

A regular meeting of the Board of Aldermen was held Tuesday, April 12, 2022, at 7:30 p.m. in the aldermanic chamber and via Zoom teleconference which meeting link can be found on the agenda and on the City's website calendar.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

Prayer was offered by City Clerk Susan Lovering; Alderman Derek Thibeault led in the Pledge to the Flag.

Let's start the meeting by taking a roll call attendance. If you are participating via Zoom, please state your presence, reason for not attending the meeting in person, and whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law.

The roll call was taken with 15 members of the Board of Aldermen present: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire.

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

REMARKS BY THE MAYOR

Mayor Donchess

Thank you Madam President. First I wanted to mention a couple of the items that are on the agenda tonight for action. The teachers' contract comes up pretty quickly. I wanted to say and thank the Budget Committee for their unanimous endorsement of this proposed contract. It accomplishes a number of things for the city given that education is offering an excellent education for every child is vital to us. For that, we need excellent teachers which we have but to attract and retain teachers, we need to have competitive pay. Right now, the teachers are in terms of average pay Nashua is 77th of about 150 districts in New Hampshire. This will provide the teachers with a raise and help to equalize starting salaries, salaries for those at the end of their career, and more than anything else, more than even the two ends, the middle level teachers because Nashua is losing teachers who are trained, seasoned here in Nashua to districts close by that pay a higher for those trained teachers. So I hope you will follow the recommendation of the Budget Committee and endorse this very important step forward in terms of education here in Nashua.

One thing that is important is the city sought a change in the HMO plan, which is offered city employees. As you know, we've gotten that agreement from a number of other employee groups. The teachers agreed to that plan and as a result of that, the projection of our healthcare experts is that we will save \$2.3 million in healthcare costs per year starting in year two of the contract, which begins next July 1. We are in an environment of rising healthcare costs but this agreement means that for a period of about three years, we will lower or constant city contributions for teacher healthcare. Before I conclude on that, I want to thank the teachers for the extraordinary efforts that they have put in over the last two years during very difficult conditions. I'm glad we're back to normal now and hope we can make sure that the kids do not suffer any lasting, long term deficits as a result of the disruption.

Another item on the agenda which has received considerable discussion over the long period of time is the outdoor dining – the extended outdoor dining. First, we have to congratulate and thank all of the people that served on the Task Force consisting of the Infrastructure Committee, the Planning Committee, as well as our citizen members. The number of meetings, the length of those meetings – 11 o'clock at night, 1 o'clock in the morning. In my experience is really extraordinary and it shows how dedicated everyone regardless of their opinion on this issue how dedicated people are to trying to improve and support downtown Nashua. It is vital to the city and I think all of the effort put in by everyone certainly is a recognition of that.

At the beginning, we proposed a compromise from the configuration of the outdoor dining that occurred in the last two years. The proposal scaled back the outdoor dining in order to improve traffic flow and reduce to about 40 sum the net loss in parking spaces out of 3,500. The Task Force looked over these recommendations very carefully – block by block and even finer than that and adopted some changes/amendments which are before you and, of course, worked very hard in doing that. One change that did come forward is that in addition to the city, building owners have to agree to have the outdoor dining in front of the property. I think everyone involved agrees that bringing more people downtown is something that we need to – is an important objective. Outdoor dining clearly does that. Three to four thousand people a day was the count last year. It brings a lot more life to downtown. Many people commented on that. If we think about the economic aspect – 3,000 or 4,000 people over a number of months is many, many hundreds of thousands of visitors. If you think that every person spent \$10, that's millions of extra revenue coming into our downtown. Some people have pointed out that we should come forward with a proposal to charge restaurants a reasonable fee for this and I'm sure we

can come up with that over the course of the next few months. Certainly I agree with that objective. Overall, I think the Task Force did a great job in making the recommendations they have and I hope that you also endorse their recommendations.

Madam President one thing I wanted to touch on briefly is COVID – just because of course we're all concerned about that. The State has begun to de-emphasize some of these metrics that they've focused on over the course of the first two years like the positivity rate because there are many people who are testing outside of the data collection by the State of New Hampshire. Home test, pharmacies, all that data is not collected so they question whether the positivity rate really is a full or accurate report. So they want to focus on hospitalizations more than anything else. So on that score, we spoke with the hospitals Friday. AS of that date, there were seven people hospitalized in Nashua. More than we want but far, far less than some months ago. Those people all were being treated. Some had been in the hospital for other reasons and turned up with COVID. Those have been released though and the people they were talking about were being treated for COVID but still between the two hospitals, seven patients. Again, that is far better than it was some months ago.

Finally I wanted to congratulate and thank Alderman O'Brien for his work up at the legislature. As you know, the State did away with its own legal obligation to pay us – all cities and towns – 40 percent of the pension costs for municipal employees. That was the 40 then 35 percent. That it was what persuaded cities and towns to join the pension fund. That was done away with by an action of the legislature a few years back. That has cost the city so far that broken promise \$74 million. So Alderman O'Brien proposed a Bill to at least return part of that money – 7 ½ percent rather than 35. The obstacles to that were very considerable. A lot of opposition in the legislature but there was a back and forth, back and forth, and finally after two or so floor fights, Alderman O'Brien persuaded the House, the House, to pass his Bill. That would mean \$2 million to the City of Nashua. Now it still has to go through the Senate. Alderman O'Brien and others tell me that's a pretty tough road but at least for the first time ever we go the Bill through the House and that was due to Alderman O'Brien and his efforts so I wanted to thank him for that. That is all I have Madam President.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Klee

Thank you Madam President and I want to echo the words of the Mayor to Alderman O'Brien or State Rep. O'Brien. I had a front row seat just about to watch him do his magic. He turned a kill the Bill into a pass the Bill. It wasn't easy but he did it in his fashion and I appreciate it. So thank you very much.

RECOGNITION PERIOD – None

READING MINUTES OF PREVIOUS MEETINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meeting of March 8, 2022 be accepted, placed on file, and the reading suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

From: Lisa M. Fauteux, Director of Public Works
Re: Referrals from Board of Aldermen – R-22-13

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

From: Tim Cummings, Economic Development Director
Re: Updated Plan Based On Taskforce Recommendations

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

Adam Marcoux

Adam Marcoux – I live at 4 Jolori Lane. I'm President of the Nashua Teachers' Union. I have two children – one at South, 1 at Main Dunstable, and 1 two daycare payments away from Kindergarten.

I'm here to speak on behalf of the contract. This contract as I mentioned to all of you that were hear to listen to me last night, we started preparations for this contract in 2019 and then COVID hit and derailed everything as we tried to settle this contract prior to its expiration, which we have not had any of our contracts settled prior to expiration since 2011.

This contract did a lot of things. We had a step scheduled that was not sustainable. We moved a lot of people around to their correct places on that schedule. Last contract, which was expensive to do, and this time we worked very hard to spread out and have equitable movement across that scheduled which makes it much easier to plan and budget when you're expecting the same kind of raises from step zero through step 24. Step 24 will be the top of the end of this contract which is a problem in itself that we'll have to address next time.

I'm going to tell you I was very concerned about whether or not this contract would pass the membership when we were given the healthcare proposal. It took a lot of education, a lot of time, a lot of understanding, help from Kim Kleiner's office and getting this through the membership and I'm happy to report that it passed our membership with a 98 percent approval rating. Health insurance is scary when you make changes like we are and you hear high deductibles, especially in our field where we have a lot of people who are families and have children and spouses. It's a scary kind of thing. I'm happy to say the cooperation between the city, the Union, and the District to educate our members on the health insurance changes has been phenomenal and there's even a lot more interest in the high deductible health plan with health savings account because it's not so scary anymore when you hear a \$4,000 deductible for a family.

Donna Graham, Legislative Affairs Manager

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Adam Marcoux

So in want to thank the Budget Committee for their unanimous support last night. I would pre-emptively thank you for your support this evening and look forward to signing that contract into effect tomorrow. I'm hoping for those votes. Thank you.

Fred Ordway

Good evening ladies and gentlemen. My name is Fred Ordway, 12 Mason Drive. Thank you for this opportunity to address you this tonight about the extended outdoor eating. Specifically when we're looking at the address of 133 Main Street, which is also known as San Francisco Kitchen. The Task Force in the past unprecedented job of COVID, and trying to work with business, and trying to remain them relevant during that time period had an amazing breakthrough with the outdoor seating. At that time, they were allocated two spots in front of the restaurant. It is my understanding that under this new ruling, they might be only down to one. San Francisco Kitchen is owned by a friend and a fellow Veteran of mine – Ruben Gomez. He served multiple tours in the Middle East and still serves with the United States Air Force and can be deployed in the near future also. I hope you take this time to keep the downtown vibrant. With the upcoming performing arts center coming in, I think where everything is coming in to the right downtown to bring it back to keep it vibrant. I remember back in the days when Nashua was Money Magazine's number one city in the year. I've been delivering mail for 36 years in the downtown area with the Postal Service. I've seen it come. I've seen it change throughout the time. Right now, we're in the right way. We're doing the right outlook and I would hope that we continue to keep the downtown vibrant and keep bringing people down and bringing in the income. Thank you and once again, please vote for two spots out in front of 133 Main Street. Thank you for your time and have a good evening.

Lina Gomez

Line Gomez, 262 Lake Street. I'm here for San Francisco Kitchen. This is like my third time speaking and it doesn't get any better every time I'm up here. First of all, you all know I'm in favor of the barriers. I wish we just had it again like I had it the first two years but I know there has to be somewhat modifications, some changes to it. So I just hope that I can keep two spaces in order to accommodate the same tables I've had the previous years, keep my employees, and be able to continue offering the community – serving the community like it has been.

Second, I'm going to make this short, I do want to – like I said before in my e-mails, I want to thank each and every one of you. I know this is not an easy job dealing with happy and angry residents. It must be very hard on a daily basis and I know you all have personal lives. Being here long hours, doesn't make it any easier. I do want to thank you all.

Third, I want to welcome you. Please visit SFK personally or a work meeting but come by and have a nice dinner. Thank you.

Matthew Gouthro

Matthew Gouthro, 104 Fawn Lane. Good evening Madam President, Mayor, Aldermen, and staff. I'm here to speak on the proposed legislation that would unfortunately create traffic gridlock, reduce parking, and a potential safety hazard in our historic downtown district. Also, more taxpayers can provide expanded outdoor dining for our restaurant community in downtown Nashua. I've watched and spoken at every one of the Board of Aldermen and joint Task Force meetings held on this subject. I say I enjoy outdoor dining and our expanded sidewalks on Main Street in downtown provide ample space for those activities but to block off areas of Main Street is absolutely ridiculous. Not once during this process do we hear of an economic viability study, a traffic study, a land use study for outdoor seating, or any kind of metric to support the need for this expenditure for one year and certainly not three years.

What we did see is that in 2021 there was a 6 percent utilization rate of expanded outdoor restaurant seating in downtown Nashua – 6 percent to have those ugly, clunky barriers in place 24 hours a day, 7 days a week for months. Think of it this way if you received only 6 percent of the vote in your Ward or citywide, you probably wouldn't be sitting in this chamber right now. What we were provided was an unusual parking study consisting of only two day in mid-October to justify moving over 40 parking spaces from our downtown district during the height of our summer season. Our residents are not going to park and walk blocks to get their haircut, pick up prescriptions, visit the dentist, have their garments tailored, do their banking, or shop with other retailers. During the Task Force meetings, we heard that the legislation was going to turn downtown Nashua into a dining destination for out of towners and those out of State leaf peepers heading north. We heard no plans on how we were going to promote downtown Nashua as a destination whatsoever. So ask yourself this questions, what fuel is Tim Cummings using to drive our economic engine because so far the proposed legislation in front of you essentially states the City of Nashua's plan is to spend thousands of our tax dollars is if we build it, they will come. That's not good enough for me and countless residents and business owners who have either spoken or written to this body overwhelming in opposition to this legislation. Ladies and gentlemen, you were tasked with the purse strings of the city.

Donna Graham, Legislative Affairs Manager

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Matthew Gouthro

In this case, I certainly hope you're making decisions on how to spend our tax dollars on data driven initiatives and not dreams. I employ you to vote down the recommendations from the Joint Task Force on this proposed legislation that's essentially nothing but a pie in the sky economic boondoggle. Thank you.

Ken Bois

Good evening. Ken Bois, 19 Woodbury Drive, Nashua. I would like to thank all of the members of the Task Force, and teams, and Aldermen, and business owners that contributed all of their hard work and time to support this initiative. I really firmly believe having been a born and raised in Nashua for over 70 years with numerous friends that thoroughly enjoy being downtown again for the last two to three years to see filled storefronts. Besides way beyond the dining experience, those storefronts, people walking, chatting, being together, being viable, being active. I really feel this is a positive step for Nashua to get these barriers going and find a better way of barriers in the next three years but obviously we are about 3 to 4 weeks behind other cities who are already opening their outside dining with great success. I sincerely urge a very positive outcome. Thank you very much.

Laura Colquhoun

Laura Colquhoun, 30 Greenwood Drive. First, it is the job of the Mayor to appoint three members to the Board of Registers not two as this Board is currently doing tonight. Just because the Mayor does not like the other political party does not accept and accept their applications does not make this situation very democratic. I would ask the Mayor forward the applications to the Board of Aldermen and have them review the applications. By doing this, Nashua could actually have fair elections.

