

A regular meeting of the Board of Aldermen was held Tuesday, November 10, 2020, at 7:30 p.m. via teleconference.

President Lori Wilshire presided; City Clerk Susan Lovering recorded.

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

### President Wilshire

As President of the Board of Aldermen, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

*To access Zoom, please refer to the agenda or the City's website for the meeting link.*

*To join by phone dial: 1-929-205-6099 - Meeting ID: 820 5048 7247      Passcode: 411072*

*The public may also view the meeting via Channel 16.*

We previously gave notice to the public of the necessary information for accessing the meeting, through public postings. Instructions have also been provided on the City of Nashua's website at [www.nashuanh.gov](http://www.nashuanh.gov) and publicly noticed at City Hall and Nashua Public Library.

If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049 and they will help you connect.

In the event the public is unable to access the meeting via the methods mentioned above, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state 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 Michael B. O'Brien, Sr., Alderman Patricia Klee, Alderwoman Shoshanna Kelly, Alderman Richard A. Dowd, Alderman June M. Caron, Alderman Benjamin Clemons, Alderman Thomas Lopez, Alderman David C. Tencza, Alderwoman Elizabeth Lu, Alderman Ernest Jette, Alderman Jan Schmidt, Alderman Brandon Michael Laws, Alderman Skip Cleaver, Alderman Linda Harriott-Gathright, Alderman Wilshire.

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

ROLL CALL

Alderman O'Brien

I am present, I can hear the proceedings and I am alone.

Alderman Klee

I am here, I can hear the proceedings and I am alone.

Alderwoman Kelly

I'm here, I can hear everyone and I am alone.

Alderman Dowd

I am present, I can hear the proceedings and I am alone.

Alderman Caron

Yes, I am here, I am alone and I can hear everyone.

Alderman Clemons

Hi, I am here, I am alone in this room, although my wife is home with me and I can hear everyone.

Alderman Lopez

I am here, I am alone and I can hear and see everyone.

Alderman Tencza

I am present, I am alone in the room and I can hear everyone.

Alderwoman Lu

I am alone and I can hear everyone.

Alderman Jette

I am here, I can hear the proceedings and I am with my wife.

Alderman Schmidt

I am present and I am alone in the room.

Alderman Laws

I am here, I am alone and I can hear you.

Alderman Cleaver

I am present, my daughter is in an adjoining room and I can hear the proceedings just fine.

Alderman Harriott-Gathright

I am present, I can hear everyone and I am in this room alone.

President Wilshire

I am here, I am alone and I can hear everyone.

Susan Lovering, City Clerk

You have 15 in attendance.

President Wilshire

Thank you. Also with us this evening is Mayor James Donchess and Corporation Counsel Steve Bolton. Mayor, do you wish to address the Board this evening?

REMARKS BY THE MAYORMayor Donchess

Yes, Madam President, I do. The COVID-19 epidemic, the rise in cases that we have seen in recent weeks; of course Public Health has been, for months, working very hard to contain the spread of the virus. We have a mask ordinance and the City and our community has been working together to try to protect as many of our community members as possible. But the scientists and the medical experts told us and have been telling us for quite some time, that in the fall, and as the weather became colder, that we should see a rise in the number of cases. And, of course, they are basing this upon their experience with other Coronaviruses related to, but not the same obviously as COVID-19.

The scientists, the science was right, as was predicted, across the country, especially across the country, more than here in New England, but across the country in many places, in the mid-west, in the south, the number of cases has climbed very dramatically. In various places, hospitals are virtually overwhelmed. Here in New England, in New Hampshire, we have also seen a rise in the number of cases, but not to the degree that other parts of the country have seen, but still something that we need to be concerned about.

I believe the Director of Public Health and Community Services; Bobbie Bagley is on the call. If you have any questions or need any further information beyond what I give you, but right now, we have in Nashua 150 active cases. Now you might recall that in the summer months, that number was down to 20 or 25 at various times, but now it's up to 150. And that spans all ages, young people, middle aged, older people. The number of contacts that have been identified, people who were in contact with those 150 positive patients in the days before they were diagnosed, 263 contacts. That's a lot of contacts. You might recall that we were down in much, much lower than that during the summer and early fall, during the better weather.

Now, of course, as you know, it's very important in containing the spread of the virus that our Public Health Department do contact tracing; meaning they talk with each of the 263 people, keep in touch with them, advise them that they need to quarantine and take other protective measures to make sure that they – or to try to limit the chances that they would spread the virus to yet someone else. Public Health has been doing a very good job in keeping up with this. They've also been holding testing clinics on a periodic basis, weekly basis; there was one today. Over 100 people were tested today in the Elm Street garage, this afternoon.

Now we have about 6 ½ people working on the contact tracing and 265 contacts is a lot of people to work with. So you see on the Agenda, Madam President, R-20-092 which is the acceptance of a grant from the State of New Hampshire. Once accepted, this will enable the City to take a number of steps with respect to COVID-19 but one of those things is to hire 4 more contact tracers so that we can have more like 10 people working with these 263 contacts, a number which could rise, because the scientists tell us that December might be a heavier month than November.

So as we discuss our problems or issues with COVID-19 this afternoon, Madam President, we talked about asking the Board to act on this for a second reading under a suspension of the rules, R-20-092 so we can accept the money right away so that Public Health can move forward and hire the 4 contact tracers and get them to working to protecting the community as soon as we can. So I hope that the Board will consider acting on that Resolution. Again, it's merely the acceptance of State money; I hope you will consider acting on that finally this evening.

Let me move on to the election, Madam President, which was, of course, held on the 3<sup>rd</sup>. The election went very smoothly, especially under the circumstances. I can't say enough about City Clerk Sue Lovering and all of the staff that she employed during the course of the two elections that we held: first the primary and then most recently, November 3<sup>rd</sup>, the General Election. The number of absentee ballots cast was in the vicinity of 15,000, many times what has ever been cast before. And the tracking procedure that the State established is very time consuming. A number of entries have to be made over time for each individual ballot. And I have to say that the City Clerk did a tremendous job in making the election come off as smoothly as I did. I saw her working 7 days a week for long periods of time making sure that all of the data got entered, making sure that every vote was counted, making sure that every ballot was handled properly. And I just, again, can't say enough about the job that Sue Lovering and everyone else did in making sure that this election was as successful as it was.

And, of course, I congratulate all of the people who were successful in winning a week ago today, particularly the five members of our Board of Aldermen who serve in the Legislature, all were reelected. I know all are up there fighting for Nashua, so I want to congratulate you on your success.

Finally, Madam President, we have tomorrow – Veterans Day, which unfortunately we are not going to have the Veterans Day parade. We have a Veterans Committee who oversees the parade and in view of the COVID-19 situation, decided that it was best not to proceed with the parade. And as we discussed this, you and I Madam President, the need to recognize our Veterans and express our appreciation. We, of course, came across the idea that we and the Board of Aldermen, the City have never formally recognized the Veterans on the Board of Aldermen in the context of an Aldermanic Meeting. And there have been a lot of Aldermanic Meetings, and I've never really seen that happen.

