

A regular meeting of the Board of Aldermen was held Tuesday, July 9, 2019, at 7:30 p.m. in the Aldermanic Chamber.

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

Prayer was offered by City Clerk Patricia D. Piecuch; Alderman-at-Large Ben Clemons led in the Pledge to the Flag.

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

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

REMARKS BY THE MAYOR

I have a few items and I'll try to be brief with them. First, you may have noticed that on the annual Wallet Hub Survey, the City was ranked as the 13th Best Run City in the United States. Now this survey comes out every year and one of their primary measures is what they call the "effectiveness of local leadership" and they judge the operating efficiency of a City. They compare the cost per resident versus the quality of services. On that score, the City did very well and we got the 13th place out of 150 cities. So I think that is a credit to a lot of people who've worked on that; certainly the Board of Aldermen and many others who have worked to make sure that we deliver services as efficiently as we possibly can within the Budget that we pass every year. So I was very happy to see that.

You will see on the Agenda that we are accepting money from the Jeff Morin Fund to put a shade canopy over the children's playground at Roby Park. This is something that Alderwoman Mary Ann Melizzi-Golja and former Alderman Barbara Pressly worked very hard on over the years. I would like to thank the Jeff Morin Fund for contributing the money; Alderwoman Melizzi-Golja for sort of spearheading this project. In the end we have a very nice playground already, but now we will have a shady playground where kids can play without getting sun stroke or that kind of thing in the hot days. So that will be installed later in the year and we will go up and down every summer and should be a big addition to Roby Park.

Next, you see on the Agenda some hydro transfers, transferring excess revenue in the hydro dam maintenance as well as the hydro reserve fund. There is considerable extra revenue in the hydro area this year because the projected revenue is \$1.2 million dollars and, in fact, the final accounting is not yet in because the two dams are managed by Essex Power. But we expect that the excess revenue over the \$1.2 million will be in the range of \$550,000.00 maybe \$600,000.00 as a result of heavy rain during part of the year. So that is good news and there is certainly enough money to cover those two transfers. These are being recommended by the Budget Committee and I hope that the Board will look favorably upon those.

Another issue that I wanted to mention is that Paul Bergeron is on the Agenda to be confirmed and serve on the Board of Assessors. We all know Paul very well; he's been a long-time public servant. He's been an effective public servant as the City's City Clerk for about 15 plus years. He wanted me to mention to you that another member of the Board of Assessors who has done a very good job is Dan Hansberry. Dan and Paul are actually first cousins. But they are both well known in the community, they both can do a very good job on the Board of Assessors. We looked into the legal aspects of this and the City's Nepotism Policy does not apply for two reasons. First of all they are not City Employees, the Policy does not apply to Board Members. And number two, even if they were employees which of course I am saying they are not, the only problem arises if they supervise each other, which of course serving as Board Members together doesn't involve any kind of supervisory relationship.

The Legal Department has issued a formal legal opinion on this, which I am sure Attorney Bolton can discuss if you wanted to hear about that. But he and I really just want to make sure you are aware of that before he is confirmed.

Finally, another issue on the Agenda is the formation of the Animal Advisory Committee. This is something that Ms. Logue, who may be speaking during public comment has worked very hard on. The idea here is to form a Committee to advise the City about issues pertaining to animals and primary among those would be the potential establishment of a downtown dog park to supplement the dog park we have down in the southwest potentially on a different model. Rather than a closed membership and a membership fee, this would be potentially run as a free dog park, open to anyone with certainly rules that would be established by the Animal Dog Park Committee. There is a parcel of land that is being or is a potential for this dog park which is owned by the Millyard Association. The owners seem very favorably disposed; the owners one of which is the City, seem very favorably disposed to the dog park on their otherwise unusable parcel. So I wanted to thank Ms. Logue and everyone who has contributed to this idea because it could be a big amenity for the City in general as well as downtown residents.

So Madam President I think that is all that I have. The Fourth of July went great, hopefully as many as possible saw the fireworks. I think people really enjoyed it as always, the weather was fantastic and so I think everybody had a good time and the Parks Department did a wonderful job of making sure Holman Stadium was ready for the crowd and everything was in good shape for everyone to enjoy the Independence Day. Thank you, Madam President.

RESPONSE TO REMARKS OF THE MAYOR - None

RECOGNITION PERIOD – None

READING MINUTES OF PREVIOUS MEETINGS AND PUBLIC HEARINGS

There being no objection, President Wilshire declared the minutes of the Board of Aldermen meetings of June 24, 2019, and June 25, 2019, accepted, placed on file, and the readings suspended.