Secondly, a lot of Nashua residents do not want the barriers. However, the Mayor, and the restaurants, and the bars want them so Nashua will get them. The Nashua Mayor keeps saying that the restaurant and bars downtown made millions and millions of dollars last year. The owner of Stella Blu is very vocal about wanting these barriers and how they have increased his profit. My idea was to let Stella Blu pay for the barriers. In doing this, the Nashua peasants would get a break and I don't live in the north end or am I a member of country club.

Now the Board of Aldermen want to make a Nashua arts and cultural plan. However as a taxpayer, I'm saying no. With the current Performing Arts Center being shoved down the taxpayers' throat, I do not think any more money should be going to the arts. Last night the Budget Committee voted to make a trust for the Court Street. Bottom line is that the taxpayers will continue to foot all the expenses on this building plus and all the while getting in very little funds from the two tenants in return.

Alderman Kelly stated last night that right now we, the Board of Aldermen, are putting our money where our values are. Well Alderman maybe you should start thinking about the values of the Nashua taxpayers, which is to put food on their tables, pay their mortgages, and pay their property taxes. This Board of Aldermen better start thinking about the taxpayers instead of special projects for downtown. Thank you.

Karen Bill

Karen Bill, 95 Parnell Place. Please reject the recommendations made by the Joint Task Force in downtown Infrastructure Committee for the following reasons. It is unfair to have taxpayers bear the burden for a third year for barriers that benefit a minority of businesses on Main Street. Residents have made it abundantly clear - they want outside dining but not at the expense of safety and reducing Main Street to two lanes. Keep four lanes open.

Another committee has been formed to study the cost of the barriers. How ridiculous that this did not happen before making recommendation of not charging anybody for the barriers. The barrier costs should have been tracked from day one and shared publicly with all citizens certainly as a part of this process but it was never divulged. Via a Right to Know request, I have ascertained the costs, and costs per barrier, and e-mail them to everybody - all the Aldermen earlier tonight. By the way, the cost of a barrier in 2020 was \$617.57. One barrier. The cost per barrier in 2021 went up and that was \$688.45. The second year, it doesn't include the cost of the barriers which was in the first year. So together, costs for the barriers for the past two years - 218 barriers; 1) now it's up to having cost us \$1,374.46. I have the spreadsheet. You have this spreadsheet. If anybody in the public wants a spreadsheet, you can e-mail me.

Outside dining has existed for the past 20 years and there was never a call to arms from any restaurants indicating with the sidewalk amount that they had was inadequate. As many things go in life, it's a first come first serve basis. If for any reason there are any barriers installed in the downtown area for any business, they should pay per barrier and the return on investment in anywhere in the city. Say you need 15 barriers at \$700 per barrier, parking spots 20 by 8 - that would encompass six parking spots, 12 barriers. Your cost as a restaurant \$10,500. Not bad when your return is \$500,000 or \$750,000. I did the math and you have the numbers from the restaurants.

Donna Graham, Legislative Affairs Manager

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Karen Bill

These are all provided by John Griffin by the way. Let's solve it right now and say no to the barriers but yes to outside dining on the sidewalks at no additional cost to the restaurants. Have the moral courage to listen to the constituents to vote no. It's not a done deal and if you have so many concerns, send it back to committee because the costs should have been discussed and analyzed. I'm happy to provide them to all of you. Thank you.

Tim Sennott

Thank you. Tim Sennott, 62 Underhill Street, Nashua. It feels strange to be not speaking about downtown first, but I'm actually here to speak in support of the teachers' contract. I, like many people in this room, have what I believe to be the ultimate stake in our public schools. I have a son in the public school system. I, myself, was also educated in Nashua schools at least since the fourth grade. Since that time because I was the cool nine year old who read the newspaper, I have seen contract season after contract season come up and play out very similarly to how we've seen this contract season play out, and the one before it, and the one before it. We need to start treating teachers like they're smart, like they're members of any other industry. People in any other industry whether you're a teacher, or you work in accounting like me you look for a job where you're going to get the best bang for your buck. Nashua can't continue to kick it down the road in regard to teachers' contracts and expect to retain the best teachers that we can offer our students. I personally want the best teachers that we can offer my students. I hope that anybody here with a student in the public schools would want the same for their kid as well.

And since I'm at this lectern and it would be remiss to not mention downtown, here we are. We have the proposal before us. We have spent many long nights in this chamber. Many of you longer nights than I've spent in this chamber because

you've got more in it than I do right now. Let's go for it. It comes back to kicking things down the road. We've kicked things down the road in this city for far too long. We kicked the performance center down the road since I moved here in the early 90s. We've talked about projects that I've only seen to come to fruition in my adult life that were starting to formulate when I was a child. Please support the proposal from the Task Force and the recommendation from the Committee. I hope to be dining downtown this summer outside. Thank you.

Craig Hermle

My name is Craig Hermle, 12 Brittany Way, Nashua. I think the prior speakers have summarized my position ultimately. I'm not in objection to downtown dining all. I am 100% against anyone getting something for nothing. I've been in previous meetings where the statements have been made that the restaurants have been suffering through COVID and barely getting by. Well the entire town, the entire State, the entire country has suffered through it. As a gig worker, I can tell you that I too have suffered and I didn't get a financial reimbursement from the government as I'm sure some of the restaurants have this past year. I'm not at all opposed to downtown dining. I think it's a great thing to do get people outside. However, it should be paid for especially if you're expanding your footprint to the extent it was last year impeding the traffic in the roads. If you want if you want the space, pay for it. Thank you very much.

Rich Lannan

Hi. Rich Lannan, 11 McGrath Road Pelham with offices in Nashua. I do own two buildings on Main Street. They're mixed use buildings. I have retailers. I have restaurants, residents, offices, and so forth. But I'm speaking for myself. I'm not speaking for or against my tenants there as I think I've spoken many of the meetings in the past. I am very much in favor of the expanded dining, but a little different. Lately, I've been thinking about some of the opposition and some of the reasons why some people are against it. One of them is obviously is the traffic and the fact that the traffic is slowed down. It bottlenecks. Others including (inaudible) talked about it's all about the restaurants and it's all about downtown. It's not about the residents of the city.

I agree with all of that, except that downtown is just that downtown Nashua but downtown's everywhere is not supposed to be a thoroughfare. It's not supposed to be Amherst Street, Daniel Webster Highway, or Everett Turnpike. It's downtown. The traffic is too fast. Downtown is not a 30 or 40 mile an hour zone and I think it's proven that the traffic has slowed. I guess heaven forbid that it takes two, or three, or four minutes longer to go an extra mile from north/south or south/north on Main Street and downtown has become much more vibrant. There's no question that the restaurants probably have the most direct benefit in their pocketbook. This is not just about the restaurants. This is about the restaurants as retail but it's about people coming downtown. It is no question that the expanded outside dining but really the barriers by slowing the traffic down has been talked about as far as parking spaces, there's so much parking in the downtown area. I mean, again, if you don't park right in front of a store that seems to be a problem and I don't know why. If you park in a mall parking lot, you're gonna walk a lot further than walking from one of the garages. So I think making Main Street two lanes, slowing the traffic down, and if you're looking just to go north/south, there's plenty of other ways to go.

And really this is about downtown recess the vibe for the whole city, which is all the residents of Nashua and beyond. I just think what we saw in the last couple of years. It was because of COVID it was happening, but there's not a lot of good things that come out of COVID but I think this was one of them that shows what can happen...

Donna Graham, Legislative Affairs Manager

30 seconds

Rich Lannan

...and what could make downtown more vibrant. If a downtown thrives and it shows by all the new stores and new restaurants that have come into downtown just over the last couple of years, a thriving downtown makes the whole city better. So I urge the Board to please vote this. This new plan, compromised plan, and vote for that this evening in a positive way. Thank you for your time.

Lou Juris

Good evening. Lou Juris here. You've got an opportunity this evening to approve resolutions that include improving our sewer system. Monies for a situation with Pennichuck - the water company. The police (inaudible) a police issue police contract for the cops. You know, of course, the teachers, our associated professionals who've worked through this pandemic whether it was remote, hybrid, caring, instructing our students during this time, checking on their emotional well-being, and going through the start and stops and everything that it's affecting their personal life, and certainly their health

and having to try to avoid pandemic. This is a big night to really do something civic and something almost profound for the City of Nashua with the of course a lot of the talk of a lot of discussion this evening on downtown the heart of the city like it is in many towns and cities across the country. You're seeing a lot of effort trying to be put into these downtown's and one of the ways to do it is to make them as was said before more pedestrian friendly, more walkable, more livable, more commerce, and for a variety of commercial endeavors, as well as for a variety of living situations, and people's personal enjoyment. Let's not take people's fun away, please. You've got a few short months during these times in the good weather and people seem to enjoy it. Just think, with the new teachers' contract, we may have a few more instructors going down there during the evenings or whenever they want to blow off a little steam after a long couple of years and certainly in a safe way being outside.

So there's a lot on the docket tonight and we can really, we can really, you know, make this happen, make this happen for the city, and for the region around us, and to keep in mind that we are in a competitive situation with the other towns and cities. This is going to keep us at least in the game or ahead of the game so we can come out of here as winners. So please do please do the effort tonight and let's approve these matters and let's move on to the next chapter.

Donna Graham, Legislative Affairs Manger

Mr. Juris can I have your address, please?

Lou Juris

If you don't know it by - yeah, it's 56 Haines Street.

Donna Graham, Legislative Affairs Manger

Thank you.

Lou Juris

Thank you.

Sonia Prince

Thank you for having me - 49. Tufts, Drive. Sonia Prince. I'm excited. That was one of the positive things if you can count many positive things out of the COVID is the downtown. I thoroughly enjoyed it. I've been living here for 25 years and my husband and I and my friends have met up downtown more than ever before. I enjoy Peddlers, Tostados, Martha's, JaJa Belles, San Francisco Kitchen. I can go on and on of how wonderful it was. I do agree some of them - the barriers don't look that great so maybe there's some kind of decorative thing we could put a barrier and then maybe a little metal gate, or a flowerpot, or something to make it look a little more appealing. Overall, it was enjoyable. I didn't have to think about each restaurant probably employs anywhere from 5 to 10 people. So we need to keep those people working and they're taxpayers so we want to keep them here.

Also, I am concerned because of COVID. Another reason why we should keep it in place. There's another wave right now - 172% jump in new cases within one month in New Hampshire. So yeah, we may not have as many deaths but we still have long haulers, sick people, and teachers out and right now I'm talking to a lot of teachers and they're telling me a lot of their students are out. So it's just a matter of time before the teachers become sick and they have to stay out until they test negative. That would be a nightmare like we had this winter. A lot of kids were left unsupervised. There was more bullying. We had a locker room awful event that happened at one of the high schools. It was absolutely terrifying. So I hope that that doesn't happen and if it be that you will consider putting the masks back on for indoors, maybe in public buildings or schools.

And finally for the contract for the teachers, I spoke about that last night - 1.5 years. I know COVID had a little to do with the timeline, but really compared to the firefighters who didn't make any concessions of \$2.5 million a year on the health plan. You know treating teachers like that is just embarrassing for a city sexist. I'm sorry. It is what it is. The Fire Department or Police Department never get treated that way. So I hope that this all goes smoothly and we do get repairs for our storage and everything else that we need. I think you guys are doing a great job.

Donna Graham, Legislative Affairs Manager

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Sonia Prince

I thank you all because I know your job isn't easy and you're doing a great job. You know rolling with the punches as they come. So I hope we keep doing that with reasonable expectations. Thank you.

Charlene Saleski

Thank you all for taking the time to listen to all the objectives, and positives, and negatives represented to you. Charlene Saleski, 9 Hill Street, Nashua, New Hampshire.

I'm going to start out first by just wanting to say that I'm a little disappointed that the compromises that were suggested weren't considered. One being that the dates for outdoor dining go from the end of May to the beginning of September instead of from the beginning of May until the middle of October. I think that was reasonable and considerable. There was no consideration for the compromise on the amount of hours that outdoor dining could take place, which I had thought that 5 to 10 evenings, Thursday, Friday, Saturday that would not tie up the whole downtown seven days a week 24/7.

The handicap needs that everyone keeps referring to that every single space as a handicap space but if they don't need to be marked. Well if they're not marked, anybody can park there. Someone handicap comes along, they have nowhere to go. I just wondered did the ADA come down and recommend this or how did this come to fruition?

The third thing was the head in parking that used to be downtown. They took away the head in parking to make four lanes but now we're shrinking down to two lanes and we're supposed to think that that can accommodate traffic. I think we should go back to the head in parking and make more space for parking for all the other businesses besides restaurants. I work in a restaurant. I'm for outdoor dining. I'm not against that, I'm against the barriers.

I understand now that the sidewalks are considered a right of way. So I don't refer to them as a sidewalk anymore but on the definition of that, it means that you cannot obstruct a right of way. And I've also asked the question, where in the middle of the road does a city own to? Is it 50 feet in from the middle of the road to either side each way because I know in my neighborhood, it's 25 feet into the center that the city owns and doesn't maintain but owns. Downtown is being maintained by the city and that's my dollars. So I question whether the people that live on the side streets should have that detriment of a longer time for a response for police, for safety, for any of that third story people trying to get where they need to go. I don't I don't think this has been thought through thoroughly. I would like to say that if it needs more time, I don't think pushing this out to the end of May would be a problem.