Now the Rotary Club earlier in the week had the Veterans from the Rotary Club, this was on Monday, tell a little bit about their service experience. That seemed like a really good way for us to go and we, Madam President, discussed this and thought that we would like to ask our Veterans, those being Alderman Dowd, Jette and Cleaver, to take a few moments to tell us about their service and what they did. In a way of expressing our appreciation and in a way of honoring all of our Veterans in Nashua, let's hear the very interesting stories that we can get right here in our own Chamber, of course, our virtual Chamber. I don't know when, Madam President, you would like them to tell us about this, now or later in the meeting, whatever you think is best. But I would like to hear from them and, of course, thank them for their service as well as all of the Veterans. My father was a Veteran, he fought in World War II, he was part of the 7<sup>th</sup> Army, the 70 Infantry Division. He enlisted in 1942, was involved in training at various military bases, then went over to Europe, was sent over to Europe in late 1944 where he fought in Northern France and Central Germany, they fought through to Nuremberg against, of course, the German Nazis. And then once the war was over was involved in the administration of the jail in Nuremberg where the Nazi war criminals were held while the Nuremberg trials were going on. He left the service in 1946 as a Captain, came back to the United States and went back to civilian life. So I just wanted to recognize him as well.

In any event, Madam President, those are my remarks. Again, thank you to our Veterans and if anybody has any questions or comments, of course, I'd be glad to hear them.

President Wilshire

After Responses to the Remarks of the Mayor, we will take up the Veterans on our Board under "Recognition Period", how's that?

RESPONSE TO REMARKS OF THE MAYOR - NoneRECOGNITION PERIODPresident Wilshire

I am going to call on Alderman Cleaver to start us off. Alderman Cleaver would you care to share with us?

Alderman Cleaver

Thank you very much Thank you, Mr. Mayor and thank you, Madam President. Yes, I want to wish all the Veterans, all of our Veterans a very happy and healthy Veterans Day tomorrow. The bottom line is we don't recognize and support our Veterans as much as we should. This is a good time to thank them and recognize their service, all services, all eras, all people and so I hope everybody has a good Veterans Day. I might also say I am a US Marine, and that I enlisted in 1965. As such I wanted to say that the US Marine Corp birthday is today, November 10<sup>th</sup>. This is not a highly recognized holiday outside the Marine Corp, but it is very important to us. This is the 245<sup>th</sup> Anniversary, 1775. So to all of my fellow Marines throughout the area, congratulations, and happy birthday.

I served in the Marine Corp Air Wing, not in the Infantry, but in the Air Wing and I was involved in fighter squadron training operations. I went to basic training, of course, as we all did and weapons training and so on and so forth. The School in Jacksonville, Naval Air Station, and subsequently served in Beaufort Marine Corp Air Station, the Yuma Marine Corp Air Station in Arizona and Roosevelt Roads Naval Air Station in Puerto Rico, as well as Naval Air Facility Andrews Air Force Base which is now called Joint Base Andrews.

I learned a lot, it helped me to qualify to be an air traffic controller when I got out, so I joined the FAA and was an air traffic controller in Pittsburg and Boston Logan. And so it was a good experience for me in that regard. I am going to also say that my dad was a US Navy Veteran during World War II, he fought in the Pacific and in the Pacific War Zone there was a long mail delay between the War Zone and the East Coast. So my parents referred to me before and after my birth as the Skipper, so that's where I got the name Skip. That's about it for me, on to Mr. Dowd and Mr. Jette.

President Wilshire

Well thank you for your service, Alderman Cleaver or Skip, Skipper. Thank you. Alderman Dowd.

Alderman Dowd

I joined the Navy in 1968 after graduating from St. A's. It was the Vietnam War at the time. I originally was an enlisted person and went through Submarine Training and was Special Projects Electronic Technician on the USS Halibut SSN587 and was qualified in nuclear submarines. While on the submarine, I was selected for Officer Candidate School and went to OCS in Newport, Rhode Island. I served on the USS McCloy DE1038 as Electronics Material Officer, Electronics Warfare Officer and Legal Officer. I did graduate from the Naval Justice School. I am qualified in nuclear submarines and Surface Warfare Officer and I worked in the Defense Industry for over 35 years.

So I would also like to thank all of our Veterans. I had taken a few of my friends that are Marines to the birthplace of the Marine Corp in Philadelphia. They were very excited about seeing that particular spot. So again congratulations to all of our Veterans and hope that we honor them as they should be honored.

President Wilshire

Thank you for your service, Alderman Dowd. Alderman Jette?

Alderman Jette

Yes thank you. I too would like to acknowledge all of our Veterans and I would also like to wish my wife a Happy Birthday, she was a Marine in the air wing coincidentally. I joined the Army ROTC as a Freshman at Boston College in 1963. When I graduated from College in 1967, I was Commissioned a Second Lieutenant in the Transportation Corp. I was fortunate enough to delay my active duty during the height of the Vietnam War which enabled me to go to Law School. When I graduated from Law School, I began my active duty then in 1970.

After attending the Transportation Officer Basic Course, I was assigned to the Legal Assistance Office at Fort Eustis Virginia, which was then the home of the Transportation Corp. Then I was very lucky, there was a reduction in force and I was reassigned to the Reserves to a Transportation Reserve Unit here in Nashua. One of my duties there was to develop an Emergency Evacuation Plan for the City, during my time there. Then I was assigned to a Non-Commissioned Officer Academy, which is a school for non-commissioned officers in Concord. Then I was assigned to a Ready Reserve Control Group until I was discharged in 1977 with the rank of Captain. So thank you for acknowledging us and I appreciate it very much. Thank you.

President Wilshire

Thank you for your service, Alderman Jette. And to all Veterans out there, thank you all for your service.

READING MINUTES OF PREVIOUS MEETINGS

**There being no objection, President Wilshire declared the minutes of the Special Board of Alderman and regular Board of Aldermen meeting of October 27, 2020 accepted, placed on file, and the readings suspended.**

COMMUNICATIONS REQUIRING ONLY PROCEDURAL ACTIONS AND WRITTEN REPORTS FROM LIAISONS

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

From: John L. Griffin, Chief Financial Officer/Comptroller  
Re: Nashua Fire Rescue IAFF Local #789 Unit Collective Bargaining Agreement – Contract Costing

From: Linda McGhee, Deputy Planning Manager  
Re: Referral from the Board of Aldermen on proposed R-20-083, authorizing the acquisition of property at 36 Buckmeadow Road, Tax Map C, Lot 762, for a purchase price of \$370,000

From: Linda McGhee, Deputy Planning Manager  
Re: Referral from the Board of Aldermen on proposed O-20-034, extending temporary adjustments to site plans to allow for greater outdoor seating at restaurants

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

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

President Wilshire

Ms. Colquhoun?

