

A special meeting of the Board of Aldermen was held Thursday, October 19, 2023, at 7:00 p.m. in the aldermanic chamber.

President Lori Wilshire presided; Clerk Alderman-at-Large Michael B. O'Brien, Sr. recorded.

Prayer was offered by Alderman-at-Large Michael B. O'Brien, Sr.; Alderman Richard A. Dowd led in the Pledge to the Flag.

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

City Clerk Healey called the roll.

The roll call was taken with 12 members of the Board of Aldermen present: Alderman O'Brien, Alderman Sullivan, Alderman Klee, Alderman Lopez, Alderman Jette, Alderwoman Kelly, Alderman Comeau, Alderman Dowd, Alderman Gouveia, Alderman Caron, Alderwoman Timmons, Alderman Wilshire.

Alderman Moran, Alderman Clemons, and Alderman Thibeault were recorded absent.

Mayor James W. Donchess and CFO/Treasurer/Tax Collector John Griffin were also in attendance.

PUBLIC HEARING

R-23-162 RELATIVE TO THE REAPPROPRIATION OF FISCAL YEAR 2024 ESCROWS

Chairman Dowd

Okay. This evening we're going to hear a public hearing on R-23-162 relative to the re-appropriation of Fiscal Year 2024 escrows. The first will be testimony in favor of R-23-162.

Mayor Donchess

Well Mr. Chair I was going to talk through these items so people would be able to address them.

Chairman Dowd

Okay.

Mayor Donchess

CFO Griffin is here as well to answer any questions that come up if I cannot answer them. So you see we have a number of escrow items totaling \$1,815,000. I will take them one at a time. There are about nine.

The first is a transfer or an allocation of surplus funds to the city buildings ETF and that is in the amount of \$500,000 but there is within that transfer allocations to specific purposes. Number one - \$210,000 to the Fire Department for a facility study to evaluate each of the fire stations and to attempt to determine what repairs or what needs to be done at each station to maintain their integrity. We know at least at Amherst Station, Station 1, there is the cracked floor.

Then there's also a \$200,000 allocation to the Police Department buildings and that is for the purpose of designing any changes that are needed at the Riverside building. The Riverside building that was previously occupied by Public Works but which is not going to become a police training facility. The current police training facility is in the Millyard. It's an old dilapidated building. This building is closer. Right across the street from the Police Department basically and this would assess what needs to be done there just to bring it up to a condition that is suitable for the training facility and do the design work.

According to the proposal Mr. Chairman, there would be \$90,000 to the city buildings ETF. This covers any unexpected repairs in any city building – City Hall, Court Street, other buildings. I believe there's around \$200,000 in that fund now but Mr. Griffin can give you that specific figure. Mr. Chair we wanted to ask for one change here and that there be an amendment. The \$25,000 of the \$90,000 be allocated instead to tree cutting and you're going to hear

about this in the Committee meeting but there are trees, especially in Wards 6, 3, and 8 that are on city property and threaten nearby residences because they are in bad shape and Parks Department would like to cut those down. So we are suggesting an amendment that would not alter the bottom line of the escrows but within that building fund would switch the \$25,000 from the general building fund into tree cutting.

The second item is – and the Police Department can speak more specifically to this with the Committee but this is a \$70,000 item that is for the management of the criminal cases – kind of the case file that handle many, many criminal cases at the same time and this will help them manage all of the criminal cases that they're handling.

The third one is they need updated servers at the Police Department. So that is \$30,000 to provide that technology.

The fourth transfer would be is for \$300,000 to the expendable trust fund – in other words a savings account – for the dams. We are trying to relicense one of the dams that being at Mine Falls Park and various repairs are needed. Matt Sullivan can speak to that specifically during the Committee meeting or answer questions now.

The next figure is \$200,000. That is the local match for the BAE CHIPS Act Grant that BAE is seeking. A condition of their obtaining that grant is that there be a local match for training and things like that. Now this is a massive grant - \$35 million. They would match that. They being BAE with also, I believe, tens of millions of dollars. They feel optimistic that they may be awarded the grant but we still need the local match to be there so that if they are we can carry it through. This would improve their chip making facility and add some jobs as well.

Next, we have a \$75,000 item for continuing the rail planning. As you know, this has been discussed with the planning committee and I think others. The Executive Council stopped the work for the final planning phase of the Capital Corridor Rail Study. This would be for the purpose of exploring with the MBTA the possibility of a Nashua first approach. In other words, a station in Nashua if the whole project were not going to be completed.

The next item is \$61,000 for FTA grant. This is a match for a transit project that will improve the technology of, I believe, the routing and everything for the buses.

The next item has to do with a match. \$79,000 is the match for capital projects. I think we're still looking to complete the match for the station out here and Matt can give you all the details. There.

Finally, \$500,000 to fund School District deferred maintenance. This is, again, a savings or reserve account that the School Department can be used to make repairs when they need them. There's a figure of a billion dollars' worth of school buildings and they need to have funds on reserve when things go awry and they need to make repairs at any of the elementary schools, middle schools, or high schools.

Mr. Chair those are the escrow items that are proposed for a total of \$1,815,000.

Chairman Dowd

Thank you Mayor. Are there any questions from any of the Board members before we get going on the public hearing on any one of these items? Seeing none. We'll have another opportunity at the Budget meeting.

TESTIMONY IN FAVOR – None

TESTIMONY IN OPPOSITION

Laurie Ortolano

Good evening. Laurie Ortolano, 41 Berkeley Street. I have a couple questions. How many different escrow accounts do we have within our city budget that require us to move money and track? Does anyone know how many we have?

Chairman Dowd

It's not relevant to this.