Donna Graham, Legislative Affairs Manager

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Charlene Saleski

And I also would like it to be on the ballot next year. I would like for the cost to go to the restaurants spread it out for anybody that wants to use downtown space. I want to be able to navigate my time on the Main Street walking. I don't want to have to say excuse me every two minutes, or can I get this wheelchair through for you, can I help you get through? I just don't think that the thoughts been put into everybody but only the people that benefit from having that and I'm not against dining. I'm not against that at all. I would just like to see a few other things taken into consideration. Maybe a little more time. Thank you.

Cheryl Roy

Cheryl Roy, 11 Hill Street, Nashua. I'm here once again against the extended dining - the barriers. I'm not against dining outside. I think that's great, but I am against the barriers completely. What I've heard at these meetings all these meetings I've come to hasn't changed my idea about it. My feeling is once emergency, fire, and police mentioned there was going to be delayed times, I think all conversations should have stopped. I don't understand why the safety of the citizens isn't a priority.

I also think this should be hit should have been put on a ballot vote. The taxpayers should be the ones that are making the decision here. We're the ones that are going to have to foot this bill and I, for one, don't want to pay for it.

Another concern I have is about ADA compliance. I quickly went online and looked up a compliance checklist. I can't see where this drawing that you have for these barriers as of right now even is in compliance. Van accessibility - where you're

going to come up with 11 feet for a handicap van and also have - it has to be 11 feet wide and you need a five foot access route. Plus, they have to not have a step. That handicap person has to not have to step up. Well, if they go on onto a sidewalk, they have to step up. I don't understand how this is compliant. I don't get it. I'd like to hear somebody explain that to me. I think that this is just being pushed through. I don't think it's being thought out thoroughly. You're just in a hurry to get it done and I think it's wrong. I think us taxpayers - I think there should be more work done on this. The taxpayer should have a big stake because we're paying. Thank you.

Scott

49 Congress Street, Apartment 6. I'd like to speak on behalf of the teachers' contract. Please support the teachers' contract and I'm agreeing with others about the barricades. If we can make it where it's safe for the Fire Department to get by only maybe make it more interesting like make it better. It's just a suggestion. I would like to see them think about the barricades, but making them smaller. Maybe they'll put like towns like Manchester or other towns.

Please when the thing comes up at the Finance Committee about Access Nashua, please, Lori, please don't let somebody take Access Nashua away from us. We need Access Nashua for access channel. Please when that comes up at the Finance Committee, please have it in your heart to support Access Nashua because I'm a producer of Special Talk and I need that channel. I've had our show on for 10 years and now they want to snatch it away.

President Wilshire

Scott, that's not on our agenda this evening, Scott.

Scott

No just letting you know when the Finance Committee comes up and you - please have it in your guys hearts to listen to both sides. Thank you for your time.

Representative Linda Harriott-Gathright

Good evening Madam President, and to the Board of Aldermen, and to our Mayor Donchess. I am calling in support of the teachers' contract. We have some of the best teachers that there is in the United States and I know that for a fact, and I think that they deserve all that they're asking for. This has been a very difficult time particularly in the last three years for our teachers as well as for our students. But they've done their best to keep our children afloat. So I appreciate the work that Nashua teachers have done for our children that are here. I'm kind of grateful right now that I brought a few children through the school system and several grandchildren, but right now I have no one school system in Nashua but I still appreciate the work that has been done through the years and what's happening right now.

And secondly, I just want to all hats off to Alderman O'Brien for the excellent work that he did at the State House to bring some funds back to the city. I appreciate that. I knew the hard work that he put through. We're actually going to have this in the permanent journal for the State so that's something that the City of Nashua can always look back and hear and understand his speech that day on the floor. One thing I can say, we were all very, very proud.

Last but not least in terms of a barrier, I support what's come back from committee in terms of the barrier. So I'm going to make that short and just say hello to everyone there because I know you guys have a long night.

President Wilshire

Thank you. Okay, that is the end of our public comment period.

Elizabeth Lu

Elizabeth Lu, 17 Roby Street. I arrived late, so I wasn't able to get onto that list.

I think that the hopes of expanded dining downtown are a little bit could be incorrect. The way I see it, Nashua was one of the few communities in southern New Hampshire that expanded their downtown right away when the COVID came. You know I think it got a reputation for being a great outside space but after COVID when, you know, people can do more close to their home, you're not going to - you may not see the same traffic through. I just want to point that out.

I get really troubled when people want to say that downtown is not a thoroughfare and that 40 miles per hour is just too fast. People - I live close to downtown and I see people driving 25 miles per hour. If we have a problem with speeding,

we have a Police Department for that. We don't need to expand. We don't need to shut off lanes of travel because we can't control traffic and speed.

I live close to Hayward farms and I do business near the Riverwalk Cafe. The only reasonable way to do that is by going through downtown and I find it very childish for the downtown merchants and property owners to feel that it's wrong that I travel through their space and don't stop and spend some money. A lot of us are in this position where there was a main street between our home, and where we're going, and we are used to using the roads and it's very, very problematic for me to see these lanes shut down. Oh my god.

There exists privately, privately owned vacant lots behind the restaurants on downtown Main Street. These lots are mainly used as leased parking that generate revenues for the property owners and these property owners mostly...

Donna Graham, Legislative Affairs Manager

30 seconds

Elizabeth Lu

...are the business owners also or they rent to the business owners. What attention was given to the option of using those areas for expanded dining? This would have been - this would have increased our parking revenue.

Lastly, I asked to speak - I wrote to all of you, asked to speak with my at-larges and not one of you contacted me. I know I could call you but I know that I'll probably get a message.

Joanne St. John

Good evening, everyone. My name is Joanne St. John. I live at 25 Beauview Ave. in Nashua, New Hampshire. Just quickly I want to give a history of Main Street - Main Street USA, Main Street Nashua, Main Street anywhere. Main Streets evolve over the years and we have to evolve with changes. So when I first moved here in 1977, I remember Main Street and it was very different than it was then. I remember Martha's had this big orange and turquoise, lovely little sign but you know, everything was sort of like I came from Massachusetts. I came from the North Shore so it was like Michael what did you get me into moving up here? So that was my late husband. Anyway, but he loved it here in Nashua. He was a teacher for many, many years and I'm very proud that we ended up making this our city and loving it as much as we did.

So just quickly, I want to say that I remember - so I don't know how many years everybody has lived here but I've lived here a long, long time and I've seen too many changes. I remember when Main Street was not what it was today. It went many, many years. It looked pretty desolate and pretty sad. I have to say that myself, I think that Michael Timothy started the change for our city and from Main Street. I'm sure that he took quite a risk because there was nothing down there. But anyway, I just want to give credit to all the people that have listened to everybody this evening. My opinion is, of course, that we keep the barriers up. It is an evolving thing of now we are used to being like France or having outdoor dining when we didn't used to do that. So thank you all for your consideration. I do hope that that is the way that you will vote tonight. I know the many people that I have talked to, we love it and are looking forward to it.

Also in addition to the teachers' contract, I'm very much in favor of giving - making the teachers' contract absolute ascertain. I really, really feel that they really were treated badly this past year.

Donna Graham, Legislative Affairs Manager

30 seconds

Joanne St. John

I went to almost every School Board meeting and they will not be treated nicely. So I'm so sorry to say that but, again, thank you all for your attention and thank you for letting me speak.

President Wilshire

Come on up, sir. Give us your name and address for the record.

Albert Mueller

My name is Albert Mueller. I'm from the (inaudible) at the north end. First about the Chelsea barriers. In my opinion, they're a very ugly sight.

Number two - about the cost of it. We heard - I don't know the figures but we heard it's very expensive and not only does it cost a lot of money to erect them, it costs just as much money to remove them again. Why should the taxpayer pay for that? If the business or the restaurants profit from it.

And as far as four lanes – gone. Only two lanes, that's not right because we have emergency vehicles such as police, fire department, and they cannot go through in only two lanes. So that's another right either.

And as far as the dining is concerned before the pandemic, the restaurants they could accommodate all the people who wanted to eat there. Now they have to go out on the sidewalk, and on part of the street, and the indoor tables they are empty. That's not right. That's my opinion and I hope you will consider this.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Mayor Jim Donchess
Re: Award of Contract in Excess of \$1M – Sewer Replacement

**MOTION BY ALDERMAN COMEAU TO ACCEPT, PLACE ON FILE, AND AWARD THE CONSTRUCTION CONTRACT FOR THE 2022 SEWER REPLACEMENT PROJECT TO SUR CONSTRUCTION WEST, INC. OF WINCHESTER, NH, IN THE AMOUNT OF \$2,135,950, CONTINGENT UPON BOND APPROVAL. FUNDING WILL BE THROUGH DEPARTMENT: 169 WASTEWATER; FUND: BOND; ACTIVITY: SEWER REHAB.
MOTION CARRIED**

From: Larry D. Goodhue, Chief Executive Officer of Pennichuck
Re: Notice of Annual Meeting of Sole Shareholders and Proxy Statement; Proxy Card; and Annual Report to the Sole Shareholders

From: Larry D. Goodhue, Chief Executive Officer of Pennichuck
Re: Pennichuck's Audited Consolidated Financial Statements for years ended December 31, 2021 and December 31, 2020

There being no objection, President Wilshire accepted the communications as read and referred them to the Pennichuck Water Special Committee.

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Joint Convention with Board of Library Trustees

There being no objection, President Lori Wilshire declared that the Board of Aldermen meet in joint convention with the Board of Library Trustees for the purpose of re-electing Trustee Scott Jaquith and called for a nomination.

Trustee Linda Laflamme nominated Scott Jaquith for a seven-year term to expire on March 31, 2029

A viva voce roll call was taken on the re-appointment of Scott Jaquith which resulted as follows:

Yea:	Trustee Jaquith, Trustee Laflamme, Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire, Mayor Donchess	18
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Nay:		0
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MOTION CARRIED

President Wilshire declared Scott Jaquith duly re-appointed to the Board of Library Trustees with a term to expire March 31, 2029.

Oath of Office administered by Corporation Counsel

There being no objection, President Wilshire declared that the Joint Convention now arise.

Appointments by the Mayor

Cultural Connections Committee

Deepa Mangalat (reappointment)
18 Wild Rose Drive
Nashua, NH 03063

Term to Expire: February 28, 2025

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

REPORTS OF COMMITTEE

Personnel/Administrative Affairs Committee..... 03/07/2022

There being no objection, President Wilshire declared the report of the March 7, 2022 Personnel/Administrative Affairs Committee be accepted and placed on file.

Joint Meeting Committee on Infrastructure and Planning and Economic Development
Committee..... 03/09/2022

There being no objection, President Wilshire declared the report of the March 9, 2022 Joint Meeting on Committee on Infrastructure and Planning and Economic Development Committee be accepted and placed on file.

Human Affairs Committee.....03/14/2022

There being no objection, President Wilshire declared the report of the March 14, 2022 Human Affairs Committee be accepted and placed on file.

Planning and Economic Development Committee..... 03/15/2022

There being no objection, President Wilshire declared the report of the March 15, 2022 Planning and Economic Development Committee be accepted and placed on file.

There being no objection, President Wilshire suspended the rules to allow for the oral report of the Special Budget Review Committee meeting held last night regarding proposed Resolution R-22-022.

Alderman Dowd

Yes last evening we had a public hearing on this as well as the Budget Committee. This is on the teachers' contract and also we did R-22-008 which was the special revenue account for the Court Street. The R-22-022 for the teachers' contract was unanimously approved by the Budget Committee with one abstention. R-22-008 passed.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Board of Registrars

There being no objection, President Wilshire confirmed the reappointments of the following individuals to the Board of Registrars: Adriana Lopera Espitia, 15 Hanover Street, Nashua, and Gwendolyn Mikailov, 11 Appletree Green, Nashua, both with terms to expire December 31, 2024.

Alderman Sullivan

Thank you, Madam President. I have no objection to the appointments that are brought before us but I would like to at least let the record show it was mentioned earlier tonight that the Board of Registrar should be a member of three people. These are two appointees and I was just curious as to know the process about selecting a third Board of Registrar.

Mayor Donchess

Well I have to look to see what the appointment status is and I will consider anybody who's I think is qualified.

Alderman Sullivan

So anybody that is interested should be...

Mayor Donchess

No there has to be there I believe a partisan balance here too. I don't believe that more than two people can be members of the same party out of the three.

Alderman Sullivan

Correct. That's right. Okay, thank you.

Alderwoman Kelly

Thank you President Wilshire. Just a clerical thing, it's actually Adrianna and her address is actually 15 Hanover Street not the other. Just for the record.

President Wilshire

Thank you.

Alderman Cathey

Madam Chair I don't necessarily have an objection but I do have a question for Corporation Counsel if I may.

President Wilshire

Certainly.

Alderman Cathey

Attorney Bolton in the City Charter it states that, "shall appoint three voters of Nashua who shall constitute a Board of Registrar of voters". Does that then mean there has to be three in order for it to be considered a Board of Registrars or could it be one, or three, or two, or whatever the number is?

Steve Bolton, Corporation Counsel

I don't read that to say they have to be appointed all on the same day.

Alderman Cathey

But does there have to be three for it to be a board that can do what the board is supposed to do? Like does it have to be full with those numbers or can it just do its duties with just need the two?