Laura Colquhoun 30 Greenwood Drive. My comments will be in regards to the purchasing of the Lot at 36 Buckmeadow Drive and the property at 55 Franklin Street. In reviewing Mr. Donovan's letter that he sent out to the Finance & Operation Committee dated October 6, 2020, that was also attached to the Board package, I would like to know where he received his information because his facts are incorrect. Mr. Donovan explained that our elementary schools at the end of this past year, left us with no extra classrooms. However, in not doing his due diligence, he neglected to see what was actually happening in Nashua currently. The official October 2020 enrollment shows that Nashua currently is down by 860 students. The elementary schools went from 326 students to 165 students. That is a 49.39% drop in elementary school children. And the City wants to purchase a building for the elementary children; this action does not make sense.

We can assume that some of these students will not be coming back because their parents feel that their children are getting a better education than they would be getting with the Nashua Public Schools. Therefore, why is the City of Nashua purchasing these properties now? Has the City reviewed the financial loss of approximately \$3,200,000.00 at minimum in the financial aid and how is it going to affect our current budget? These are facts that the Board of Aldermen need to consider before making purchases that are not currently in our budget and currently do not need.

I also have comments on the Performing Arts Center. The guaranteed maximum price amendment is a joke because it only speaks of the actual building. If the Board Members actually looked at the two pages of exclusion, they would realize that the Nashua Taxpayers are going to have to come up with a lot more money in order to make this project work. Do we have a contractor selected that will do all the excluded work listed and these tasks have been priced into the project yet? As it is, the City of Nashua is waiving all permit fees so that Nashua Taxpayers will be responsible for that portion also. This is tax dollars that are coming out of the Nashua taxpayers' wallet. What are the total fees that Nashua taxpayers will have to eat? Where is the money coming from for the wood plaza decking, the metal frame skylights, acoustical ceiling tile and grid, wall covering, etc.? Can the Board of Aldermen say where this money is coming from and how much will it cost? Let every board member vote and let it go on the record, because when the City comes back and asks the taxpayer for more money after this project, I want the taxpayers to hold the Mayor and the Board of Aldermen accountable. These are questions worthy of answers now. Thank you.

President Wilshire

Anyone else wish to give public comment? Seeing none, Communications Requiring Final Approval.

COMMUNICATIONS REQUIRING FINAL APPROVAL

From: Mayor Jim Donchess

Re: Multi Year Contract Award - Transit Operation Services

**MOTION BYALDERMAN HARRIOTT-GATHRIGHT TO ACCEPT, PLACE ON FILE, AND APPROVE THE CONTRACT AMENDMENT TO THE EXISTING FIVE-YEAR CONTRACT FOR TRANSIT OPERATIONS WITH FIRST TRANSIT IN AN AMOUNT NOT TO EXCEED \$372,057. FUNDING WILL BE THROUGH DEPARTMENT 186 TRANSPORTATION: ACCOUNT 55690 REGULAR TRANSPORTAION SERVICES, BY ROLL CALL.**

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

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	15
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Nay:	0
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**MOTION CARRIED**

From: Mayor Jim Donchess  
 Re: Multi Year Contract Award – Architect & Engineering Services

**MOTION BY ALDERMAN KLEE TO ACCEPT, PLACE ON FILE, AND APPROVE AMENDMENT 3 IN THE AMOUNT OF \$158,400 TO EXTEND THE CONTRACT FOR THREE YEARS WITH FLOW ASSESSMENT OF AUBURN, NH, FOR THE COMBINED SEWER OVERFLOW MONITORING PROGRAM. FUNDING WILL BE THROUGH DEPARTMENT 169 WASTEWATER; FUND: WASTEWATER; ACCOUNT CLASSIFICATION: 53 PROFESSIONAL SERVICES, BY ROLL CALL.**

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

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd, Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Laws, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire	15
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Nay:	0
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**MOTION CARRIED**

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS

Appointments by the Mayor

The following new appointment by the Mayor was read into the record:

Master Plan Committee

Heidi L. MacDonald (new appointment)  
 42A Chestnut Street  
 Nashua, NH 03060

***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

Special Finance Committee.....	10/26/2020
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There being no objection, President Wilshire declared the report of the October 26, 2020 Special Finance Committee accepted and placed on file.

Budget Review Committee..... 10/26/2020

There being no objection, President Wilshire declared the report of the October 26, 2020 Budget Review Committee accepted and placed on file.

Personnel/Administrative Affairs Committee..... 10/28/2020

There being no objection, President Wilshire declared the report of the October 28, 2020 Personnel/Administrative Affairs Committee accepted and placed on file.

Committee on Infrastructure held jointly with  
Personnel/Administrative Affairs Committee..... 10/28/2020

There being no objection, President Wilshire declared the report of the October 28, 2020 joint meeting with Committee on Infrastructure and Personnel/Administrative Affairs Committee accepted and placed on file.

Finance Committee..... 11/04/2020

There being no objection, President Wilshire declared the report of the November 4, 2020 Finance Committee accepted and placed on file.

**There being no objection, President Wilshire suspended the rules to allow for the oral report of the Planning and Economic Development Committee meeting held Monday, November 9, 2020, regarding proposed Resolution R-20-083.**

Alderman Tencza

Thank you, Madam President. I can report that the Committee had a very efficient meeting last night on R-20-083. We heard a presentation from Alderman Dowd about the importance of passing this piece of Legislation as it relates to the development of the new Middle School. There was brief discussion regarding the timing of this Resolution as it relates to the bond that was previously passed. I can report that the Committee, after the presentation was speechless and passed the Resolution unanimously out of Committee. Thank you.

President Wilshire

Thank you, Alderman Tencza.

**There being no objection, President Wilshire suspended the rules to allow for the oral report of the Human Affairs Committee meeting held Monday, November 9, 2020, regarding proposed Resolution R-20-087.**

Alderwoman Kelly

So we met last night on R-20-087 and the Committee was unanimous in their decision on this.

President Wilshire

Thank you, Alderwoman Kelly.

Alderman Lopez

Madam President, if I may just add to Alderman Tencza's report, at our entirely succinct meeting he also, it was so quick he didn't even have to turn the light on in his room for the whole meeting.

President Wilshire

Thank you, Alderman Lopez.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Animal and Dog Park Advisory Board

***There being no objection, President Wilshire confirmed the new appointment of Kathy Abel, 41 Manchester Street, Nashua, for a term to expire October 1, 2023 to the Animal and Dog Park Advisory Board.***

Oath of Office to be administered at a later date.

Conservation Commission

***There being no objection, President Wilshire confirmed the new appointment of Maya Friday, 17 Chaucer Road, Nashua, for a term to expire May 31, 2021 to the Conservation Commission.***

Oath of Office administered by Corporation Counsel.

Cultural Connections Committee

***There being no objection, President Wilshire confirmed the following reappointments to the Cultural Connections Committee: Samba Halkose, 58 Winter Street, Manchester, for a term to expire July 30, 2023, and Lauren Osowski, 57 Profile Circle, Nashua, with a term to expire December 31, 2022.***

Oath of Office to be administered at a later date.