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS – None

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

Amber Logue Amber Logue, 20 Lock Street, Good evening and thank you for the opportunity to speak about the Animal Advisory Committee that we just heard about from the Mayor. So I wanted to focus more on the reason why it is important to establish the Animal Advisory Committee versus the exciting part of the discussion which would be the downtown dog park. And the reason being is that I think that inevitably sometime in the future we would probably end up having some kind of a public dog park. But I do think that one of the reasons that it hasn't come up yet is who is going to govern it, who is going to oversee it, who is going to help advise in some of the different situations that could come up.

After speaking with the Mayor about the idea of an Animal Advisory Committee that would not just see any dog parks or development or oversight but also the relation of animal waste and how important it is for citizen education around proper animal waste disposal, removal, pick up, etc. There is a huge lack of education currently as to why it is important, how you properly dispose of it. So after speaking with Department of Environmental Services, as well as our Engineers here for City Sewage, it has come to our attention more so that we can do a lot more. But who is going to do it? So the Animal Advisory Committee would help to put out that information, we don't have to come up with it, it already exists. There is a 58-page manual from DES that is a step by step instruction of how to. The work wouldn't all fall on the Animal Advisory Committee, the proper way to go about it is to get organized groups like Boys & Girls Club, Boy Scouts, Girl Scouts, PAL of which would be happy to step up and help with some of those sewage markings to advise on that you can't dispose of animal waste. More so recently I was speaking with the Animal Control Officer in Hudson.

As I am sure many of you are aware, Hudson does have a free dog park. Hudson sees a lot of extracurricular activity from that; you stop to get gas; you stop to get a coffee. There are a lot of economic benefits that they are having from our residents that we could have as well. And one of her biggest ... her biggest and only complaint was the fact that everything falls on her. She doesn't have somebody else to go to when there is a call that says, "Hey I think that this dog should no longer be able to be in the park". All of that decision falls on her, she is a resident of Hudson and you know it is public where her address is. I don't think that is fair. So has never been more apparent to me than after that conversation with her is how important it is to have an Animal Advisory Committee so that those options and those decisions do not solely rest on one person; especially whereas we have many more residents. I think that our Animal Control Officer would also appreciate a little bit of support in that fact. So I hope you'll consider the Animal Advisory Committee. Thank you.

COMMUNICATIONS REQUIRING FINAL APPROVAL - None

PETITIONS – None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Appointments by the Mayor

The following Appointments by the Mayor were read into record:

Citizen's Advisory Commission for Community Grants

Elizabeth Tourangeau (New Appointment)
11 Berkeley Street
Nashua, NH 03064

Term to Expire: October 1, 2020

Conservation Commission

William S. Parker (Reappointment)
1 Rockland Street
Nashua, NH 03064

Term to Expire: December 31, 2021

Cultural Connections Committee

Eric Drouart (New Appointment)
52 Main Street, Unit 206
Nashua, NH 03064

Term to Expire: December 31, 2020

Nonyem E. Egbuonu (New Appointment)
c/o Interfaith Council
PO Box 209
Nashua, NH 03061

Term to Expire: July 9, 2022

Bernadette Melon-Plante (Reappointment)
41 Parrish Hill Drive
Nashua, NH 03063

Term to Expire: April 30, 2022

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

Term to Expire: February 28, 2022

Environment and Energy Committee

Brendan McMahon (New Appointment)
1 Massasoit Road
Nashua, NH 03063

Term to Expire: July 9, 2020

Colin McMahon (New Appointment)
1 Massasoit Road
Nashua, NH 03063

Term to Expire: July 9, 2020

Historic District Commission

Robert Vorbach (Reappointment)
58 Manchester Street
Nashua, NH 03064

Term to Expire: December 31, 2020

Christopher Barrett (Reappointment)
44 Abbott Street
Nashua, NH 03064

Term to Expire: January 31, 2021

Mine Falls Park Advisory Committee

Pamela Anderson (Reappointment)
9 Plainfield Lane
Nashua, NH 03062

Term to Expire: March 1, 2022

Nashua Arts Commission

Sara Ceaser (Reappointment)
3 Pine Street
Nashua, NH 03060

Term to Expire: April 1, 2022

Marc Thayer (Reappointment)
1 Clocktower Place
Nashua, NH 03060

Term to Expire: April 1, 2022

Nashua City Planning Board

Robert E. Bollinger (New Appointment)
5 Decatur Drive
Nashua, NH 03062

Term to Expire: March 31, 2022

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

REPORTS OF COMMITTEE

Budget Review Committee..... 06/24/2019

There being no objection, President Wilshire declared the report of the June 24, 2019, Budget Review Committee accepted and placed on file.

