:42 p.m.

Attest: Patricia D. Piecuch City Clerk