Steve Bolton, Corporation Counsel

No. If a quorum is present, a board can perform the duties of the board.

Alderman Cathey

Okay. Thank you.

President Wilshire

Okay. Is Adriana or Gwendolyn here to take the oath of office this evening? Not seeing them, they will both be sworn in at a later date.

Cable Television Advisory Board

There being no objection, President Wilshire confirmed the new appointments of the following individuals to the Cable Television Advisory Board: Steve Buxton, 70 East Hollis Street, Nashua; Lauren Byers, 9 Riverside Street, Nashua; Joseph Fay, 28 Officer James Roche Drive, Nashua; and Gregory Rodriguez, 141 Ledge Street, Nashua, all with indefinite terms.

Oath of Office administered by Corporation Counsel to Joseph Fay.

Cultural Connections

There being no objection, President Wilshire confirmed the reappointments of the following individuals to Cultural Connections: Sandra Pratt, 24 Gingras Drive, Nashua; and Rosemary Ford, 22 Nova Road, Nashua, both with terms to expire March 1, 2025.

President Wilshire

Is Sandra or Rosemary here in the chamber this evening? They will both be sworn in at a later date.

Downtown Improvement Committee

There being no objection, President Wilshire confirmed the new appointment of Timothy Sennott, 62 Underhill Street, Nashua, to the Downtown Improvement Committee with a term to expire April 1, 2025

Oath of Office administered by Corporation Counsel to Tim Sennott.

Planning Board

There being no objection, President Wilshire confirmed the reappointments of the following individuals to the Planning Board: Robert Bollinger, 5 Decatur Drive, Nashua, and Scott LeClair, 10 Daylily Drive, Nashua, both with terms to expire March 31, 2025.

President Wilshire

Are either of them here or both of them here? They will be sworn in at a later date.

UNFINISHED BUSINESS – RESOLUTIONS**R-22-013**

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman John Sullivan
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman Alex Comeau
Alderman Richard A. Dowd
Alderman Tyler Gouveia
Alderman John Cathey
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED SIX MILLION TWO HUNDRED EIGHT THOUSAND THREE HUNDRED TWENTY-FIVE DOLLARS (\$6,208,325) FOR THE CITY'S SEWER INFRASTRUCTURE PROGRAM AND SEWER STRUCTURES

Given its second reading;

MOTION BY ALDERMAN CATHEY FOR FINAL PASSAGE OF R-22-013, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly,
Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey,
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire,

15

Nay:

0

MOTION CARRIED

Resolution R-22-013 declared duly adopted.

R-22-014

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

RELATIVE TO THE TRANSFER OF \$44,400 FROM ACCOUNT 70100 "GENERAL CONTINGENCY" INTO DEPARTMENT 179 "LIBRARY", ACCOUNTING CLASSIFICATION 53 "PROFESSIONAL AND TECHNICAL SERVICES" TO FUND HALF THE COST OF A FACILITY ASSESSMENT AND MASTER PLAN FOR THE LIBRARY BUILDING

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-22-014, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran,
Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly,
Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey,
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire,

15

Nay:

0

MOTION CARRIED

Resolution R-22-014 declared duly adopted.

R-22-015

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman John Sullivan
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderwoman-at-Large Shoshanna Kelly
Alderman Alex Comeau
Alderman Tyler Gouveia
Alderman John Cathey
Alderman Derek Thibeault
Alderwoman-at-Large Gloria Timmons

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF POLICE COMMISSIONERS AND TEAMSTERS LOCAL 633, FROM JULY 1, 2022 THROUGH JUNE 30, 2026

Given its second reading;

MOTION BY ALDERMAN SULLIVAN FOR FINAL PASSAGE OF R-22-015, BY ROLL CALL

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

Yea:	Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire,	15
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Nay:		0
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MOTION CARRIED

Resolution R-22-015 declared duly adopted.

R-22-018

Endorsers: Alderman Patricia Klee
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Thomas Lopez
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman Richard A. Dowd
 Alderman Derek Thibeault
 Alderwoman-at-Large Gloria Timmons
 Alderman-at-Large Lori Wilshire

AUTHORIZING PENNICHUCK CORPORATION AND PENNICHUCK EAST UTILITY, INC. TO BORROW FUNDS AND ACCEPT A GRANT FROM THE STATE OF NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER TRUST FUND

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-22-018

MOTION CARRIED

Resolution R-22-018 declared duly adopted.

R-22-019

Endorsers: Alderman Patricia Klee
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman Richard A. Dowd
 Alderman Derek Thibeault
 Alderwoman-at-Large Gloria Timmons
 Alderman-at-Large Lori Wilshire

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

Given its second reading;

MOTION BY ALDERMAN KLEE FOR FINAL PASSAGE OF R-22-019

MOTION CARRIED

Resolution R-22-019 declared duly adopted.

R-22-022

Endorsers: Alderman-at-Large Lori Wilshire
 Alderman Richard A. Dowd
 Alderman Patricia Klee
 Alderman Derek Thibeault

Alderman Thomas Lopez

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF EDUCATION AND THE NASHUA TEACHERS' UNION, LOCAL 1044, AFT, AFL-CIO FROM SEPTEMBER 1, 2021 THROUGH AUGUST 31, 2025 AND AUTHORIZING A RELATED TRANSFER AND SUPPLEMENTAL APPROPRIATION

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-22-022

ON THE QUESTION

Alderman Dowd

Last night it was unanimously approved by the Budget Committee. It's been a long and arduous negotiation and I think both sides did an amicable job in coming to a conclusion and I recommend final passage.

Alderman Thibeault

I just want to make a quick comment. The last few years, the teachers have gone through complete hell starting with having to stop teaching, to having to go hybrid teaching, to having to go a full year back with masks, no masks. It's been a tough year for them and, you know, they were out there at the Board of Education holding their signs and pushing the Board of Education to pass this contract or to negotiate this contract. I just want to thank both sides for come together. I want to thank the teachers for hanging in there. I know last time I got the numbers, there was a good 40 teachers leaving this year and that's a high for quite many years and it's probably more now. I hope not. Getting to this point where we're going to have to sign this contract I think it's great and I'm looking forward to voting yes on it tonight. So thank you.

Alderman O'Brien

Thank you, Madam President. On this particular vote, I'm glad to have to abstain. My daughter is an employee. She's a school nurse. Even though she lives independent of me, is an adult - a very strong woman, but because I get a birthday card and Christmas presents – the only thing she doesn't even give me free advice. So anyway. I'm gonna have to abstain anyway. Thank you.

President Wilshire

Thank you.

Alderman Comeau

Yes, thank you Madam President. I just wanted to say quickly, I feel very lucky and blessed that I was able to give my two children something that I didn't have growing up, which was the ability to go through a single school district from kindergarten until graduation. My daughter graduated from National High School South in 2020. My son is currently on his way to being a 12 season athlete. He will graduate next year. Like I said, I moved around about every three years when I was near age and nothing makes me happier than to see them go through such a great district from start to finish and I will be more than happy to vote yes on this tonight. Thank you.

Alderman Gouveia

Thank you, Madam President. I think as the probably the last person in this room to sit in the classroom at Nashua High South, I feel very strongly. I had a great education coming up through the system and I hope we continue that going forward and I look forward to voting yes on this.

President Wilshire

Further discussion? Seeing none, this requires a roll call vote. Will the Clerk please call the roll?

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

Yea: Alderman Sullivan, Alderman Klee, Alderman Moran, Alderman Lopez,
Alderman Jette, Alderman Clemons, Alderwoman Kelly,

Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Cathey,
Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire

14

Nay:

0

Abstained: Alderman O'Brien

1

MOTION CARRIED

Resolution R-22-022 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES**O-22-008, Amended**

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderman Derek Thibeault
Alderwoman-at-Large Gloria Timmons
Alderman-at-Large Lori Wilshire

RELATIVE TO SEASONAL ROAD CLOSURES AND ELIMINATION OF CERTAIN ON-STREET PARKING FOR EXTENDED OUTDOOR DINING AND OTHER NON-VEHICULAR USE

Given its second reading;

MOTION BY ALDERMAN O'BRIEN TO AMEND O-22-008 BY REPLACING IT WITH THE GOLDEN ROD COPY OF AMENDMENTS MADE AT THE JOINT COMMITTEE ON INFRASTRUCTURE AND PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE**ON THE QUESTION**Alderman O'Brien

Madam President, as you know, and I think you were there, we held a session and several were long. One went way into the wee hours of the night. But I gotta thank my fellow committee members of both the Infrastructure Committee and the PEDC. We really came to resolve on this, although I don't agree with some of it 100%, but it is a compromise and I think it gives us a better vision of the modernization of what our downtown could look like. Thank you Madam President.

MOTION CARRIED**MOTION BY ALDERMAN MORAN FOR FINAL PASSAGE OF R-22-022 AS AMENDED****ON THE QUESTION**Alderman Moran

This was a very thoughtful and tough process that we came to the Joint Committee plus the Task Force. I would like to thank everyone for their time. My Co-Chair Alderman O'Brien who tolerated me very well and all the members of the community who joined the Task Force as well as the BOA members that sat in and helped make this a great proposal as a compromise. I think at the end of the day, I'm supporting this because it's for the people at downtown so the businesses downtown. It goes to a vision, I think, eventually a walkable downtown, two lanes, and I'm very optimistic to see how much business this is going to bring to our city and to not just the businesses downtown but also to make it a thriving, prosperous place for the residents of downtown because that's their neighborhood. We're adding a little bit more to make that a vibrant neighborhood and I can see myself supporting us today. Thank you.

Alderman Jette

Thank you, Madam President. So I want to let all the people who wrote to me about the barrier issue, there were a lot of

people who were adamantly opposed to the barriers. I did receive your e-mails. I did hear because some of you called. I did hear you. I think the people who are against the barriers, you know, kind of summarize their opposition. We've heard it and forgive me for saying it over and over again, but people objected to the traffic congestion. They objected to the appearance of the barriers. They objected to the barriers taking away some parking and the issue of the emergency vehicles – police, and fire, and ambulance. So I know people felt very strongly about this and the fact that we have not rejected the barriers completely is very disappointing to them. But the issues that that people raised were all considered. Were all looked at. This plan was an effort to, you know, I should say there were also a lot of people who loved the expanded outdoor dining. Not only sidewalk dining, but the expanded into the street. So they were very much in favor of our continuing this program. So this plan that we worked long and hard on and we tried to compromise. I think one of the biggest compromises is removing the barriers from the Water/Park, Main Street intersection to Franklin, Canal, and Main Street intersection.

Our City Engineer expressed the opinion that he thought that that would go a long way on relieving a lot of that congestion that people have complained about. I don't know. I'm hoping he's right. I think he's right and I hope that he's right. We'll have to see what happens this summer. The appearance issue, we voted to paint them all a neutral color. The parking issue, we removed a lot of the barriers. We provided for a lot more parking and the emergency vehicle issue. I know people talk about the police and fire but the Police Chief and the Fire Chief are both here. Neither one of them said that they were against this. They both kind of said we'll have to see. The plan is new and we'll have to see how it works out. The City Engineer talked about how he has provided for space between the barriers and the first lane of traffic. In his opinion, this allows some room for vehicles to move over to allow emergency vehicles to pass. And again, I'm hoping he's right about that.

So you know, I want people to know that I urge you. I worked very hard on this. I made a lot of motions. I won some. I lost some and I want to remind everybody that the ordinance says that this is adjustable. Tweaks can be made. Upon recommendation of the Director of Public Works, the Parking Manager, and the approval of the Committee on infrastructure, the Mayor may adjust locations of barriers, parking spaces, fees for parking time for parking spaces, and location of parking spaces as circumstances warrant. So it's, you know, not cast in concrete, pardon the pun. So adjustments can be made.

The other issue that was that was raised was the objection to the restaurants being allowed to use sidewalk space and street space without paying anything for it. I heard that. A motion was made to charge a fee and some of us voted for that but the majority voted against it and the suggestion was made that that this is an issue that is not forgotten. The Mayor has indicated that he he's willing to look at it. The Chairman of the Task Force, Chairman O'Brien, suggested that this is something that that should be studied further. So it's not completely out of the picture. I'm hoping that we'll continue to look at that. On that issue, I hope people understand that, you know, we're no one Alderman can make things happen the way he or his constituents want it. It's the Board of Aldermen that acts as a Board so we have to reach a consensus. There comes a time when you don't have the votes, you don't have the votes and you have to do the best you can. The Committee voted for this plan and I'm supporting it because, you know, I think we tried hard to come up with a compromise that will hopefully allow for expanded outdoor dining without harming the other businesses downtown and without causing too much inconvenience to the rest of the residents in the city. So thank you.

Alderman Klee

Thank you, Madam Chairman. I know a lot of work was done and hopefully I don't muddy the waters here but I'd like to make an amendment to what has been passed or what has been voted on. I'd like to amend to return to full spaces in front of 127 Main Street, which is San Francisco Kitchen. That would be striking the shortening the length of the barriers of the northwest corner of Factory Street and Main Street by 20 feet from the north side and returning those two spaces. I'd also like in addition to motion to allow that beyond that, those two spaces, that one dedicated and signed handicapped spot be placed there. The two spaces does displace a handicap spots that's there so I'd like to move a handicap spot that has signage and is directly there in front of the Wingate. I think basically in front of the Wingate property there as well as to move the 15 minute parking behind that. So it would be the two spaces for San Francisco Kitchen, the single handicapped space behind that, and 15 minute parking.