Budget Review Committee..... 07/02/2019

There being no objection, President Wilshire declared the report of the July 2, 2019, Budget Review Committee accepted and placed on file.

Personnel/Administrative Affairs Committee..... 07/01/2019

There being no objection, President Wilshire declared the report of the July 1, 2019, Personnel/ Administrative Affairs Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Board of Assessors

There being no objection, President Wilshire confirmed the appointment of Paul R. Bergeron, 15 Stanstead Place, Nashua, to the Office of Board of Assessors for an indefinite term at the pleasure of the Mayor

UNFINISHED BUSINESS – RESOLUTIONS

R-19-128

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

EXTENDING AND ENLARGING THE NASHUA RAIL TRANSIT COMMITTEE

Given its second reading;

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-19-128
MOTION CARRIED**

Resolution R-19-128 declared duly adopted.

R-19-142

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

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF SIX MILLION TWO HUNDRED THOUSAND DOLLARS (\$6,200,000) FOR VARIOUS IMPROVEMENTS TO THE JACKSON MILLS AND MINE FALLS HYDROELECTRIC FACILITIES

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-19-142 BY ROLL CALL

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

Yea: Alderman O'Brien, Alderman Gidge, Alderman Harriott-Gathright Alderman Dowd, Alderman Klee, Alderman Laws, Alderman Lopez Alderman Caron, Alderwoman Kelly, Alderman Jette, Alderwoman Melizzi-Golja, Alderman Tencza, Alderman Schmidt, Alderman Clemons Alderman Wilshire	15
Nay:	0

MOTION CARRIED

Resolution R-19-142 declared duly adopted.

R-19-144

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

RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$60,000 FROM THE NEW HAMPSHIRE CHARITABLE FOUNDATION INTO PARKS & RECREATION GRANT ACTIVITY "JEFF MORIN FUND, SHADE CANOPIES AT ROBY PARK"

Given its second reading;

MOTION BY ALDERWOMAN MELIZZI-GOLJA FOR FINAL PASSAGE OF R-19-144

ON THE QUESTIONAlderwoman Melizzi-Golja

If I may speak to it? Thank you. First of all as the Mayor indicated, this first came to my attention because someone contacted Alderman Pressly about going there and the park being so hot. We worked with DPW and Parks & Rec around the canopy. After she left the Board, DPW and Parks & Rec and I continued to search for a way to fund this. Capital Improvement Committee will be very happy to hear that this has been funded because it has been a recurring item on their plate. So I hope that they take notice because they also ranked it very high; but we just didn't have the funds.

I would just say that after the formal announcement was made at Roby Park, DPW put up a laminated drawing of what it would look like. And I have received many favorable comments, so I know families who use the park are looking forward to the canopy being installed. Thank you.

MOTION CARRIED

Resolution R-19-144 declared duly adopted.

R-19-149

Endorsers: Mayor Jim Donchess
Alderman Jan Schmidt
Alderman Linda Harriott-Gathright
Alderman Patricia Klee
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja
Alderman-at-Large David C. Tencza

CHANGING THE PURPOSE OF UP TO TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$235,000) OF UNEXPENDED BOND PROCEEDS FROM THE ROAD AND TRAFFIC IMPROVEMENTS PROJECT ON AMHERST STREET BETWEEN CHARRON AVENUE AND DIESEL ROAD TO PAY COSTS FOR PAVING A PORTION OF PINE HILL ROAD AND VARIOUS STREETS IN THE NEIGHBORHOOD IF FUNDS REMAIN AVAILABLE

Given its second reading;

MOTION BY ALDERMAN SCHMIDT FOR FINAL PASSAGE OF R-19-149 BY ROLL CALL

Alderman Schmidt

I would like to speak to this please. Pine Hill Road when it was being investigated for the repaving that would be required, they did some drilling, some core drilling to find out what they were facing underneath like many of the streets in the City. They found that there was everything under these streets, so this extra money will help them deal with the issues they see. Thank you.

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

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

Nay: 0

MOTION CARRIED

Resolution R-19-149 declared duly adopted.

R-19-151

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

RELATIVE TO THE TRANSFER OF \$72,870 FROM DEPARTMENT #128 "RISK MANAGEMENT", ACCOUNT #89650 "TRANSFER TO PROPERTY & CASUALTY SELF INSURANCE FUND" INTO VARIOUS ACCOUNTS IN DEPARTMENT #106 "ADMINISTRATIVE SERVICES"

Given its second reading;

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-19-151
MOTION CARRIED**

Resolution R-19-151 declared duly adopted.