Laurie Ortolano

Yes because this is about the movement of escrow money. It's being moved because we have these escrow

accounts. What I'm wondering is how many different escrow accounts do we have? Do we know? Is it trackable? Is there a place in the budget or a financial place I can go and find these escrow accounts, specifically escrow accounts?

John Griffin, CFO/Treasurer/Tax Collector

These are brand new escrows. Essentially what this is is taking monies that were previously appropriated and move it into a new escrow for these purposes. We can only spend on these purposes. With regard to prior escrows that are carried over, those are on the monthly financial statements.

Laurie Ortolano

They're on the monthly. Have we done anything to reduce the number of those escrow funds or do we escrow accounts separate accounts? Do we change them or do we still maintain quite a few of those escrow accounts?

John Griffin, CFO/Treasurer/Tax Collector

Generally speaking, anything that is capital related, project related where the project hasn't been completed those are carried forward. With regard to coming out of the COVID pandemic where we tried to provide funding on a continuing basis for the different operating divisions, we're going to eliminate several of those.

Laurie Ortolano

Okay. I'm opposed to spending this money and not returning it to the taxpayers for a number of reasons. I feel that the city has not been transparent with myself when I requested information regarding finances. The first one was the audit. I feel that the Mayor lied to me. He did not respond to my Right to Know request and he got to do that. That audit was not done.

Chairman Dowd

Again, this is getting off track from this public hearing.

Laurie Ortolano

I'm here to speak on why I don't support anyone against it is supposed to come up. Now you're telling me I can't speak why I'm against it. All I can say is I'm against it...

Chairman Dowd

I'm just saying you need to be more specific relative to the item on the agenda.

Laurie Ortolano

Okay. So I'm telling you why. I don't support any of these nine items because I feel there's been no transparency in the city when it has come to spending money and accountability. I am still waiting for the final finances for the arts center. We have been strung along for ten months and we don't have the accounting on that. We keep being told they're waiting for another bill. We had the financial report from December of 2022 and it is now October of 2023 and we don't have accounting. I'm opposed to this spending because as a citizen I can't track the money at all. It's not trackable. It's not right. The audit – we violated RSA 21J:19 and that we didn't get it done for 12 months. Instead of just acknowledging we didn't get our work done to assure that our finances are managed correctly, we beat up on the citizen who points out that why did it take so long. I don't feel we have the access to our financial office that citizens should have. You have to write and write, and write to try to get information. Laura Colquhoun wrote at least 15 e-mails to try and understand the loan. Why not have her come in and talk to her? This is why I'm opposed to you taking our money in escrow and using it for anything else except to give it back to us. You haven't shown me your responsible with our money. You love to kick me constantly for questioning it and calling me out as a liar but you do not put the facts on the table, or open the doors, or give the information which is why you do have a whistleblower. People get frustrated.

Chairman Dowd

Again you're drifting of course here so. Mr. Griffin did you want to address any of that or just let it go? All right. You're entitled to your opinion.

Laurie Ortolano

Of course.

Chairman Dowd

But let's stick to the item that's on the agenda.

Laurie Ortolano

I'm concerned about the creation of new escrows in the existing escrows. A year ago, Rosemary Evans called me very upset about these escrow accounts. I am concerned...

Chairman Dowd

Now you're bringing personal names into this discussion.

Laurie Ortolano

I have every right. It's a city employee who called me.

Chairman Dowd

You have every right to follow the rules of a public hearing which is to talk on the subject at hand...

Laurie Ortolano

I am speaking.

Chairman Dowd

...not bringing up other people's names on other matters that aren't directly addressed by this escrow account.

Laurie Ortolano

I think you're completely insane.

Chairman Dowd

Well.

Laurie Ortolano

I have a right to address what – Rosemary Evans is the Comptroller and she's got 23 years of finance experience. When Ms. Evans calls me and spends an hour on the phone talking about these accounts and expresses the concerns and her inability to do her job, I feel like I have the right to address it in a meeting about escrow accounts.

Chairman Dowd

You have the right to state your opinion. This Board will determine whether or not we pass this legislation.

Laurie Ortolano

Of course. I'm only giving my opinion.

Chairman Dowd

All right.

Laurie Ortolano

You're going to go make your vote.

Chairman Dowd

Giving your opinion.

Laurie Ortolano

So I don't want to see more escrow accounts added that become the burden in the finance office that have to be tracked when you haven't closed down and really cleaned up the escrow accounts that are running over there. According to her, they're out of control.

Chairman Dowd

So at the Budget hearing, we're going to be talking about each one of these and I think that we'll see which ones if not all of them are critical to the running of the City of Nashua and aren't just a frill of spending money.

Laurie Ortolano

It's not that I'm saying they're a frill of spending money, it's that nothing ever comes off the table. Nothing ever gets cleaned up in these escrow accounts on the other ones. That was my concern. So I'm just expressing that you seem to create a lot of accounts, tuck a lot of money into it instead of emptying the accounts yearly and coming in with a supplemental appropriation when you need extra money. You hold it and squirrel it away. I'm opposed to the squirreling away of money because the Mayor lies to us about audits. Because the financial office...

Chairman Dowd

Now you're drifting off.

Laurie Ortolano

...lies to us about our loans and because the NPAC company has lied to us about our art center. I'm tired of that. Thank you.

TESTIMONY IN FAVOR - None

TESTIMONY IN OPPOSITION - None

Chairman Dowd closed the public hearing on Resolution R-23-162 at 7:19 p.m.

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE OCTOBER 19, 2023 SPECIAL MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 7:20 p.m.

Attest: Alderman-at-Large Michael B. O'Brien, Sr.