UNFINISHED BUSINESS – RESOLUTIONS

**R-20-081**

- Endorsers: Alderman-at-Large Lori Wilshire
- Alderman Richard A. Dowd
- Alderman Jan Schmidt
- Alderman Linda Harriott-Gathright
- Alderman Patricia Klee
- Alderman Skip Cleaver
- Alderman-at-Large Ben Clemons
- Alderman Thomas Lopez
- Alderman-at-Large Brandon Michael Laws

**APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA BOARD OF POLICE COMMISSIONERS AND NASHUA POLICE COMMUNICATION EMPLOYEES N.E.P.B.A. LOCAL 125, I.U.P.A., AFL-CIO FROM JULY 1, 2019 THROUGH JUNE 30, 2023 AND AUTHORIZING A RELATED TRANSFER OF \$186,145**

Given its second reading;

**MOTION BY ALDERMAN JETTE FOR FINAL PASSAGE OF R-20-081, BY ROLL CALL**

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

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

Nay: 0

### **MOTION CARRIED**

Resolution R-20-081 declared duly adopted.

### **R-20-083**

Endorsers: Alderman Richard A. Dowd  
Alderman Patricia Klee  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderwoman Elizabeth Lu  
Alderman-at-Large Ben Clemons  
Alderman Thomas Lopez  
Alderman Linda Harriott-Gathright  
Alderman-at-Large Lori Wilshire

**AUTHORIZING THE ACQUISITION OF PROPERTY AT 36 BUCKMEADOW ROAD, TAX MAP C,  
LOT 762, FOR A PURCHASE PRICE OF \$370,000**

Given its second reading;

### **MOTION BY ALDERMAN DOWD FOR FINAL PASSAGE OF R-20-083, BY ROLL CALL**

#### ON THE QUESTION

Alderman Dowd

I'd like to talk to it briefly.

President Wilshire

Alderman Dowd.

Alderman Dowd

I think you all got the presentation that I put together on the elements of the Purchase & Sale Agreement. I did want to clarify that the monies for the acquisition of this property have already been appropriated in the bond for the Middle School Project, so there's no additional funding required. This passed the Planning Board, and the PEDC and the Joint Special School Building Committee unanimously. So if there are any additional questions, I'd be more than willing to answer them.

President Wilshire

Alright, the Motion is for final passage. Questions from anyone? Seeing none, would the Clerk please call the roll?

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

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

Nay: 0

**MOTION CARRIED**

Resolution R-20-083 declared duly adopted.

**R-20-087**

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

**RELATIVE TO THE ASSIGNMENT OF THE COMMUNITY DEVELOPMENT FINANCE AUTHORITY  
GRANT ACCEPTED BY R-20-002**

Given its second reading;

**MOTION BY ALDERWOMAN KELLY FOR FINAL PASSAGE OF R-20-087, BY ROLL CALL**

ON THE QUESTION

Alderwoman Kelly

If I could speak to it?

President Wilshire

Alderwoman Kelly.

Alderwoman Kelly

This is just, we already assigned all of this money it is just making sure that it is assigned to the appropriate place so there is no change in the funding here.

President Wilshire

Any discussion? Seeing none, would the Clerk please call the roll?

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

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

Nay: 0

**MOTION CARRIED**

Resolution R-20-087 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES - NoneNEW BUSINESS – RESOLUTIONS**R-20-089**

Endorser: Mayor Jim Donchess  
Alderman Richard A. Dowd  
Alderman Jan Schmidt  
Alderman Linda Harriott-Gathright  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman June M. Caron  
Alderman Tom Lopez  
Alderman-at-Large Brandon Michael Laws  
Alderman Skip Cleaver  
Alderman Patricia Klee  
Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$30,345 FROM THE UNITED STATES DEPARTMENT OF JUSTICE INTO POLICE GRANT ACTIVITY "2020 JUSTICE ASSISTANCE GRANT (MULTI-JURISDICTIONAL)"**

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

**R-20-090**

Endorsers: Alderman Richard A. Dowd  
Alderman Jan Schmidt  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Patricia Klee  
Alderman Linda Harriott-Gathright  
Alderman Skip Cleaver  
Alderman Tom Lopez  
Alderman-at-Large Lori Wilshire

**AUTHORIZING THE PURCHASE OF LAND AND BUILDINGS AT 55 FRANKLIN STREET (MAP 68, LOT 53)**

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

**R-20-091**

Endorser: Mayor Jim Donchess  
Alderman Richard A. Dowd  
Alderman Jan Schmidt  
Alderman Skip Cleaver  
Alderman Linda Harriott-Gathright  
Alderman June M. Caron  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Patricia Klee  
Alderman Tom Lopez

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF A \$5,700,000 LEAD BASED PAINT HAZARD REDUCTION GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

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

**R-20-092**

Endorser: Mayor Jim Donchess  
Alderman June M. Caron  
Alderman Richard A. Dowd  
Alderman Jan Schmidt  
Alderman Skip Cleaver  
Alderman Linda Harriott-Gathright  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Patricia Klee  
Alderman-at-Large David C. Tencza  
Alderman-at-Large Brandon Michael Laws  
Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$896,349 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITY "COVID-19 ENHANCED DETECTION"**

**MOTION BY ALDERMAN O'BRIEN TO SUSPEND THE RULES FOR A SECOND READING OF R-20-092**

ON THE QUESTION

Alderman O'Brien

May I speak to my motion?

President Wilshire

Alderman O'Brien.

Alderman O'Brien

Thank you. Not rehash the importance of this and go over what the Mayor has said, but I think right now with the pandemic the additional four people for contact tracing is both timely and important and I hope my colleagues will support it as I will in passing the second reading of this motion. Thank you.

President Wilshire

OK the motion is to suspend the rules to allow for a second reading. Any discussion on the motion to suspend? Alderwoman Kelly?

Alderwoman Kelly

I'm sorry, it's not on a motion to suspend I can hold it, I just wanted to be a sponsor.

President Wilshire

So the motion is to suspend the rules. Would the Clerk please call the roll?

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

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

Nay: 0

**MOTION CARRIED**

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-20-092, BY ROLL CALL**

ON THE QUESTION

You've heard the motion. Is there further discussion on the motion? Alderman Harriott-Gathright.

Alderman Harriott-Gathright

My question is, we just voted to suspend the rules, right?

President Wilshire

Yes and now we've made a motion for final passage.

Alderman Harriott-Gathright

Ok so suspend the rules and second reading was one not two, you know what I mean. My question is, what we voted for just now I thought was to suspend the rules for a second reading, but we didn't get to the second reading did we?

President Wilshire

You're right. Linda, thank you.

**R-20-092**

Endorser: Mayor Jim Donchess  
Alderman June M. Caron  
Alderman Richard A. Dowd  
Alderman Jan Schmidt  
Alderman Skip Cleaver  
Alderman Linda Harriott-Gathright  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Patricia Klee  
Alderman-at-Large David C. Tencza  
Alderman-at-Large Brandon Michael Laws  
Alderwoman-at-Large Shoshanna Kelly  
Alderman-at-Large Lori Wilshire

**RELATIVE TO THE ACCEPTANCE AND APPROPRIATION OF \$896,349 FROM THE STATE OF NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES INTO PUBLIC HEALTH AND COMMUNITY SERVICES GRANT ACTIVITY "COVID-19 ENHANCED DETECTION"**

Given its second reading;

President Wilshire

So Alderman O'Brien, your motion would be in order now, thank you.