R-19-152

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

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$110,000 OF UNANTICIPATED REVENUE FROM DEPARTMENT #170 "HYDROELECTRIC OPERATIONS", ACCOUNT #44900 "HYDROELECTRIC POWER GENERATION" INTO DEPARTMENT #170 "HYDROELECTRIC OPERATIONS", ACCOUNT #54290 "DAM OPERATING & MAINTENANCE SERVICES"

Given its second reading;

MOTION BY ALDERMAN TENCZA FOR FINAL PASSAGE OF R-19-152 BY ROLL CALL

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

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

Nay: 0

MOTION CARRIED

Resolution R-19-152 declared duly adopted.

R-19-153

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

RELATIVE TO THE SUPPLEMENTAL APPROPRIATION OF \$200,000 OF UNANTICIPATED REVENUE FROM DEPARTMENT #170 "HYDROELECTRIC OPERATIONS", ACCOUNT #44900 "HYDROELECTRIC POWER GENERATION" INTO FUND #7064 "HYDROPOWER RESERVE FUND"

Given its second reading;

MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF R-19-153 BY ROLL CALL

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

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

Nay: 0

MOTION CARRIED

Resolution R-19-153 declared duly adopted.

R-19-156

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

RELATIVE TO AUTHORIZING THE TRANSFER OF UP TO \$140,925 FROM FUND #7073 "SCHOOL CAPITAL RESERVE FUND" INTO SCHOOL GRANT ACTIVITY "SCHOOL INFRASTRUCTURE GRANT FUNDS"

Given its second reading;

MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-19-156

ON THE QUESTIONAlderman Dowd

I'd like to speak to it. This is a grant from the state which they fund 80% of the project and the City has to do 20%. This is for security issues relative to the safety of schools here in Nashua, extremely important and I hope that everyone will support it.

MOTION CARRIED

Resolution R-19-156 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES**O-19-047**

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

ESTABLISHING AN ANIMAL AND DOG PARK ADVISORY COMMITTEE

Given its second reading;

MOTION BY ALDERMAN LOPEZ FOR FINAL PASSAGE OF O-19-047**MOTION CARRIED**

Ordinance O-19-047 declared duly adopted.

NEW BUSINESS – RESOLUTIONS**R-19-157**

Endorser: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Ken Gidge
Alderman Linda Harriott-Gathright
Alderman Richard A. Dowd
Alderman Patricia Klee
Alderman Tom Lopez
Alderwoman Mary Ann Melizzi-Golja

**CHANGING THE "AGENT TO EXPEND" ON CERTAIN EXPENDABLE TRUST FUNDS
ADMINISTERED BY THE PARKS AND RECREATION DEPARTMENT**

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

R-19-158

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

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF EDUCATION AND THE NASHUA ASSOCIATION OF SCHOOL ADMINISTRATORS AND SUPERVISORS, AMERICAN FEDERATION OF SCHOOL ADMINISTRATORS, AFL-CIO FROM JULY 1, 2019 THROUGH JUNE 30, 2020 AND RELATED TRANSFERS

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

R-19-159

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

AUTHORIZING THE MAYOR AND CITY TREASURER TO ISSUE BONDS NOT TO EXCEED THE AMOUNT OF ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000) FOR PROPERTY REVALUATION SERVICES

Given its first reading;

MOTION BY ALDERMAN DOWD TO ACCEPT THE FIRST READING OF R-19-159 BY ROLL CALL, REFER IT TO THE BUDGET REVIEW COMMITTEE AND THAT A PUBLIC HEARING BE SCHEDULED FOR MONDAY, JULY 22, 2019, AT 7:00 PM IN THE ALDERMANIC CHAMBER

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

Yea: Alderman O'Brien, Alderman Gidge, Alderman Harriott-Gathright Alderman Dowd, Alderman Klee, Alderman Laws, Alderman Lopez Alderman Caron, Alderwoman Kelly, Alderman Jette, Alderwoman Melizzi-Golja, Alderman Tencza, Alderman Schmidt, Alderman Clemons Alderman Wilshire	15
Nay:	0

MOTION CARRIED

NEW BUSINESS – ORDINANCES - None

PERIOD FOR GENERAL PUBLIC COMMENT

Chris Griffin Chris Griffin 56 Tyler Street, Apartment 202, Nashua. I've come and spoken in front of you a couple of times before and I am getting tired of it. For some reason the City of Nashua doesn't understand what the Americans With Disabilities Act is and what your responsibilities are thereof. I went to the Mayor's Office on June 4th and told him of two problem areas that needed to be taken care for the safety of the people walking around. Unfortunately only 90% of one of those was taken care of and the other one been ignored. Last year I talked to you guys before I filed a complaint on the bridge. I had to file a complaint. I was also talking to your Risk Manager last year about the problems with having snow cleared on certain sidewalks and cross walks. Instead she accused me of falsifying my disabilities. So I filed a complaint this Winter, submitted 78 pictures for the Department of Justice to look at, on sidewalks that hadn't been cleared properly after 72 hours which is the required time for them to be done and crosswalks which also had not been maintained at all. The street in question hadn't been done at all this winter, not at all.