MOTION BY ALDERMAN KLEE TO AMEND TO RETURN TO FULL SPACES IN FRONT OF 127 MAIN STREET (SAN FRANCISCO KITCHEN) - SHORTENING THE LENGTH OF THE BARRIERS OF THE NORTHWEST CORNER OF FACTORY STREET AND MAIN STREET BY 20 FEET FROM THE NORTH SIDE AND RETURNING THOSE TWO SPACES - THAT ONE BE DEDICATED AND SIGNED A HANDICAPPED SPOT BE PLACED THERE, AND TO MOVE A HANDICAPPED SPOT THAT HAS SIGNAGE DIRECTLY IN FRONT OF THE WINGATES

ON THE QUESTION

Alderman Klee

And if I could just speak to it a little bit.

President Wilshire

Sure.

Alderman Klee

Thank you very much. I know we all got an e-mail from Mr. Hardy and I called him and I spoke to him. I explained to him that while I understood that he said no barriers and that they had come to an agreement. I also talked to him that I had spoken to Ms. Gomez and there had not been an agreement. It was something that I think he didn't quite understand. They had not really come to an agreement. We talked back and forth and I explained to him that even though he sent us a letter saying he didn't want the barriers, it was the city and the city alone that gets to determine where the barriers go. It was HIS right to say what went between the barriers and his property. So he could say, we could put the barriers up and he could say no tables there. He could say no planter in front of Wingate's if that's what he wanted to do. He understood what I said and he agreed that he would have no problems with her putting tables there if we did in fact put up the barriers. So having talked to him, I explained to him exactly what I was planning on doing. I told him I was going to make sure that there was a handicapped spot there because one had been displaced and I believe Director Cummings had said they kind of moved it across the street. I said that does not help Wingate's because that was one Mr. Wingate's concern was that there was no handicapped spot. So I felt one handicapped spot should be in fact put there.

I think this kind of resolves the problem. It allows San Francisco Kitchen to have the two spaces. I believe it's only increasing the overall by one space from what we just voted on. It guarantees a signage handicap spot there and it still allows that 15 minute parking for pickup and drop off. Thank you.

Alderman Clemons

Thank you. I certainly am going to support this amendment. I was unable to attend the two meetings because I was taking care of my sick father-in-law in Virginia. Had I been at the meetings however, I would have advocated that this would be the route that we had gone down. I think it is fair both to San Francisco Kitchen and I think it is fair to Wingate's as well because it puts a handicapped parking space in front of their business as well as a 15 minute space and then beyond that a regular space. So there's three different kinds of spaces right in front of their location. So I think that unfortunately what was voted on to reduce San Francisco Kitchen's footprint is not enough for their business. I think that in my opinion, they were one of the largest utilizers of these spaces because I know some people argued that, you know, doing this in the first place why are we doing it? Well San Francisco Kitchen used that outdoor space.

In any case, I don't want to belittle what the Committee did. I just wanted the opportunity and I appreciate that Alderman Klee brought this up to speak and vote how I would have had I been there and been able to. And so I certainly am going to support this. I think it's fair and I hope that my colleagues will support this as well.

Alderman Cathey

Thank you, Madam Chair. I'd actually like to defer to Corporation Counsel because I believe he had some comments about Alderman Klee's did you say you disagreed?

Steve Bolton, Corporation Counsel

I think Alderwoman Klee may have said that the owner of the premises had a right to determine what went between the barrier and the edge of the building or words to that effect?

Alderman Klee

I did, yes

Steve Bolton, Corporation Counsel

I will tell you that's not the law as I understand it. The city can make the sidewalk any width it wishes. The city can plant decorative trees, install street furniture, benches, planters, rubbish receptacles, all of that is part of the easement or part of the city's right pursuant to the easement for viatic use of the right of way. There's been a lot of confusion on this and the

fact is that anything related to the viatic use of the right of way, the owner of the fee interest has no right to control the city. You can determine that with or without the agreement of the fee owner.

Now non-viatic uses. If the property owner or the owner of the fee interests objects, well then perhaps if it is a non-viatic use and the court determines that as such, that objection could be recognized by the court and the court could order the non-viatic use not take place.

Alderman Cathey

Thank you. I thought that might be the case and I would not want the city to place barriers where a property owner would then say, I don't want a non-viatic use purpose in front of my building. So in theory, we could place the barriers there and then the property owner who owns both San Francisco Kitchen and Wingate's could say no to extended outdoor dining and then therefore we have barriers with nothing for extended outdoor dining behind them, which seems like a waste and defeats the purpose if it's just going to sit there empty. It also feels like the property owner might then think, well if the barriers are going to be there anyway I might as well allow extended outdoor dining when he might not want that. And so I think it behooves the city to find out what the property owner wants before we - or what the property owner wants in relation to non-viatic use before we go ahead and set up the barriers in that particular location. I think that should apply to all of the property owners generally but in this specific case, we should know before we place barriers.

President Wilshire

I'm going to call on Alderman Klee because I think she might have an answer for that.

Alderman Klee

I do and thank you for bringing that point up. As I said, I had spoken to him and he was in agreement with it. What the agreement he thought had been made was originally Wingate Pharmacy had told San Francisco Kitchen they could put tables there only from 5 to 10 and had to remove them. If they put the table up against their very large plate glass window, that it was a not a shatterproof and that it could break and it could hurt someone and that was her risk. Who's gonna want to do that? Who's gonna want to take that on? So for all intent purposes, she really could not do that. They came back and said that she did not have to move the tables. That's what was told to the owner of the property. She did not have to move the tables and the property owner said he would assume all liability. The truth is, I also said to him, well if you put a table there knowing that there is a liability, I will contact the city and ask them to certify that someone is not being put into danger and therefore I don't think that that table really should or would be able to be put there.

I gave him my plan, my idea. He liked it very much. He did not want to say no to San Francisco Kitchen but he has two mentors that he absolutely loves. He thinks that they're very good. Wingate has been extraordinary to him and did not want to irritate or aggravate them in any way, shape, or form. He has been trying to work with them. I said to him if we put the barriers up, would she be allowed to put the tables up? He said yes. But to add to this, that's when I said to him I want to make sure that Wingate is protected in this and that they have a handicapped spot because they were losing the one that they had in front of them. That 15 minute parking, they're the ones that use it mostly for the pickup and the drop off. I wanted to ensure that they were taken care of and that they weren't harmed by this and that's why I put forward those other two items. So yes.

Alderman Cathey

Thank you.

Alderman Lopez

So no shock to anybody here that this has been a very tricky issue and that communication has been very difficult in a lot of areas. What I have found as the Alderman representing downtown is that there has been a lot of passion on the side of people advocating for the removal of the barriers and a lot of pressure on people who state that they need it for their livelihood. I have heard from Wingate's repeatedly. I have tried to accommodate them last year on a number of occasions and more specifically here, I think, we did accommodate their needs for parking for most of the street. But I do think that it's not fair to a business that needs enough space to actually benefit from it, that we removed one to benefit a business that now has access to a lot more parking.

I also found that unfortunately a lot of the restaurants that were spoken to and several of the businesses as well were not given entirely accurate information as I would see it. They were told things about pharmacies that don't have any parking and we're not aware of the municipal parking behind that pharmacy. The individuals from the pharmacy have represented

relationships with a lot of different restaurants as positive and engaging where those restaurants have to meet categorize those is very different. There are a number of people that had asked me to support outdoor dining that were represented on the petition that was presented to this Board opposing outdoor dining, including San Francisco Kitchen. That petition was represented as being business owners and concerned property owners on Main Street were a number of the individuals who signed did not represent the businesses, several business owners said that they didn't fully understand what was being asked to them. Being a host and a welcoming establishment that's trying to operate a business and having somebody present who is not taking subtle hits, they regretted signing in order to have that person leave because ultimately they had to answer for that in a lot of other ways.

So this has been a very contentious issue. I think when you have two neighbors who need the same resources and the same aspects, it is the role of the city to arbitrate and to manage with structured guidelines so that there aren't expectations that compete and interfere with each other and so that there is a communication that people put out in the heat of the moment that they can't necessarily retract later. I respect greatly what Lina and Ruben Gomez have had to put up with being essentially the focal point of much of our discussions. In addition to them also trying to run businesses and I appreciate that they came in to sustain San Francisco Kitchen after the previous owners were essentially ready to sell it. I think it's been a positive influence downtown. Wingate's has certainly had its history downtown as well and I don't think we should be making legislation or policies that absolutely deny one or the other access but I also think that there's been a lot of articulation around compromises that really weren't made. I received an e-mail even today from Mr. Wingate requesting that I just absolutely say no and indicating that he's absolutely opposed to it despite constant articulation of compromise and interest.

I think when it comes to business and it comes to passions that individuals have, compromise is not as easy as it sounds. I think that we as Aldermen have seen that and none of these situations are particularly simple or straightforward. We've referenced King Solomon's decisions a couple of times and his choice was a little bit risky as I recall it and I think we need to be very careful and very mindful of this. So in looking at the amendment that Alderman Klee is offering and listening to the testimony from the Gomez, I think adding a parking space back is fair to give them enough space to do what they actually need to do with the space. I think if the property owner is willing to let them put the tables out there, it will be used, and I think we have been compromising and made accommodations for Wingate's to a reasonable extent that they're not the only business on the block. So I will support the legislation. I am as Alderman Jette pointed out fully aware that there can be further conversation about making adjustments and that type of thing. I also support the future plans to recoup some of the expenses that we lose from parking revenue by charging restaurants. I just think we need to make sure we have a plan for where that money is going. We have to have a clear understanding of what we're charging for and that has to go through the same transparency processes that we use for everything else. Thank you.

Alderman Thibeault

Thank you Madam President. So you know we've heard a lot about some of these restaurants on Main Street not paying Nashua taxes. Well the Gomez's live in Ward 6. They live here in town and I don't know if they own or not own their home but if they're renting, that tax is being put into their rent. So they are Nashua citizens. They live here. In their own words, in the e-mail that they sent to all of us, they said that they felt bullied by people on their block. They felt like they were being looked at differently than a Martha's, or Michael Buckley's restaurants, right. You know they haven't been there as long owning this business. They weren't eligible for the - and she didn't bring it up tonight, but she's brought it up before. They weren't eligible for the COVID loans that some other businesses got. And so it's taken more than just, you know, a COVID free couple of months and even though we're not really COVID free, but you know what I mean. COVID free enough that people can go into their restaurant. It's taken them a lot longer to recover from that. Like I said, no one's going to Billy or Michael but they feel like they need to bully them.

I don't think giving them one spot back so they can try to really establish their restaurant even more with them as the owners get back on their feet. I know supply chain has been tough. Everything's gone up in price. They have a great establishment there and I would like to see them get that spot back and I think it was a great idea to add the handicap spot back as well. I think that was perfect because we need one on that side in that area so thank you.

Alderman Sullivan

Thank you, Madam President. I just wanted to say I cannot support this amendment nor this legislation as a whole and I'll speak to the amendment first. I did read the e-mail today and now I'm trying to keep track of side conversations that were had and now we want to make an amendment to this amendment because of side conversations that were had. I can't support that.

Overall, I can't support this legislation because I listened to the people. I read the e-mails. I heard the concerns from public safety. I think there is an idea out there. I just don't think this is the one. Hats off to all my colleagues that spent hours upon hours times that number of people trying to come up with a solution. I just can't support this one. Thanks.

Alderman Comeau

Thank you, Madam President. On the amendment, I personally kind of feel like I'm in between both the Gomez's and Mr. Wingate. I've had what I feel like is a good relationship with both of them and the analogy of King Solomon was brought up and where I have a decision to make who to side with. Unfortunately for my relationship with Mr. Wingate, I'm going to side with the Gomez on this because they are my constituents and I have been an advocate since I was elected to the idea of us being representative of the citizens of our Ward. I plan to vote for the amendment because they are my constituents and I will support their request.

Alderman Moran

So I had a conversation with Miss Gomez and I was one of the Task Force members that voted for the limiting of the space. At the time, I thought it was going to create two spaces. After getting the e-mail from Director Cummings, that's clearly not the outcome of what I thought I was voting for. So even though I was very concerned about amendments being brought forth today, this one's not so bad because it gives me the opportunity to rectify a mistake that I made. So I'll be supporting this amendment because of that.

Alderman Jette

Thank you, Madam President. I think we're losing sight of the fact that when people talk about, you know, taking space away from San Francisco Kitchen, or giving them a space, or giving a space to Wingate's, I think we're losing sight of the fact that those spaces are not ours to give. We can decide to put up barriers and I think Attorney Bolton always chooses his words very carefully and he always cringes when I attempt to repeat what he said and I screw it up. My understanding is from what he said that tables and chairs are - he refers to "non-viatic" use. Well tables and chairs are non-viatic use. So, you know, the city cannot take a space in front of Wingate's and give it to San Francisco Kitchen. Okay. What the city can do and this and what this motion is going to do is put a barrier up in front of Wingate's. So Wingate's loses whatever parking that barrier blocks.