Alderman O'Brien

Thank you, Madam President and thank you to Alderman Gathright for parliamentary inquiry.

**MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF R-20-092, BY ROLL CALL**

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

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

**MOTION CARRIED**

Resolution R-20-002 declared duly adopted

**R-20-093**

Endorser: Mayor Jim Donchess  
Alderman-at-Large Benjamin M. Clemons  
Alderman Richard A. Dowd  
Alderman Patricia Klee  
Alderman Linda Harriott-Gathright  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Skip Cleaver  
Alderman-at-Large Lori Wilshire

**APPROVING THE GUARANTEED MAXIMUM PRICE AMENDMENT FOR THE PERFORMING ARTS CENTER**

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

**R-20-094**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Lori Wilshire  
Alderman Richard A. Dowd  
Alderman Linda Harriott-Gathright  
Alderman Skip Cleaver  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Tom Lopez  
Alderman Patricia Klee  
Alderman-at-Large Ben Clemons  
Alderwoman-at-Large Shoshanna Kelly

**OMNIBUS RESOLUTION REGARDING NEW MARKETS TAX CREDIT TRANSACTION FOR THE PERFORMING ARTS CENTER**

Given its first reading; assigned to the NASHUA PLANNING BOARD and hold a SPECIAL BOARD OF ALDERMEN meeting scheduled for Tuesday, November 24, 2020 at 6:00 p.m. by President Wilshire

NEW BUSINESS – ORDINANCES

**O-20-035**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Jan Schmidt  
Alderman-at-Large Shoshanna Kelly  
Alderman Patricia Klee  
Alderman June M. Caron  
Alderman Linda Harriott-Gathright  
Alderman-at-Large David C. Tencza  
Alderman Tom Lopez  
Alderman Skip Cleaver  
Alderman-at-Large Brandon Michael Laws  
Alderman Richard A. Dowd  
Alderman-at-Large Lori Wilshire

**AUTHORIZING FREE HOLIDAY PARKING AT METERS IN ZONE III WHICH INCLUDES THE ELM STREET AND HIGH STREET PARKING GARAGES FROM DECEMBER 7, 2020 THROUGH JANUARY 1, 2021**

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

**MOTION BY ALDERMAN O'BRIEN TO SUSPEND THE RULES FOR A SECOND READING OF O-20-035 BY ROLL CALL**

ON THE QUESTION

Alderman O'Brien

May I speak to my motion?

President Wilshire

You may.

Alderman O'Brien

Thank you, Madam President. At this particular time, because of the timeliness and the date is fast approaching, this is something that we have done by the Board of Aldermen annually to have parking for the zone free, which includes the Elm Street and High Street Parking Garages. It is a great asset to our downtown, so therefore I ask for you to join with me in supporting the second reading. Thank you.

President Wilshire

Ok the motion is to suspend the rules. Right, Madam Clerk?

Susan Lovering, City Clerk

Yes.

President Wilshire

The motion is to suspend the rules. Would the Clerk please call the roll?

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

Yea: Alderman O'Brien, Alderman Klee, Alderwoman Kelly, Alderman Dowd,  
Alderman Caron, Alderman Clemons, Alderman Lopez, Alderman Tencza,  
Alderman Jette, Alderman Schmidt, Alderman Laws,  
Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 14

Nay: 0

### **MOTION CARRIED**

#### **O-20-035**

Endorsers: Mayor Jim Donchess  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman Jan Schmidt  
Alderman-at-Large Shoshanna Kelly  
Alderman Patricia Klee  
Alderman June M. Caron  
Alderman Linda Harriott-Gathright  
Alderman David C. Tencza  
Alderman Tom Lopez  
Alderman Skip Cleaver  
Alderman-at-Large Brandon Michael Laws  
Alderman Richard A. Dowd  
Alderman-at-Large Lori Wilshire

**AUTHORIZING FREE HOLIDAY PARKING AT METERS IN ZONE III WHICH INCLUDES THE ELM STREET AND HIGH STREET PARKING GARAGES FROM DECEMBER 7, 2020 THROUGH JANUARY 1, 2021**

Given its second reading;

### **MOTION BY ALDERMAN O'BRIEN FOR FINAL PASSAGE OF O-20-035 BY ROLL CALL**

#### ON THE QUESTION

Discussion on that? Alderman Lopez?

Alderman Lopez

Yeah, I'd like to amend the motion to include reducing the overnight parking fees in that particular zone to \$15.00 and I'd like to speak on it.

### **MOTION BY ALDERMAN DOWD TO AMEND O-20-035 TO INCLUDE REDUCING THE OVERNIGHT PARKING FEES IN THAT ZONE TO \$15.00 BY ROLL CALL**

#### ON THE MOTION

And I'd like to speak to it.

President Wilshire

Alderman Lopez.

Alderman Lopez

So we had talked about this at the Parking Committee, we had planned to have a Parking Steering Committee composed. I know that Alderman Wilshire had agreed to that and is probably in the process of putting that forward. At the time, it had not made sense to try to introduce Legislation narrowing down the overnight parking waiver attempt that Alderman Laws had introduced to the parking area because the Director of Economic Development wasn't entirely sure as to what areas that constituted. We didn't want to accidentally introduce it in an unknown fashion as a last-minute kind of a thing. But the intent here is this would not only continue the concept that we are already doing with waiving the parking fees during the day, but it would also pilot in a much more minimized way, different ways to modify parking behavior and overnight parking needs.

So the purpose as it was outlined by the Economic Development Office of parking fees is not to generate revenue, it is to manage behaviors. And in this particular case, we were concerned with Alderman Laws' proposal that if we were too arbitrary with cutting the income and the revenue that was coming through the parking fees that were being collected for people who are parking overnight, we would impair our ability to manage that behavior because then we wouldn't be able to pay for the overnight parking staff that would do it. Their roles would be reduced and they would instead be working during the day.

So I am proposing this as a compromise, we had discussed in the previous meeting in that we can see what impact that reduction actually has without it being an open-ended change to parking; without it costing such an unaffordable amount that we have to discontinue overnight parking. It was considered a fairly negligible amount in the meeting just to do it in concert with waiving the daytime parking fees for this particular or in this particular way.

President Wilshire

All set, Alderman Lopez?

Alderman Lopez

Yes.

President Wilshire

I did not agree to form the Steering Committee, I agreed to look into it.

Alderman Lopez

Oh ok.

President Wilshire

Just for the record.

Alderman Lopez

So just to clarify when you look into it, should I propose Legislation because I don't want to vote to do it if you were going to do it.

President Wilshire

No, I already sent you a letter saying I wasn't going to do it.

Alderman Lopez

OK I didn't see it, maybe you sent it to a different e-mail address.

President Wilshire

I'm sorry?

Alderman Lopez

Maybe you sent it to a different e-mail address, I haven't received that.

President Wilshire

I sent it to the entire board.