What is the problem? Does the City not understand what the Americans Disability Act is a Law? It's not just a thought, something you think about. I mean I go down the streets and there are bushes growing into the sidewalks and when people put their trash cans there I have nowhere to walk but out in the street again. I am tired of it; I am sick and tired of it. I will be probably filing a third complaint unless somebody wants to call me and discuss these problems. And when I file that third complaint, I'll also ask them to look into whether or not there is a culture of discrimination in the City of Nashua. Because I have experienced so many other problems through a number of your Departments. And I am tired of it, I am tired of it. You have my name, my phone number, you've got my address. If somebody wants to talk to me before I file next week; please get in touch with me because I would love to work this out with the City instead of you having getting fines again. Nobody wants to talk to me I have to assume that you all just don't care, OK?

I know a number of you are coming up for election. Is this really what you want the public to know that you don't care about your elderly and disabled being able to get around the City safely on the sidewalks? That's enough have a great night everybody.

Lori Ortolano Lori Ortolano, 41 Berkeley Street. I wanted to talk to you a little bit tonight about the Right to Know Reports that I have been requesting. It is apparent that some of you in the Aldermen level are pretty upset that I have made the requests that I've made to the administration based on e-mails and text messages. And these reports really served a purpose. I have gleaned some pretty amazing stuff from the reports that I've been able to get from the administration. They were fairly extensive, I asked for an audit log, which I know the Director didn't really know that they could run it, but they did and that was enormously helpful. It is an accounting measure, an audit measure to look at how each individual is changing property valuations or working or going into the calculated data to make property evaluation changes; very interesting piece of information.

I have requested the permit reports and the permit reports were a big disappointment and you know back from September I was all about permits not being captured and being concerned that we weren't getting permits captured and valuing them appropriately. Well the permit report really shows me that problem is still going on and is a problem. The report was wholly disappointing because I received 22 pages of 6. Print in a PDF file of every permit pulled that had to do with non-value items, including non-value items like mechanical, electrical and plumbing, which don't count in the assessments. It was a totally useless report for me, and I was frustrated by that. But then it made me realize that the Director must've sent me the data the way she gets it. If the data is in this form to her, it is as useless to her as it is to me. It would be very difficult to account for how your permits are being captured.

Subsequent to getting this report another lady in the neighborhood has been active in this and went to the Building Permit area, Building Department and asked the gentleman there if they could create a permit report that would be more useful. He was super helpful, went to IT, knew exactly what we were looking for and is trying now to help us get a report that we can actually work with and get in a readable form. Just so we can understand what is happening with permits, but I also went down and spoke to a staff person in Assessing. I asked what do you run for permits reports that they said monthly we run a report that is given

to the assessors each month. And yearly we run a single report; and one of them I can't remember which one is excel format. So then I scratch my head learning that last week and saying why don't I get an XL formatted report. I've sort of complained to you guys that these PDF files are brutal to work with and you can't do anything with the data. So if the administration has data in Excel form, send it to us that way. Don't lock us down with data that is useless.

I received an AssessPro Activity report that was able to show me what was happening with visits to property, permits, abatements, all that kind of stuff, super helpful. I was able to get work logs and mileage reimbursement reports. Last week I had been trying to figure out what happened when KRT had the meeting and all these people came out in their Wards to say we want you to come see our house again. So we all got our letters at the end of August with the initial re-evaluation data. Then KRT set up these little meetings to allow people to come up to express concerns and you could ask for them to send somebody else out. I wanted to know how values were changed the second time around but with our contract with KRT we never asked for that data and we never captured what happened the second time around. I was interested in that and I was led to believe that there were really not many changes that there were you know 300 people who came to those meetings in total. There weren't that many changes. So I wrote a Right to Know to ask, what I figured is they must've sent a second letter out after the first letter when they did a final change, because I got one. I was one of those people who went and said look at my house again. In October I got a letter, so I said OH anyone who went out got a new letter in October. Well sure enough they did so I did a Right to Know request and I said send me all the letters you sent out in October for the second look. It was 1,252; that was a lot more than I thought, that's a lot of data in the second review.