Now whether or not San Francisco Kitchen can put tables or chairs there is going to be up to the landlord. Now I would rather than hearing, you know, your conversations that an alderman has had with the landowner about what he will do or won't do, I mean no offense but what you said is he's changed his mind at least once, maybe twice, maybe three times. So I don't know what the final outcome is going to be but if we put barriers up in front of his property, it's certainly going to make it easier for him to say to San Francisco Kitchen well the space is there, you might as well use it. I think what we're doing is we're picking winners and losers. I would rather...

President Wilshire

No comments from the audience, please.

Alderman Jette

I would rather we - I mean the ordinance does say there is provision in the ordinance for the Mayor after the Parking Manager, and Department of Public Works, and the Infrastructure Committee, the Mayor can make adjustments. I would rather that the landlord, and Wingate's, and San Francisco Kitchen come up with an agreement among the three of them and say okay if you do this, this is what we're going to do, or it's okay with us for you to do this.

I feel the same way about the barriers in front of Casanova and Gentle Dental. There are barriers that we're going to put in front of those two businesses that are going to, you know, remove that extra parking there. We're doing it because of an e-mail we got from JaJa Belles. There is no parking space in front of JaJa Belles. Unless her landlord - the same way, the landlord says okay well the city put barriers there so you can put tables and chairs there because it's not being used for any other purpose. I think that I would rather see the landowner and the tenants resolve this themselves rather than our imposing this on them.

As far as the narrowing of Main Street, you know, we can put a barrier at the beginning of the corner of Main and Factory on the north sides to reduce the lanes on Main Street. But as far as the use of that non-viatic space between the barriers in the sidewalk, I don't think we should be doing that. I'm going to vote against this amendment. Not to mention, you know, we were here till 11 o'clock one night, one o'clock another night working this out, and now here we are its 9:30. I

don't know how much longer we're gonna be here arguing about this. I would rather we just, you know, adopt with the committee came up with and let the Mayor use the power that we've given him in the ordinance to make adjustments.

President Wilshire

Mayor did you want to chime in on that?

Mayor Donchess

Well just a clarification. I mean in the Task Force discussions, the viatic right issue came out and I guess it was first raised by Alderman Cathey. The Legal Department looked at that and the landowner in the case of a non-viatic use does have the authority to say no. The idea that we would put out barriers without any tables there, we're not going to do that. I mean, we're going to ask for - the procedure I've talked with Director Cummings about is we're going to ask the restaurant to gain the authority of the it's not the tenant. It's the owner of the property gain the permission or consent of the property owner before we put the barriers up. I mean we cannot put up barriers and have no tables. We're not going to do that and we have to kind of work all this out before any barriers go up because we can't put up some, and wait, and put up others. I mean we're gonna have to have a complete plan and then go in and put barriers up where we have the plan from the Aldermen and owner's consent. And where we have both, we'll go forward. If the owner says no, you know, we're not going to risk litigation over this. So again, we're not going to put up there where there's not owner's consent.

Alderman Dowd

Yes and I'm gonna be brief so we're not here til one in the morning. I'm going to support the amendment because one of the things going into this whole plan that concerned me was trying to be as fair to all the individual business owners as possible. I think we've done that in all the compromises we made adding parking, and taking care of Franklin Street, and all these other things.

I think what we've done to San Francisco Kitchen is a detriment to a small business trying to get on their feet being new owners. I think that that we need to support them and just like any other small business downtown. I feel that I represent not just the people in my Ward - and many, many people in my Ward want the extended outdoor dining that haven't put it on Facebook or e-mails. They just talked to me. I feel that I also represent the entire city. When I cast the vote, it's for all taxpayers. It's not segregated into Ward 2. And by the way, Mr. Wingate is a constituent of mine and I'm going to vote for the amendment.

Alderman Klee

Thank you again once again, Madam President. I would have loved to have done that conversation over e-mail to all of us at the same time but because of Right to Know, that just can't happen. So I had the conversation the way I had the conversation with him. I even did a quick little e-mail out to him basically saying this is what I'm going to do and so on so that he had it in writing exactly. I did cc Alderman Lopez because it is his Ward on it but I didn't put any other Aldermen on simply because it would be wrong. Again, side conversations have to happen because of Right to Know. I can't have that conversation with more than a majority on this committee. So that's why those happened. It wasn't trying to be sneaky, trying to do something that would be underhanded, or anything of that nature. I did it the way I had to do it legally and so on.

Like Alderman Dowd, I have heard from many constituents verbally. They are now getting paranoid to send e-mails. They don't want to put things on Facebook because of having threatened. They feel that their e-mails are going to be pulled and then it's going to become public knowledge. They don't want to put on Facebook because they're being bullied and this is real and this is happening. So that's why they give you a call, or they stop you in a restaurant which is what happened in one particular case. We have these conversations and don't get me wrong, I have received from my Ward constituents such as Mr. Miller that they are not in favor of this. So I'm not just hearing those that are in favor. I think it's pretty even as to who wants it and who doesn't want it. Then there are those who don't speak out. So there are those who don't want it who don't speak out, they just aren't going to bother and there are those who do want it and won't speak out for it.

I think this is a good and fair compromise. We had put this through just having that one little space is all it would do. As the Mayor said once we approve this, if Mr. Hardy comes back and says I absolutely will not give them permission to put the - then there would be no need to put the barriers up. But if he said if the barriers there and I will do it and so on. I just believe that putting the handicapped spot, keeping the 15 minute parking space helps and it's exactly what he had asked for. I think this is a compromise, compromise, compromise and no one gets hurt.

I do want to add to what Alderman Thibeault said. San Francisco Kitchen got no PPE. They got none of that stuff because they could not prove that they had any revenue because they bought it just as COVID hit. They had no earnings. So therefore they had no losses as far as the COVID monies and all that was concerned. So the one business, at least one of the businesses downtown, that did not get any of that leg up, or a hand up, or whatever you want to call it was San Francisco Kitchen and I don't think we should continue to hurt them over and over again when we can do this compromise of putting a handicapped spot there. We're only taking one extra space from what we just approved. That's it. One space is what's being affected by this. They don't lose a 15 minute parking and they gain a dedicated handicapped spot. I think this is a win/win all around. So thank you very much.

Alderman Cathey

Thank you, Madam Chair. Gosh this is not an easy topic to figure out. There's a lot of variables at play, but to make my job more easy, I like to stay in my lane and as a city we can only give so much. We're only allowed by law to do so much and I'm not going to authorize barriers here, barriers there when I or we haven't heard on the record from a property owner because I think it creates too much confusion. It's just not something that we should be doing. I'd rather have a set plan before we lay down barriers and get permission from the property owner about what we're going to do. I think doing it ahead of time is short of putting the cart before the horse and it's sort of arbitrary and so for that reason just on procedural grounds, I'm not going to support it because I'd rather know for sure what we're doing moving forward. Thank you.

**MOTION BY ALDERMAN DOWD TO MOVE THE QUESTION
MOTION CARRIED**

President Wilshire

So we are considering now Alderman Klee's amendment.

Alderman Cathey

Roll call.

MOTION BY ALDERMAN KLEE TO AMEND TO RETURN TWO FULL SPACES IN FRONT OF 127 MAIN STREET (SAN FRANCISCO KITCHEN) AND SHORTENING THE LENGTH OF THE BARRIERS ON THE NORTHWEST CORNER AT FACTORY STREET AND MAIN STREET BY 20 FEET FROM THE NORTH SIDE AND RETURNING THOSE TWO SPACES; AND ALSO IN ADDITION TO ALLOW THAT BEYOND THE TWO SPACES THAT ONE BE A DEDICATED AND SIGNED HANDICAPPED SPOT TO BE PLACED IN FRONT OF THE WINGATE PROPERTY AS WELL AS TO MOVE THE 15 MINUTE PARKING BEHIND THAT, BY ROLL CALL

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

Yea:	Alderman O'Brien, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Clemons, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire	11
Nay:	Alderman Sullivan, Alderman Jette, Alderman Gouveia, Alderman Cathey	4

MOTION CARRIED

MOTION BY ALDERMAN MORAN FOR FINAL PASSAGE OF R-22-022 AS AMENDED

Alderwoman Kelly

I wanted to start by thanking Alderwoman Klee for bringing forward a compromise. I think that this whole exercise has been, you know, compromise and listening to the downtown. I know that I probably have a unique experience. Most of the people who will sit on this Board do not go to downtown 9 to 5 Monday through Friday and I have really done the homework in terms of talking to the business owners. Every time I walk around to get lunch, we have some discussions.

I think had been uncharacteristically quiet on this. I wanted to really listen and let the committee's do their work. I think there's been a lot of pros and cons. I feel both sides of that every day in my work and being downtown. I think that where we have landed is right for the downtown. I think there's been a lot of deliberation, a lot of public input, and that

compromise. We really have listened to many of the businesses who had concerns and these amendments have addressed as many as we really could. Is it perfect? No but I'm a recovering perfectionist so I think if you wait for perfect, you're gonna get in the way of progress. So I think this is the right way forward for now and I really want to see us as a city continue to look at how this becomes more of a permanent cultural shift for our downtown and what that looks like. So I I'm looking forward to voting yes on this and I encourage the rest of the Aldermen to do so as well.

Alderman Gouveia

Thank you, Madam President. This was definitely a lot of spirited debate and discussion between both the Task Force and members of the community. We came up with a plan and is it perfect, no. At the end of the day, I personally can't support it still due to the fact that we're talking about \$115,000 estimated that this will cost and we're not going to recover a dime from it from any of the businesses that are going to be utilizing it. I can't get myself to say that's right. We had compromised throughout the program and it was good to see that it could happen. We went through the procedure but at the end of the day, I can't get myself to go to my Ward who most of them are honestly indifferent on the issue and tell them that they're going to have to foot the bill on this as much as everybody else. I just can't find it inside me to vote yes for it and I'm also a lot like Alderwoman Kelly. I'm downtown five days a week. I work for a downtown business. I'm based right off of Main Street. It's tough now with parking and you put these barriers in, I don't know what it's going to be like once the barriers go in. So we'll see. I think it will just be played for as we keep going through but as of right now, I just can't support it at all.

Alderman Dowd

Yes through you to Alderman O'Brien - the king of the House up there. When restaurants and businesses downtown make more money, they pay business profits tax is that correct?

Alderman O'Brien

That is correct.

Alderman Dowd

And part of the business profits tax comes back to the city. Is that correct?

Alderman O'Brien

That is correct.

Alderman Dowd

So they are paying. That's a misnomer that they're paying nothing. The city is getting money back for their expanded business and that goes for regular stores as well as restaurants. So that is not true. They are paying.

Alderman Thibeault

Thank you, Madam President. I think we're at a point now we're trying to figure out where Nashua is going to go. Someone had mentioned earlier, you know, evolving and changing as a city and I've heard people say that they like being either the gate city or a quainter city. I think we honestly we're right in the middle where are we going to go and evolve as a city or are we gonna go backwards a little bit? Some of us who have been around here a long time know when Main Street was not flourishing and that it took restaurants to bring it back. You know, and Michael Buckley of Michael Timothy's has done a lot of helping get that back. Martha's who's been here way before my time, I believe, you know, I love going down to Main Street. 30 years took my first drink at Martha's.

So it's definitely something that I want to see evolve, and grow, and change, and the only way to do that is to look forward. You have to start somewhere and I think this is the start of seeing if something like this works and to see how we're going to evolve it in the future with the Master Plan. Main Street, Rome wasn't built in a day and neither is going to be Nashua's Main Street. So I think we got to keep moving forward. Someone spoke about moral courage. I think on both sides you could say that because I know on the other side, we're gonna get hit with e-mails, yelling at us for our vote whether we sided or didn't side with it. So I don't blame anybody for voting on either side because they're going to get the same pressure that I'm going to get from people out there too because not 100% of my constituents are for or against barriers, right.

Speaking of moral courage, my mother is against this 100% and she would kill me for my vote as a Nashua citizen that she is. I hope she's in bed and she's not watching this because I will get a call. It will probably be about 60 minutes tomorrow yelling at me for my vote, but I am going to support this. Thank you.

Alderman Gouveia

Thank you, Madam President. With all due respect to my colleague in Ward 2, yeah sure you might get more tax but there's nothing to prove that we're gaining more money from that tax that would be there if the barriers weren't there. Would people still be coming downtown to eat? Yeah, I think so. I do. I don't feel people are coming just downtown. They eat in expanded dining. Part is okay but full is better and when you can pay off something in full and it doesn't affect the taxpayer, I think that's better.

We're in year three now. We've now in year three going to start talking about what fees are going to look like for this project when really it should have been looked at last year. I'll give a break on the first year because that was real COVID innovation. I think it was a great idea. In a time where restaurants were in a full capacity, it was absolutely brilliant to accomplish something like this to make sure it can still happen. We're now in year three and I think we need a fee scale. I think it's long overdue before I cannot still support this. Thank you.

Alderman Lopez

I want to request a roll call and make a quick comment.