Alderman Lopez

I didn't get it.

President Wilshire

Ok. Alderman O'Brien.

Alderman O'Brien

Thank you, Madam President. It's with some difficulty, I cannot support Alderman Lopez's amendment. The intention of O-20-035 is basically verily narrow focused on Zone 3 including the Elm Street and High Street Parking garages. That means we have Zone 1 and Zone 2 Parking that is unaffected by this. What Alderman Lopez's amendment, from what I understand and what I interpret, will include a greater geographical that is much more intended than this. And if we are going to get into that, that would require maybe I would recommend that it go to a Committee to be heard. The intention of for the suspension of the rules for a second reading, we have done this particular motion in the past, it's pretty rout, it seems to have benefit to a lot of our constituents, particularly and for the businesses in the Zone free area.

So, therefore, I think we should remain focused on what it is we do have a pending, as many of you know, Director Cummings has come forward and saying that he is going to have a parking study that will be done. It will be able to look to many of Alderman Lopez's concerns which I strongly encourage. But I think, again, I cannot support it because I think this will be too unyielding and ruin exactly what we are intending to do for Zone 3 only. Thank you.

Alderman Lopez

Just so that everybody is aware, the parking garages don't have overnight parking fines attached to them so the purpose of this, as discussed in the meeting previously was that there wouldn't be any lost revenue from those areas.

President Wilshire

So the motion is to amend, is there any further discussion on that motion? Any further discussion?  
Alderman Caron?

Alderman Caron

Madam President, yes thank you. I have to concur with Alderman O'Brien that we shouldn't be adding amendments to something that has been a standard for the Board of Aldermen for the free parking during the Holiday Season. And the other thing is, that during snowstorms, people do bring their cars to the parking garages and leave them there so that they're not on the street. So we have had a long discussion about this fee reduction and we put in on hold and I don't think that this is the particular time to be putting this in as an amendment. Thank you.

Alderman Dowd

I sort of agree with the previous speakers that we've always used this generic motion to give this ability to people to park during the holidays at no fee during the day to help our downtown merchants and to help the people that are doing shopping. I would prefer that any motion that, not relative to that original motion, be handled separately under a different Resolution or Ordinance.

President Wilshire

Further discussion on the motion to amend. Alderman Lu.

Alderwoman LU

May I ask a question, Madam President. Thank you. Through you to Alderman Lopez, I heard a couple times about a parking committee meeting and I would just like some clarification on that.

Alderman Lopez

So I don't know what clarification I can give. At the last Infrastructure Committee it was a Joint Infrastructure and Human Affairs Committee. My understanding was that the President had agreed to form a Committee. She has clarified she meant look into it. There was an e-mail that was sent out that I haven't received. But in that meeting we had talked about parking specifically because it has come up many, many, many times over the last 3 or 4 years in Infrastructure Committee. All parking legislation has been routinely tabled or side barred. In this case it seems like I was under the impression that essentially everybody who spoke previously was willing to entertain an amendment here, which was not the case as they were all stating that was never their intent. I'll have to review the video to see exactly what they said. I would encourage the public to do that as well I think just so it is clear.

Alderwoman Lu

Thank you.

President Wilshire

Are you all set, Alderman Lu?

Alderwoman Lu

No I have a follow up question. So that was not a Parking Committee meeting, it was an Infrastructure or Joint Meeting.

Alderman Lopez

It does not appear that there is any Committee in existence at this time that is willing to entertain parking progress. At this moment, all Committees that would even consider addressing it on an Aldermanic level are waiting for the parking study. I don't have information as to when that will be.

Alderwoman Lu

Thank you.

President Wilshire

I do. The parking study, I talked to Director Cummings, the parking study is going to start the first week of January. They are, right now, working on taking the overnight parking out of the main parking study, the full study. Director Cummings said it will start the first week of January.

Alderman Lopez

So are you saying that the parking study will include overnight or they are taking out the part that we were referring to?

President Wilshire

They are taking out the overnight piece that you were concerned about and they are going to take that part up first.

Alderman Lopez

Was that in an email that I didn't get because I didn't see.

President Wilshire

Yes, it was. It was. I am sorry you didn't get it Alderman; I can forward it to you after the meeting.

Alderman Lopez

Yeah, it might have shed some light on what everybody was thinking.

President Wilshire

Is there anyone else that didn't get it? OK. The motion is to amend, any further discussion on that? Seeing none would the Clerk please call the roll?

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

Yea: Alderwoman Kelly, Alderman Clemons, Alderman Lopez, Alderman Laws 4

Nay: Alderman O'Brien, Alderman Klee, Alderman Dowd, Alderman Caron, , Alderman Tencza, Alderwoman Lu, Alderman Jette, Alderman Schmidt, Alderman Cleaver, Alderwoman Harriott-Gathright, Alderman Wilshire 11

**MOTION FAILED**

President Wilshire

And that Motion fails. We are back to the motion for final passage. Alderwoman Kelly?

Alderwoman Kelly

Thank you. I am going to support this as this is something that we do every year and a lot of my friends own businesses downtown, there's some great new shops downtown. I know that as far as I know, the barriers are going to come down and we will be getting that parking back on Main Street, which is crucial for holiday shopping. I just want to echo some of the concerns that have been brought up here and I don't want to belabor this but I think it has been very clear that no parking adjustments other than this have been even able to be considered continuously. I actually did get mine but there was quite a bit of discussion in the Chamber here.

So as we move into Master Planning, and also this parking study, I really hope that the City will come around to, you know, looking at what this looks like and being thoughtful in overnight parking and also just being equitable in how we go about issuing parking fees, etc.

Alderman Clemons

Yeah, I am confused because I don't recall any legislation not being forwarded and discussed at committee meetings, but apparently, I've missed something.

Alderwoman Kelly

To clarify, I think we weren't saying it wasn't discussed, it has been consistently tabled or not brought forward.

Alderman Clemons

Was that done by a minority of the Board of Aldermen or those Committees, was there some obstruction that was happening that is out of the norms of our meetings. I am not sure I understand the point because I thought that we had a majority rules.

Alderman Lopez

I didn't say it was obstruction that was outside the norms of the meeting.

President Wilshire

Could you just speak one at a time Alderman Lopez?

Alderman Clemons

Yeah, I guess I don't understand, because I understand that we have rules and processes in place. Sometimes things get tabled, sometimes they get indefinitely postponed, sometimes we pass legislation. So I would hope that if my colleagues were seeing that we weren't following the Mason's Rules that certainly that would be brought forward to the President's attention.

Alderwoman Kelly

The response is not to say that nobody is following procedure. The point is that this Board has had a reluctance to bring up or vote to bring to the full board anything parking related for a number of years because of the parking study. It is simply an observation; it is not a people didn't do the appropriate things in Committee.