Now granted for all the parcels we have maybe that's only about 5% but it was a lot of data. I will tell you what concerns me about this data having gone through it is that KRT used 2017 values that must've been given to them by the City. When I take these 1,252 letters and put them into a spread sheet that is workable and I combined it with a data disc, data spread sheet data in City Hall, the 2017 values that we have on our records do not match the data that we gave KRT. And it really concerns me; something went awry for some of these properties. I don't know why. And out of the 1,252, 12% of the data was not correct, that's a lot. So now I am sitting here looking at data where the baseline given to KRT does not match our records. What I did observe for sure was that properties that were MLS corrected, let's say a property sold in 2017 and it was corrected by MLS data for the December tax bill of 2017. That was never put into the KRT Assessment, re-evaluation, it didn't get in there. So properties that may have had, some of them had changes they had sold, they had been valued at \$150 and they sold for \$275. So when the Assessor corrected it, they made a more aggressive correction because the property had had a lot of upgrades. That's great; but that never got put into the KRT data and to me that is a significant issue.

I have typed a question into assessing, the General Help Line to ask you know how did this happen and why is this so confusing where is the mix up? But to me there is a question there. That's pretty important. So the reports have all served a purpose and they served a purpose because some of you here really felt that this whole issue with a certain assessor was my responsibility to find the data, to establish proof, to look at work performance and to grab it all. I don't feel that was ever correct; I feel the City had a responsibility and I don't think the City followed its responsibility the way it should have. I think the investigation going on right now is far too narrow. But these requests gleaned a lot. And I came to you a few meetings ago and I spoke pretty directly about abatements not getting done; certain people not carrying their load. I can tell you after that meeting that individual did 20 abatements in a month. Imagine if they had done that for the five other months what we would have had. Hey that is impressive, light a fire, get a response. You shouldn't have to light a fire, but it got a response.

The work logs, the reason I pulled work logs and I pulled the e-mails of this assessor, because the work logs which were not well documented relative to other assessors. The work logs were really incomplete; but the one thing noted in the work logs repeatedly was that they respond to taxpayer e-mails often. I thought how many taxpayer e-mails come in. I checked with the Assess Help E-mail and I was told hardly any. But then each assessor has their own personal business e-mail address that they can give out so they could have their own business e-mails. So what did I do? I did a Right to Know for the e-mails. Do

you know what I found in 3 months? That assessor had to respond to 13 e-mails in 90 days. That is not that many. When I see it on a work log over and over again for half a day's work? That's not that many. I chuckled, I have to tell you, when I saw those e-mails. One of the e-mails was sent by a former chief and the question in the topic was "Ortolano" and the question was, "Does anyone know what she really wants, can anyone figure out what is going on". This was the beginning of November. This has gone on way too long. Can anyone figure out? And one of our assessors, the one I was looking at, these e-mails responded, "I think she's got an ax to grind and I can tell you even if she wins her abatement, she's not going away". I have to chuckle at that, what makes me chuckle at that is here is our chief sending an e-mail to his four assessors to say "Does anyone know what this lady wants? She's been done here for 2 months". But he never invited me into his office to speak to me nor would he even come out of his office to speak to me when I had a question, very hard to get him. Imagine how different this might have been had he tried to figure out himself, what does this lady want? What is the problem here and what is she looking at? Things might have been quite a lot different.

So I asked for this data and I look at these reports very carefully and I do a lot with it and I work very hard with it because it tells a story. And I'm learning a lot about our permits, I'm learning a lot about missed data, you know? I'm learning a lot about these values that we gave KRT that are not correct. Something is wrong in our data capture and that's happening through the IT Department and those are big flags to me. I'm concerned, I am really concerned that there is an over-reach going on in the Board of Assessors that through the City, through our City Government and our leadership that does not allow our Board to operate independently. There are two things that bother me, back two or three months ago the Mayor had announced at this meeting that all Board of Assessors meetings would be verbatim minutes and televised.

The Board of Assessors had no idea that was happening. They did not want verbatim minutes. When I looked at the Charter and I called a few other city officials, former people, I said, "Can the Mayor just vote and make a mandate that the minutes have to be changed or done a certain way" and the answer was "no". They said, "look in the Charter". I did look in the Charter and from my understanding it is up to each Board to determine how they are going to keep their public record; they have to keep a public record per the RSA no question. But it doesn't have to be verbatim. The reason that they didn't want it verbatim is that they don't have the staff. They have got 4 clerical people, one is a supervisor, you know, everyone has said they are up to their eyeballs in work and now you put verbatim minutes on top of them.