As this goes, I think a lot of the pressure really speaks to how downtown is used. There's this four lanes, bad two lanes, or four lanes good, two lanes bad mentality. I think I miss quoting Animal Farm but we do have to look at pedestrian use in downtown as a factor. It was commented multiple times by members of the public like I don't even know why we have the midpoint crossings. Those can go away. I mean when you have four lanes, you really need the midpoint crossing if you are the pedestrian and we've had a number of pedestrians that have been injured, or hurt, and we've even had a couple of car accidents that have been trying to avoid people over the years. I think the midpoint crossings have done a lot to mitigate. The Fire Department is a little famously said they prefer to not have them there in case they needed to pass through that section. The Fire Department will also respond in an extremely timely manner on Ash Street, for example, which is a one way street and does remarkable response times throughout most of the downtown area. So I think it is important to consider that yes, outdoor dining is the current use that's being looked at but our city's master planning and our overall plans for how downtown is going to be used does need to adjust for the fact that people in cars shouldn't be in the same place unless they're in the cars. When you have outdoor dining, the barriers that are keeping the cars from encroaching on the diners are an obvious and important safety concern when you look at the national trend of the last couple of years of cars driving through crowds. That's an unfortunate reality and that's why the Traffic Department insists on those barriers.

But they also reflect how people use Main Street because they are referred to as barriers mostly by people who are driving through and see the outside of them. They are referred to as extended outdoor dining by people who are inside the barriers enjoying shows, getting to see each other, listening to music, all that kind of stuff. So I would encourage people in Nashua on either side of the issue to use the outdoor dining if it is approved tonight period because if it is an amenity that is going to be there, it's also a different way to experience downtown. It's also a different way to use the spaces that we have and as the owner of SFK commented in her own comment, they're welcoming. The restaurants want to have you there. They want to see and they're an opportunity for you to see others too. That's I think ultimately what we need to decide in terms of downtown whether we're using it to travel or whether we're using it as a destination. Thank you.

Alderman Comeau

Yes, thank you, Madam President. It will probably not come as a surprise to anyone in this room that I cannot support this legislation for a number of reasons. First and foremost, we use the word "compromise" a lot and based on the definition, I suppose this is a compromise. But I look at the work that the Task Force did, you know, over the course of probably over 20 hours when you add it all up, and then you multiply that by the number of people involved, and that's a lot of man hours. The end result of that now with this amendment is basically that we picked a paint color. So that's the result of all that work.

I'm reminded of I joke with my kids. They said they wanted a cat and I said no. So we compromised and cat's name is Gizmo. You know, there's people that wanted to come up with a plan that involved four lanes of travel. The city wanted two lanes of travel. So we compromised and got two lanes travel. There were people that wanted no barriers. The city wanted 100% barriers. So we compromised and got 95% barriers. There was a growing contingent of people that

wanted the window shrunk to Memorial Day to Labor Day and the city wanted the first of May to the middle of October. So we compromise and cut two weeks off of the end. 5% decrease or something like that. So yeah, this is a compromise but it's not much of a compromise.

There's more we could have done. It was suggested that businesses should be able to pay for the space. Some of the people said that they shouldn't. So we compromised and they're paying nothing. So it hardly seems like much of a compromise at all. So for those reasons, I can't support this unless more significant changes are made to it.

Alderman Klee

Thank you, Madam President. I'm gonna go backwards from the last speaker to - I think that was disingenuous and I know you meant it a joke Alderman Comeau that only the paint color was picked. You can look right at what Director Cummings has said. Yes through my amendment I did undo that particular area of the 20 feet, but I did add the handicapped parking space. They added two spaces back to 100 Main Street. They removed the barriers at 105 West Pearl Street. They removed the variable message board sign and I believe that was a very long conversation as well as removing the orange barrels everywhere using the alternate channelizing devices as needed. And yes, paint the barrier red brick color and install reflective white tape everywhere. So I think to say that all that work because of one thing that was taken out was reduced and that was very unkind for a committee that you are on as well as others.

I'd also like to say that I absolutely 100% agree with Alderman Gouveia that we should have done this earlier. At this point, we should be doing that. The truth is, it was the sitting Board of Aldermen's fault for putting it off and for saying, let's look at it more. We literally kicked the can down the road. So you're absolutely right. We should have, we didn't, and now we are where we are here. So to your point, I absolutely agree with it.

As far as will people come, I can tell you that I have a colleague up in the State House whose daughter goes to Rivier College. She's an athlete there and they come to games. He called me one day and said to me, oh my god, I love your extended downtown dining. He was at Martha's. They were sitting in the street and he lives in Hampton. He is a State Rep. and a Selectman there. He was just blown away by it. He's told four of his friends who have now come to Nashua. So I don't believe build it and they will come but word of mouth will spread. If you're in this area, you gotta check it out. So I do think it will bring more attention to Nashua. God knows we're getting a lot of attention on the negative side, probably from all this going back and forth and so on. I do think that is the case and I'm proud of our downtown. I've been here now for 37 years I think and I, too, have seen a lot of changes just in that 37 years long before you were born and I still think you're just graduating from high school but anyways, I'll put that aside.

The thing is I have seen a lot of changes. I do believe that when Michael Buckley, and when Martha's became alive, and Fodie's went all the way to the other end, we had restaurants coming in and out and so on. When Villa Blanca left in the middle of the night and Fratello's came in and saved us for that. They did that because they knew it was a vibrant kind of building. I know Fratello's had made some rather unkind comments on their way out but the truth is, the restaurant that's there now, I think, Felicimo, wouldn't have come if they felt that Nashua didn't have something to offer. So I do think it's not a building and they will come. I do think there will be word of mouth and I do think this is a positive step forward. I think there has been a lot of compromise. I think we continue to do compromise. So thank you.

Alderman Moran

Thank you, Madam President. Just a couple of things. So I wholeheartedly believe that fees need to be charged and I think it was a risk benefit of the fact that it's going to be so short to implementation that we couldn't get enough restaurants on board with for what the fee would be. We need the city to develop a fee schedule, etc. to come back to the Board and we'd just delay it further. So it was a risk benefit on why we took that action.

I'll tell you, I'll be the first Alderman that submits an ordinance to rescind this if we don't have fees in place by the next year two because I do believe we need to pay for that extra space. I do think it's a bit disingenuous just to say that we should have taken an action further, quicker. I mean I think the executive branch got a good taste that this Board is different than the previous boards and that we have a lot of differing opinions and that gives each single Alderman a chance to insert their opinion whether they support this or not. No matter who votes on this at the end, everyone had a piece to suggest on this compromise plan. There was information taken in to make this plan palatable to a wider population. So I think that we should have our ability to do our job despite the previous Board kicking the can to this Board. Thank you.

Alderman Lopez

Can I move to question?

**MOTION BY ALDERMAN LOPEZ TO MOVE THE QUESTION
MOTION CARRIED**

MOTION BY ALDERMAN MORAN FOR FINAL PASSAGE OF R-22-022 AS AMENDED, BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Klee, Alderman Moran, Alderman Lopez, Alderman Jette, Alderman Clemons, Alderwoman Kelly, Alderman Dowd, Alderman Thibeault, Alderwoman Timmons, Alderman Wilshire	11
Nay: Alderman Sullivan, Alderman Comeau, Alderman Gouveia, Alderman Cathey	4

MOTION CARRIED

Ordinance O-22-008 declared duly adopted as amended.

NEW BUSINESS – RESOLUTIONS

R-22-023

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

RELATIVE TO THE ADOPTION OF THE NASHUA ARTS AND CULTURAL PLAN

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

R-22-024

Endorsers: Mayor Jim Donchess
Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman John Sullivan
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderman-at-Large Ben Clemons
Alderwoman-at-Large Shoshanna Kelly
Alderman Alex Comeau
Alderman Tyler Gouveia
Alderman John Cathey
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF POLICE COMMISSIONERS AND THE NASHUA POLICE PATROLMAN'S ASSOCIATION FROM JULY 1, 2022 THROUGH JUNE 30, 2026

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

R-22-025

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.

Alderman Thomas Lopez
 Alderman Richard A. Dowd
 Alderman Derek Thibeault
 Alderwoman-at-Large Gloria Timmons

AUTHORIZING THE MAYOR TO APPLY FOR AND EXPEND THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") AND HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FOR FISCAL YEAR 2023

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

R-22-026

Endorsers: Mayor Jim Donchess
 Alderman-at-Large Lori Wilshire
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman Thomas Lopez
 Alderwoman-at-Large Shoshanna Kelly
 Alderman Derek Thibeault
 Alderwoman-at-Large Gloria Timmons

AUTHORIZING FIRST AMENDMENTS TO DEVELOPER AGREEMENTS FOR BRONSTEIN REDEVELOPMENT

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

NEW BUSINESS – ORDINANCES

O-22-011

Endorsers: Alderman Alex Comeau
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman John Sullivan
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman-at-Large Ben Clemons
 Alderman Tyler Gouveia
 Alderman John Cathey

AMENDING THE ZONING MAP BY REZONING LAND SITUATED NORTH AND SOUTH OF LAKE STREET AND WEST OF PINE STREET FROM LOCAL BUSINESS (LB) TO LOCAL BUSINESS WITH MIXED USE OVERLAY DISTRICT (LB/MU)

Given its first reading; Assigned to the PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE, NASHUA PLANNING BOARD, and SCHEDULE A PUBLIC HEARING FOR THE MAY 17, 2022 PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT

Karen Bill

Karen Bill, 95 Parnell Place. I think you've done a great disservice to the residents of Nashua. I agree with the Aldermen that said during the pandemic was one thing. Last year - I'm sure somebody probably thought that at some point in time the pandemic would be done and there should have been forethought in this governing body about discussions about where Nashua should go. There's a whole great article, again, on - oh what's the word? Their bollards – b-o-l-l-a-r-d-s that Cincinnati took down their barriers and went with these bollards because barriers are so ugly. So you can look it up. If you Google it, it'll come up.

To have only fox in your hen house - nobody outside of Main Street. Michael Timothy's. Laurie Ortolano brought you numbers. Surf - \$750,000. Show me how much more they paid in business tax please Alderman Dowd? Honestly. Martha's - over half a million. MTs - \$666,000. We, the residents, and taxpayers, and renters because rents go up when taxes go up. We have paid for that. We. Would you do it on Daniel Webster Highway? You probably think oh my god, what crazy person would think that? Think about it.

Safety. Somebody living in Mary's house, excuse me while I'm speaking now, you point it out.

President Wilshire

No you don't get to do that.

Karen Bill

You pointed out when other people do it. Somebody living in Mary's house on the third floor doesn't have the same rights as somebody sitting in a restaurant because when the ambulance is a minute later and they're dead, or two minutes later, and the stroke is permanent, yeah, let's have those conversations at that point.

\$617 last year for one barrier. Okay. The costs went up last year. That was two years ago. \$688 last year for one barrier. These restaurants should have had a plan for this year if you were going to do any barriers. And you who have voted for this have done a great disservice to the residents of Nashua. I've been here for almost every single hour of these meetings as well.

Craig Hermle

Craig Hermle, 12 Brittany Way, Nashua. I'm not against outdoor dining, however if a landlord or if a tenant said I want an additional 500 square feet and didn't want to pay for it, I don't think that would happen and that's exactly what is happening in downtown Nashua right now. Power to be or hats off to everybody that's making it work. I don't get anything for nothing and I don't think anybody should be allowed it. Just because you're paying additional taxes for something you sell isn't paying for the landscape or the square footage that you're utilizing.

A good compromise in my opinion would be to allow the dining on the sidewalks only this year. You've had three years to figure out how much businesses should be paying. The compromise should be allow sidewalk walk dining and we'll explore the expanded dining once we agree to a price upfront to allow businesses to flourish without having to pay for it at my expense, at the taxpayer's expense. It sounds great but there's been a heck of a lot more than just barrier removal that's been involved in this process. I don't know how much your consultant cost that did his two day data points on parking utilization, but that was a farce. How much did that cost? And the line items go on and on. Do it but please do it properly and this is being rushed through and it shouldn't be. Thank you.

President Wilshire

That's all I have for public comment. You need to sign up when you come in for meeting.

Elizabeth Lu

Oh, sorry. I was late. Elizabeth Lu, 17 Roby Street. Just two things. After the passage of this barrier decision, I wondered whether is there anything to stop a property owner whose tenants are not restaurateurs or bar owners is there any way to stop them from renting this space in front of them to the highest bidder? If that were possible, that does not seem like a good - seems like something we should have thought of.

Also the difficulty in deciding how much to charge. It was a lot to figure out working through that compromise. I don't understand why the charge is difficult. If it would help, I mean, you could go with what income was derived from those parking spaces the last year they were available and price it at that price so that the people who were using those parking spaces are bringing in the same income that the parking space would. Was that considered? That seems like a pretty simple concept. So thank you.

Matthew Gouthro

Thank you. I wanted - this is Matthew Gouthro, 104 Fawn Lane. I wanted to use my time for this public comment to express my concerns over the joint Task Force meetings on the proposed outdoor dining and how they were operated. The attitude displayed by our elected officials of we know better than the taxpayers were never more discouraging than having a sitting Alderman comment during the meeting that those who are opposed to outdoor dining were not concerned about public safety in our historic downtown district. But these were the same malcontents that oppose the mask mandate and their concern should be dismissed. Is this how our elected officials welcome civic engagement by our residents?