Alderman Lopez

I would, however, point out that a number of things that are on public record in the last meeting are contradicted but what was said tonight which is evident for the public to look at at itself. So there was no public meeting where those positions were adapted or where those comments that – it was more appropriate to just amend this to the holiday legislation, which is a direct quote that I am reading. That seems like that's no longer the case and there's been suddenly a change in mind. That's not inconsistent with what I've seen. I think when we have public discussion, we are following the rules very specifically and very carefully. But there has certainly been a lot of tension on this board over who is chairing the meetings, whether they are being impartial or fair to specific things. And, again, that's where the public can make its own decision because certain issues just do not advance. And a number of Aldermen will say, we are going to wait for this study and I guess it's up to the public to keep track of how many months and years they do that over and over again.

Alderman O'Brien

Thank you, Madam President. I was going to remain quiet but since I think what many are referring to is my Committee of Infrastructure and may I do my due diligence to defend my particular Committee. As a State Representative for 14 years, for 14 years I have followed the Mason's Rule of Order. I have followed Mason in my time here and part of my duties of Vice President of the Board of Aldermen is to support and to maintain that Mason would be followed. So I take great umbrage to anything that would say that Masons or if it was implied, wasn't followed. We did hold the Hearings, they were very well vetted, everybody had the opportunity to come up and speak. I am sorry you did not hear the answer or you did not have the votes that was required to be in the majority. People do have the right to vote whether they are pro or con on the issues. Many have voted and no vote was done with any fear or favor.

However, in between the meantime, the Infrastructure Committee, working with Director Cummings wants to have the Parking Study which would have included the overnight parking. Unfortunately, in my powers as Chairman of Infrastructure, I have no control over COVID-19. COVID-19 came into the City and disrupted as many of you know and so that the public knows some of the parking issues. One of the things that was interrupted was in order to help out the downtown businesses and to assist them and to enhance our resident's fun, we had restaurants allowing Main Street to go down to two lanes and that was supported by Infrastructure. So we have done great things to come up with that. But because we took away two lanes on Main in the example, we also took away parking.

So at that particular time because it was COVID related, many of the study that could have or should have been done more in a timely fashion were affected by COVID-19. I am asking my fellow Aldermen; I understand what you want to do. I am not against, I firmly agree that we need to discuss overnight parking. But it is my opinion and I share the opinion that none of here are parking specialists. None of us have a degree in the subject. And I think it would be prudent to have professionals hired by the City to which Director Cummings has procured to come in to look at the overnight parking and to give us proper guidance and recommendations as what we usually get from studies such as this.

So to imply, if anybody is, that we are not moving progressively on this, is untrue. And you are speaking untruth. I think we just have to be patient and do our diligence as Aldermen, it would be my recommendation to await the parking study that would come out that is being led, being hired by Director Cummings and the City and follow the recommendations that the professionals will come up on this particular subject. Thank you, Madam President.

Alderman Clemons

Thank you and I just want to echo what Vice President O'Brien just said, because I think it's important that we recognize the difference between basically a group of people of making up an independent decision which we were all elected to do and not being able to persuade enough of those people to your side on a particular issue. I agree that I am frustrated by the majority of this board and the fact that some of the parking stuff that I wish had passed, didn't. However, that's politics. That is what we are elected to do, we each have our own opinion on these things and these matters and we represent our constituents the best that we feel we can. And so when somebody disagrees at a Committee or here, that's what happens. It's not that, you know, there is a force that refuses to do certain things or anything like that. It has to do with the fact that each person is representing their constituents to the best of their ability and they are voicing their opinion on the matter. And I have not seen yet, a situation where a minority of this board has held up legislation except for maybe once, going forward. And so that's a very rare thing when that happens and when that happens it usually on legislation that requires 10 votes. And certainly anything in relation to this parking study only requires 8 votes to go forward and therefore if the majority of this board decides that it does not want to move forward on something, then that's what the majority of the board speaks to. And again, there is nothing nefarious or anything like that. I think Alderman O'Brien runs a great Committee, I think he gives people plenty of chances to speak and to express their opinions and I think anything said to the contrary of that, I would like to see the evidence of it, because I have not. And I would suggest that we move this forward. And so I am making a motion to move the vote.

**MOTION BY ALDERMAN CLEMONS TO MOVE THE QUESTION**ON THE QUESTIONAlderman O'Brien

Parliamentary inquiry, I lost my thought. This is for final passage, correct?

Alderwoman Kelly

It's for moving the question now.

Alderman Lopez

It's to suppress more discussion. It's a parliamentary procedure, I think you will be familiar with, I'm sure.

Alderwoman Kelly

It actually cuts off the discussion.

President Wilshire

Could we speak one at a time until you are recognized?

Alderman Lopez

Oh would I be recognized, I can clarify.

President Wilshire

Alderman O'Brien had the floor, Alderman Lopez.

Alderman Lopez

I was just trying to help.

President Wilshire

It's not helpful. Alderman O'Brien.

Alderman O'Brien

Thank you, Madam President. My question was to you, just to make sure I knew – being the first to vote to what I was doing. It was clearly explained, thank you. So therefore if the vote is in order may I proceed with my vote Madam President.

President Wilshire

You may.

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

Yea: Alderman O'Brien, Alderman Dowd,  
Alderman Caron, Alderman Clemons, Alderman Tencza,  
Alderman Schmidt, Alderman Cleaver, Alderwoman Harriott-Gathright,  
Alderman Wilshire 9

Nay: Alderman Klee, Alderwoman Kelly, Alderman Lopez, Alderwoman Lu,  
Alderman Jette, Alderman Laws, 6

**MOTION CARRIED**President Wilshire

The Motion is for final passage of Ordinance 20-035. Would the Clerk please call the roll?

Alderman Klee

Madam President, may I just make a clarification if that's ok?

President Wilshire

We are in the middle of a vote Alderman Klee and the question was moved, sorry.

Alderman Klee

It's just something that was said about the zone on Main Street and I think it's going to give a wrong ... I'll vote yes.

Alderman Dowd

Just clarification, did we ever vote on the amendment?

President Wilshire

We did, it failed.

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

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

Nay: 0

**MOTION CARRIED**

Ordinance O-20-035 declared duly adopted.

**O-20-036**

Endorser: Mayor Jim Donchess  
Alderwoman-at-Large Shoshanna Kelly  
Alderman Richard A. Dowd  
Alderman Skip Cleaver  
Alderman Linda Harriott-Gathright  
Alderman Patricia Klee  
Alderwoman Elizabeth Lu  
Alderman-at-Large Michael B. O'Brien, Sr.  
Alderman-at-Large Benjamin M. Clemons  
Alderman-at-Large Lori Wilshire

**ESTABLISHING PERFORMING ARTS CENTER BOARD OF TRUSTEES**

Given its first reading; assigned to the SPECIAL BOARD OF ALDERMEN meeting scheduled for Tuesday, November 24, 2020 at 6:00 p.m. by President Wilshire

PERIOD FOR GENERAL PUBLIC COMMENT

Alderman Jette

Madam President?

President Wilshire

It's public comment period Alderman Jette.

Alderman Jette

I tried to say this before you moved on to Public Comment.

President Wilshire

OK.

Alderman Jette

So I would like to ask the Special Board of Aldermen meeting on Tuesday, November 24<sup>th</sup>, is that in place of a Committee meeting?