So when the order was given, at that point, in the meeting on a Tuesday night the clerical person had already done the minutes not verbatim, had to go back and do them verbatim, they were 47 pages long. And they are not used to doing that. I couldn't understand when it was voted here why we weren't using another resource to outsource or have somebody else do them not within the office like we do with other city minutes. Why were we pushing this in on the staff? We pay \$800.00 to \$1,000.00 to have those minutes typed up verbatim down there. It's really not a good use of money or resources. I just came out of a meeting last Tuesday, it is 107 pages of minutes because it was the final go on the abatements, it was a 3-hour meeting, over 3 hours. That's ridiculous. And when I went after the first meeting, after the vote here, or after the Mayor said this is going to happen. I went to the Board of Assessors meeting and I talked to one of them before the meeting began, we don't want these. And another clerical staff said the Board Members don't want this, they don't want these verbatim minutes. It is an awful lot of work for them to have to read it and make certain 100 pages are correct as well. But that got forced into there without any vote of the Board.

Recently in the last maybe I don't know 2 or 3 weeks we set up an e-mail address for our Board of Assessors, so we now have a way for the public to reach the Board. That has never happened before and it was something I complained about because other cities like Keene, Manchester, the Board of Assessors has addresses that you can e-mail them directly.

We don't have phone numbers and we don't have addresses for ours. So all of a sudden on the web site an address appears, BOASSESS@NASHUANH.GOV. They got a web site, that's great. I send an e-mail in to address an issue and address a concern I have with what is going on in management in there and within 3 minutes I get an e-mail fired back at me, very angry, from the Director; she is bull at my e-mail. I

wrote back "Well Hello, I didn't know you were on this address". The address is actually screened by the Director, the Board of Assessors is her boss. So then I called all the other cities and towns that have these addresses and I said, "Is your chief or your manager on those addresses or is solely your Board of Assessors". Every one of them it is solely their Board, not Nashua. It was inappropriate, it was inappropriate for me to have to take a blasting e-mail from somebody that I didn't even know was on the e-mail chain that was blindly copied or hidden, and the public doesn't know they are sending it to this individual.

President Wilshire

Ms. Ortolano is running out. Wrap it up.

Ms. Ortolano

OK I'll just end it with this, it came to my attention just yesterday that there was a Facebook post put up by our new director that absolutely flabbergasted me on Facebook. It said by Kim Smith Kleiner "It is not my normal process to respond to Facebook posts, but I feel residents have the right to hear both sides and then I respect the conclusions they come to. The Assessing Department has received multiple detailed requests and I am being continually insulted for not responding to two residents' numerous questions. When we did investigate, and I respond I am attacked that they were blindsided. Here's the truth, we had 90 remaining abatements to respond to.

Residents who deserved to have their abatements heard from the deadline of July 1st I asked our assessors to work as hard as possible to process all these abatements. Everything else was secondary priority. If a resident feels my decision was wrong, I am happy to sit down and discuss it with you. My priority has always been to serve the people of the City always". This was a reply to an April 27th post that popped up over the weekend from 3 months ago. I am just flabbergasted we don't have a policy in here whereby our directors or to management don't respond on Facebook. You know if you folks all sit here and think it is a one way street, that I am the problem and you are all the right people it's more than that, so I would ask you to consider a policy to stop this. And there was one Alderman that gave a thumbs up to this. I didn't respond because I think it is inappropriate to use Facebook to air the dirty laundry like this.

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Clemons

I just want to welcome Alderman Gidge back, it's my first meeting with him here so hello my friend I am glad to see you are in good health and I look forward to working with you.

Alderman Schmidt

Welcome back Ken.

Alderman Gidge

Thank you.

Alderwoman Melizzi-Golja

Yes, I too would just like to welcome Alderman Gidge back, it is good to have you back in the Chamber, good to see you.

Alderman Caron

Welcome back Alderman Gidge and I love your scooter.

Alderman Lopez

So first I just wanted to make a public disclosure, I have accepted a position at Greater Nashua Mental Health, in the past I worked at Harbor Homes. I abstained from any votes that would represent anything like a conflict of interest. So I just figured I would announce; pretty happy with my position now so that's awesome. In addition to that I would like to thank the Board for supporting the Animal Advisory Board, I think it's a great example of a public and private partnership. When people in Nashua step forward to volunteer and they want to help address situations in our community to make them better, I think it is something we need to support. I know in Ward 4 in the more urban areas we have had an ongoing issue with exactly what the role is with animals downtown, whether they are eating in restaurants, whether they are doing their business on sidewalks, whatever they are doing. So I appreciate having a venue for public input to that effect.