Additionally, I need to express a concern where the Chair's actions made it appear as if the job as a State official was more important than the role of allowing public comment during the meeting as he openly campaigned in the meeting for a motion to adjourn because he needed to be at the State House in the morning. This essentially silenced those residents who waited hours during the meeting to speak. This selfish display was absolutely repugnant. The Chair chastised several members of the public during the meeting telling them that their comments needed to be reserved for the general comments portion of the meeting. I'm sure that that people who waited patiently for hours to speak had jobs and other important things to attend to the next day. It was disappointing to hear that there wasn't time as the Chair prioritize his need to be in Concord the next morning. I know this statement may not need to be popular but it needs to be said. If you

feel your role as a State official is more important and you have no time for public input or you can't balance the responsibilities of the State of New Hampshire with the oath that you took as an Alderman of the city of New Hampshire in Nashua, New Hampshire, you should resign plain and simple.

Madam Chair, I must say that I am proud of the professionalism displayed by those citizens who participated in this joint committee, but the actions of some of our elected officials during this joint Task Force meeting in which you had the opportunity to witness (inaudible), I can't help but feel that a refresher on ethics and empathy is surely needed for some members of this dais. Thank you for your consideration of these concerns.

President Wilshire

Thank you.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman O'Brien

After that, I got nothing.

President Wilshire

Okay, sounds good.

Alderman Klee

Thank you. I want to express my thankfulness to this Board and for the members of the public who both came out and spoke as well as who sat on the Task Force. Everybody gave it their all. There were some that were more than polite and some less but putting all that aside, I think in the end everybody got to have their voice heard and so on. But one of the things that one of the meetings was someone turned around and said, when are we bringing the parades back? We need to have the parades. We did have a parade and many of the Aldermen elect walked in that parade after the election. The parades are coming back. We are going to have our outdoor events and so on and they have come back. So I just wanted to clarify that and make sure that that had been addressed. It was a long evening and I didn't address it then.

Madam President, I'd like to send my condolences to my members up in the State House and to the family of Representative Cathy Rogers who lost her battle. She was an amazing woman. Before I got elected, I met Representative Rogers and she is a force of nature. When you talk to Kathy and she would find out where your passions were, she found out that I love Greyhounds and the next thing I knew, I had animal advocates knocking on my door asking me to help sponsor. I had never talked to them. I had never made that out loud and they dropped the name of Representative Rogers. When Representative Rogers found out that my husband's sister had been murdered in cold blood in a public street in Boston in front of her peers, in front of the nursing school at the age of 18, and that he had tried to get into a VA hospital or mental health issues. The next knock on my door was from mental health advocates as well as those that wanted a little bit more gun control. Kathy had a way of getting things out of you and so on. Saying no to Kathy was very, very difficult. Very difficult. She did not take no for an answer. The one thing that amazed me more than Kathy is she worked both sides of the aisle. She didn't care what your party was. She would work both sides of the aisles. To her family and to my colleagues, she's going to be missed. I don't know President Wilshire if you serve with her up there, but it's like she's been there for a very long time and she served from DC, to Concord, and every place in between. Thank you.

Alderman Moran

Thank you, Madam President. I just want to wish all those who celebrate it Happy Easter this weekend and Happy Passover. Lucky it coincides. So just wanted to wish all my fellow Christians a Happy Easter and my brothers and sisters who are Jewish a Happy Passover.

Alderman Lopez

I wanted to thank Director Fauteux in Public Works. I noticed last week that they were doing a great job cleaning up the Rail Trail, getting all the underbrush. Figured out they did some soil landscaping. At some point during the winter, somebody put a glass table out across from St. Louis so people could put things out and I guess or stored or whatever. Said glass table was broken at some point today and she had a DPW crew over there to clean it up within like an hour

because I was obviously concerned that that Rail Trail being so popularly used is also used by a lot of kids, and a lot of mothers with strollers, and a lot of people walking their dog. So I appreciate her timeliness. I appreciate in general DPW's patience in that area. The garbage fill up. There's a multiple volunteer groups that do brush cleanings and all that kind of stuff and they're always there to lend a hand and be very supportive. I just wanted to express that appreciation. Thank you.

Karen Bill

President Wilshire, you did not see this woman (inaudible)

President Wilshire

Do not speak out in this meeting. I will ask you to be removed from the meeting if you continue. There's a process here.

Karen Bill

You just didn't see him when you put his hand up this gentleman (inaudible).

President Wilshire

Enough.

Alderman Clemons

Thank you Madam President.

President Wilshire

I wasn't humiliating anyone. So why don't you please be quiet back there or leave? That's a good idea.

Alderman Clemons

Thank you, Madam President. I will make this very brief. I just wanted to wish everybody a Happy Easter and Happy Passover. Thank you.

Alderwoman Kelly

I'd like to be brief as well, but I wanted to extend my condolences to Alderman Clemons and welcome him back. I'm sorry for the loss of your father-in-law. I also wanted to thank Doria Brown and the Energy Environment Committee for the event that we had before this long meeting. It seems like it was so many hours ago but it was a great update on what we've been doing and we anticipate coming to the Board with some new recommendations and goals in the coming years.

Alderman Comeau

Yes thank you, Madam President. Just a couple of really quick things. Like Alderman Moran, I'd like to wish you a Happy Easter and Passover to whoever celebrates either of those.

I'd like to encourage any citizens in Ward 6 who live in the neighborhoods around Pine Street and Lake Street if they so wish to attend the Planning and Economic Development Committee meeting on May 17th for the public hearing around the rezoning of the vacant lot across from the Lake Street garage.

Additionally although New Searles is not in my Ward for those of you might know Shay Patineau was a student at Nashua South. He tragically lost his life in 2020. He was a football player. Among other things, a great teammate of my son and a lot of other kids on the football team. On May 14th, the New Searles PTO is doing a Color Run to raise funds to install a memorial bench in Shay's honor. There's a link if you're interested in signing up. It is incredibly long and complicated and I'm not going to try to say it right now. I will share it to my Facebook page on my website if anyone's interested in participating in that Color Run to raise funds for that. I think it's a great cause.

And then the last thing I wanted to mention not that I want to wade into the toxic waters of Facebook, but there was some comments that were made to me that suggested that I have no right to have an opinion on the downtown barrier situation because they don't exist in Ward 6 and because I'm a renter and not a homeowner in the City of Nashua. So I would just

hopefully like to clear that point up and say that whether you own a home or rent a home in the City of Nashua, you have the right to participate in the city process. Happily, I believe it was 1792 that the State of New Hampshire eliminated property ownership as a requirement for participation in the civic process and luckily for that you won't get to hear me talk once or twice a month or so. That's all I have. Thank you.

Alderman Dowd

Yes, I'd also like to wish Happy Easter, Happy Passover to all the residents of Nashua. I would like to also send my condolences to the Clemons family for their loss. It's very tough losing a family member.

The other thing I heard off and on and people say I've lived in Nashua so many years. Well I've lived in Nashua 76 years and I have 43 years of city service. So I think I serve as probably predates a lot of people that when they were in school.

Alderman Gouveia

Thank you, Madam President. Happy Easter and Passover and all those who celebrate and just thank you for everybody who came out during this process of expanded downtown dining. I feel like as a freshman Alderman, I've really gone through the wringer on this one nice and early. So it was great to be part of the process and thank you to everybody who came out and spent a lot of time with us here in the chamber.

Alderman Cathey

Thank you, Madam Chair. A few things. I'd like to just extend my condolences to Alderman Clemons and I deeply know what that feels like.

I'd like to give congratulations to Tim Sennott. He's actually in my Ward. He's very active, cares about the city a lot, and I think he'll be a great asset to the committee. Also congratulations to Mr. Bollinger and Mr. LeClair. I serve on the Planning Board with them. They're both outstanding members who really care about how the city is moving forward when it comes to planning. Also, congratulations to Captain Fay. I've had many conversations with him. I think he'll be a great asset. I'd also like to extend my thanks to DPW. I've e-mailed them several times this week alone just asking for cleanups from certain citizens and they are very quick on the draw and they are happy to help. No complaints and they usually take care of it within a day or so. So I appreciate their hard work.

I was going to weigh in on the barrier thing. I'm not going to. I will say this. There's a bust on Main Street of Lawrence Elliot. He also has a field named after at Bishop Guertin. His son, who's my ex-father-in-law died today from a heart attack. I know I'm crying. I promised myself that I wouldn't but I lost. The reason I'm bringing this up is he served our church for 50 years and that meant a lot to me because now I'm a public servant. I just wanted to have his name on record. (inaudible) I'm sorry. I'm done.

Alderman Thibeault

Thank you, Madam President. So I definitely want to give my condolences to Alderman Cathey and Alderman Clemons and his wife, Ashley. I know it's tough to go through that. I've definitely gone through it myself and we all will at some point. So it's tough and thank you for both being here.

Happy Passover, Happy Easter to everyone that have of the fates that follow. I, too, know the Patineau family. I coached Shay for many, many years since he was a little kid and even his brother Cole who is younger. So that was a tragic accident that he had gone through. So for the Color Run, please, please support that.

Just a couple of things I wanted to address outside of those things because obviously, I just got attacked already in the public comment. I just want to say go back and look at the meetings. I never called anybody malcontents. You can twist it into a way that makes it seem like I did, but I didn't call anybody malcontents. Both sides have people that are passionate about how they feel about these things. Someone's gonna be on one side of the vote one week and someone's gonna be on the other side other weeks. It doesn't mean I dislike people or don't like those people. It's just sometimes, you know, in the passion of things we get a little too excited about our passion for whatever we're talking about.

When I talked about police and fire, it was that I believe they will and I use the words "figure it out" because I believe in them. I think they know what they're doing more than I do. The police were here today. They didn't come up and grab the mic and say, hey it's going to be dangerous. I believe that they can cover this this area. I really do. Other people have talked to it tonight.

To the compromise, it was a compromise. In December, this plan came before the Board before us, by the way, so half of us are brand new. So there was no forethought from half of us, right because we didn't even know we're gonna be here until November. In December, the Mayor put the barriers forth full barriers just like the last couple of years. This plan that we have now the past night is completely different than that full, full plan. So I do think there was compromise and change. I'll tell you, Peddlers Daughter will tell you there was a compromise because they lost space to help us get through that traffic. I don't believe in what, you know, what Alderman Comeau said about 98%. I think - I just don't. I don't agree with that.

So we do listen to the public. I think we all do. I think we listen. I know, and a bunch of you have said this - we read the e-mails that attack us. We read the e-mails that support us. I've gotten tons of both. So I do listen and, you know, I listened to somebody in my Ward – Gloria from Glorious's Possibilities. I put the motion forward to give here two spots back even though I support the barriers because she's in my Ward and I listened to her. So that's all I wanted to say. Thank you very much.

Alderwoman Timmons

Thank you. I was pretty quiet today because I'm going to some things myself and condolences to Alderman Clemons and Alderman Cathey. I left my granddaughter at somebody else's house because I'm waiting for the meeting and she keeps texting me. So you could look at my text. This is all from her saying, I'm tired. She's been in the hospital. She's been in hospital for almost eight days now and she came out just before I came here. So I have to go and get her and bring her home so she can rest. I understand. We've all been through this. I've been reading things in the reading. I've spend a lot of time at the hospitals with her. She lives with me. So she has everything some of you guys already know but that's why I'm quiet. I do read all my e-mails and I do listen to everyone and anyone that calls me, I do listen to them as well. That's all I have to say.

Oh one other thing, I might not be able to make this one is the Health Department meeting tomorrow at 12:30

President Wilshire

I wanted to give my condolences to you Alderman Cathey for your loss and Alderman Clemons for yours. I do want to ask the gentleman who got up to speak if he would still like to speak but there is a process here that we go by. Okay, very good.

Albert Mueller

I'll be very, very brief.

President Wilshire

Okay, thank you.

Albert Mueller

Albert Mueller, 11 Bates Drive. There is a saying (inaudible) and it says, "If it ain't broke, don't fix it". I think this assembly is making a federal case out of nothing because the solution is very, very simple. Go back to the way it was before the pandemic and that's why this assembly could not come to a solution as a compromise because out of nothing a big problem was made. My suggestion is go back to the pre-pandemic.

I wish everybody a Happy Easter.

President Wilshire

Thank you.

Committee announcements:

Alderman Lopez

Human Affairs Committee is going to be Monday, April 18th, and the CDBG for incoming Aldermen Community Development Block Grant. It's grant money that comes through the city, but also is very important to nonprofit organizations that rely on it for things like incentive repairs, windows, handicapped accessible bathrooms. I could go on,

but they're going to do presentations and they're going to talk about what their needs are. I would definitely recommend coming because it's very educational about all the things that are happening in the city.

Alderman Klee

Thank you, Madam President. I just want to announce that the Pennichuck Water Special Committee will be meeting on Thursday the 14th at 7 pm. I know there was some confusion the last time but we have to vote in a Clerk and if you're not there, I'm going to vote you in. So thank you so much.

Alderman Dowd

Yeah and it's a little ahead but Joint Special School Building Committee on the 21st Thursday at Nashua High North is going to be at 8 pm so we can be sure we have a quorum. We have some bills to be paid. Just so you know, school vacation at the Pennichuck there's the last portable is coming down and construction will start on the library IT wing. Also after the April vacation, the South edition is going to be turned over to the school and the people that used to be in the portable now we're going to be in the south wing. That's coming along really well.

And also the new school, it's like an army of ants. You wouldn't believe it that they are going great guns down there. They've got tons of very heavy equipment and they're moving lots of material in and out. They expect to be pouring the foundation next week.

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE APRIL 12, 2022 MEETING OF THE BOARD OF ALDERMEN BE
ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 10:28 p.m.

Attest: Susan K. Lovering, City Clerk