I want to thank everybody who helped out with the Fourth of July event at Riverside Barbeque. I want to wish Dave, the owner, a Happy Birthday as well. And then I just wanted to remind the public who might be watching that Dancing in the Streets is coming up. Alderman Laws is going to lead the break dancing, so I invite everybody here. Thank you.

Alderman Laws

I too would like to welcome back Alderman Gidge it is good to see you. I'd like to personally thank Amber and Cole to help make this Dog Advisory dog thing a reality, Animal Advisory and that's it thank you.

Alderman Klee

Yes, I'd also like to welcome Alderman Gidge back. Then I have a couple of other items. First is I'd like to thank Amber and Cole and especially Amber for all of the work that she's done. I know you've done a lot of work with DES and CDC etc. I do think that this Advisory Board is going to be very good. I'd like to thank Alderman Lopez for all his work with and the Riverside Barbeque for the veteran's event that you did on the Fourth of July, thank you so much for all of that.

And then I'd like to address something, and I am sorry I am blanking on the gentleman's name that was here from Tyler Street and who spoke about the ADA issues and so on. What I'd like to talk about is the bushes and the sidewalks. I've called DPW and Code Enforcement and so on and especially Code Enforcement they do go in, many of these bushes that are hanging over onto the sidewalk that are blocking our children's way, people with disabilities and so on are from private owners. The City can only do so much, if it is City property, we should be right on it and taking care of it I agree with that. It is the private property owners that are letting the shrubs and so on go over. I've called a number of times, I just recently called on Hills Ferry because the children trying to walk to school had to go out into the streets and so on and they got, I'm sorry Ferry Road not Hills Ferry, and Code Enforcement got right on it talked to the owners of the home and if they don't do it I believe that the City does take care of things like that.

So I think in that respect I do think we take care of it when it is brought up. But is the private ownerships responsibility to also keep your bushes trimmed for sidewalks and so on. We need to think about our neighbors. Thank you.

Alderman Dowd

I'd like to welcome my friend and fellow classmate back, Alderman Gidge, got to keep the fires going here. The other thing I'd like to congratulate Nick Caggiano and his staff for the Fourth of July Fireworks and the entire day. As Alderman Caron well knows they go and start early, early in the morning and they are there sometimes until midnight, that's a long day. I heard numerous people tell me just how great they thought

the fireworks were this year and everything seemed to run very smoothly. So a shout out to Nick and his staff. And also the Spartans who also put on a fantastic show and are going to be performing in a competition in Manchester later in the month. Thank you.

Alderman Harriott-Gathright

I'd like to welcome my fellow colleague back, it's good seeing you.

Alderman Gidge

Yes, I have been a little ill and the Mayor and a few other people have always known I've been a little ill but what I've noticed as watching TV I've noticed this, I play an intricate part because of Ward 6 and Mr. Clemons. But when I'm not here it's amazing how everyone goes just a little bit more, little work, little more organizing so the circle gets a little smaller, but it really works well and to sit back and watch and say, "Well they really don't need me". We really don't need to anybody to a degree because it's been that good; a little arguing but not much compared to some other times. But thank you very much I do appreciate it and I probably have one more as they call it a procedure and then I should be mentally well. But thank you very much glad to be back.

Alderman O'Brien

I too would like to welcome you back Ken; I'll miss the extra storage space but welcome back. It is good to see you in good health and joining us again. I just want to take a brief moment as we all know the Corporate Counsel led a group up to the Supreme Court and they won a decision that was hard fought, and I would like to congratulate you on that case on behalf of the City. I think it will really go good, I would like to congratulate the Board as well too for the dog park, you know, establishing the Advisory Committee. I'm sure there is a tail wagging at home in the O'Brien household who will probably be sure and glad I voted for it. So I think this is a good thing and I'm glad everybody had a good and hopefully safe Fourth; they've got all their digits so that's a good thing. Thank you.

President Wilshire

I would also like to thank Amber Logue for all her work in the Animal Advisory Committee. Thank you for that. The fireworks Mayor were the best I've seen, I say that every year, but they just keep getting better. So thank you to you and your staff for all the work they put into that. And kudos to the Legal Department on their success.

Committee announcements:

Alderwoman Melizzi-Golja

Yes PEDC next Tuesday at 7:00 p.m. in the Chamber. We anticipate that there may be a quorum of the Planning Board here. Thank you.

Alderman O'Brien

Yes July 24th, 7:00 at the Aldermanic Chamber will be Infrastructure. Usually they are a lot of fun so please come if you're available.

ADJOURNMENT

**MOTION BY ALDERMAN LOPEZ THAT THE JULY 9, 2019, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 8:25 p.m.

Attest: Patricia D. Piecuch, City Clerk