President Wilshire

Yeah that's a Committee of the whole.

Alderman Jette

So at that meeting there will be a discussion of these two.

President Wilshire

There will be and then it will go back to the Full Board for a vote, Alderman Jette.

Alderman Jette

At a later date.

President Wilshire

Yes.

Alderman Jette

Ok, thank you.

President Wilshire

It may be the same night. Alright, I am going to open this up for public comment. Beth Scaer.

Beth Scaer Beth Scaer, 111 East Hobart Street. First of all, I am very disappointed with the gossip from Alderman Schmidt, Alderman Klee, and Alderman Harriott-Gathright, about their personal feelings about my friend Bill O'Brien. I think that's really inappropriate for a Board of Aldermen meeting. Secondly, I wanted to talk about my Save Women's Sports Flag. This was put up, we put this flag up with the permission from Risk Management on Saturday, October 10<sup>th</sup>, it was supposed to fly until Friday, October 16<sup>th</sup>. The Mayor ordered it taken down on October 11<sup>th</sup>. On October 13<sup>th</sup>, our lawyer filed an appeal under the Special Events Procedure for Nashua City Hall. According to these Event Procedures, the Mayor or Risk Management or the City had 10 days to respond to my appeal. Those 10 days expired on October 27<sup>th</sup>. On October 29<sup>th</sup>, the Mayor and Alderman Caron had a virtual Ward 7 Town Hall. I reminded the Mayor that the 10 days had expired; he said it was Legal's responsibility and they would take care of it. It's now 20 days, that's 10 days passed the deadline to respond to my appeal and I've heard nothing. So I am asking the Mayor, I'm asking Steve Bolton, I am asking the City Legal Department to please observe the procedures and respond to my appeal. Thank you.

President Wilshire

Anyone else wishing to give public comment? Anyone? Ok seeing none, Remarks by Members of the Board. Alderman Klee?

#### REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Klee

Thank you, Madam President and I apologize for speaking out of turn. The comment that I had wanted to make was that I believe that Alderwoman Kelly had mentioned Main Street as being part of that and Main Street is not Zone 3 which the Ordinance I believe talked about as far as Holiday parking was concerned. So Main Street would not be part of it. I just wanted to clarify that. But I apologize for trying to rush my comment which is why I said "no" to closing comments. I'd also like to thank all Veterans, especially my husband, for their service. I've been proud to be a member of the State's Veterans Affairs Committee for 4 years and Chair for it for 2 years. My 26 years with the Department of Defense and the Department of Veterans Affairs, I've been blessed to work with and actually meet so many amazing military personnel and veterans.

I just want to say thank you for their service. And I also want to thank Madam Clerk for everything that she did for a smooth election process. I know we had lines that wrapped around the building, both for new registrations as well for walk-in, you know, votes for people that were voting. It went as smooth as you can expect. So I'd like to thank Ms. Lovering for all of that. Thank you.

#### Alderman Cleaver

Thank you very much. I would like to acknowledge our wonderful Clerk and her staff for the fantastic job they did on Election Day and prior to Election Day and subsequent to Election Day. I can't imagine the amount of work, the amount of hours you devoted to this. So hurray for the Clerk's Office and all the workers there and everything they did to make it a success.

I also want to acknowledge and thank the poll workers, they did a great job, under very difficult, unusual and unprecedented circumstances. I would also like to thank, specifically, the Ward 8 poll workers, who did an absolutely fantastic job. It went smooth as silk and we are very, very fortunate to have such wonderful people in our democratic process. So thank you very much.

#### Alderwoman Kelly

Thank you. I first want to start off by thanking Alderman Wilshire and Mayor Donchess for doing Veterans up front, it was really nice to hear from our Board members about their service and I thank them for their service and I thank all Veterans in our community for their service. Our way of life is only possible because of the things you have done, so thank you so much for that. I also wanted to say, I don't even know how to say thank you to Sue Lovering for the incredible job during the election. We were lined out the doors with new voters at Ward 5 and everything just went so incredibly smoothly. I also just want to thank the citizens of Nashua for coming out in record numbers and exercising their right to vote and put their voice out there, because it is really important to be involved at all levels. So thank you so much for that.

Did I miss anything, oh the Holiday Parking. I was just talking about in general downtown and how this helps downtown businesses, but I can see that that was potentially confusing. So thank you.

#### Alderman Harriott-Gathright

I want to say thank you to Sue Lovering and her crew, as always a great job. We had quite a few new people in the polls in Ward 9 and they did an exceptional job, really did. And I was speaking to one of my constituents that worked there and she said it wasn't too bad, I was home by 11. So I thought that was great, so just kudos to you and the team Sue and thank you for all the help. I mean if I call you, you respond, you give me answers, you tell me what I need to know and I really appreciate it. Thank you.

#### Alderman Lopez

Yes so first I wanted to apologize, I checked my email while we were talking and I did find your email, you sent it at 11:45 today. I was just working, I didn't really notice it.

#### President Wilshire

I sent it I think over the weekend.

#### Alderman Lopez

There might be something wrong because my time stamp says 11:43. But I did actually receive it so I wanted to clarify that I do have it. I also wanted to point out or clarify any misunderstandings that I might have conveyed. I didn't bring up any concerns about parliamentary procedure myself. I was pointing out that it is used effectively. And that my opinion was that people may be more effectively advocating in their own particular way.

But in terms of parliamentary procedure, Robert's Rules, I think the meetings are generally run effectively. I do think that's important; I think that all transparency is important particularly right now where we have elections in the National Level where a small group is trying to portray a different reality than is a matter of public record. And that groups kind of needs to be ashamed of itself. I think we can be proud of all the people who are working to make sure that there's a fair and transparent process that everyone has access to.

So I want to thank Sue Lovering, I want to thank Barry Cardin, I want to thank all the people who dedicate themselves to making sure that the public has access to representation that is representing them rather than just manipulating politics or any other unfortunate thing. I also wanted to mention a loss and express my condolences to the friends and family of Kristen Wolf. The mural that I use as my background here is the second Hearts & Minds Mural that Positive Street Art did; it's called Thank You. And Kristen was a huge part of this, unfortunately she passed away very recently and her loss will be felt. But I just wanted to tell her family that her loss may be felt but her spirit will live on because her work is in the walls of Nashua now. It's part of the community and it brightens everybody's day. So my condolences but my gratitude for all that she did.

#### President Wilshire

Thank you Alderman Lopez. Alderman Clemons?

#### Alderman Clemons

Thank you, Madam President, I just want to, like many others here, thank Sue Lovering and all of the election workers here in Nashua. You did a wonderful job. We had the most people come to vote than ever before if you are in Nashua, which was great. And even before that with the early voting center that we established here in Nashua, we were the only City to do it. We should continue that and have discussions about doing that in the future because I think it was a huge success.

The other thing is, I wanted to wish all the Veterans out there a Happy Veterans Day and finally just acknowledge the historic fact that we have elected a female Vice President who is also black and Pacific Asian and I think that is fantastic for this country and I look forward to President Elect Biden and Vice President Elect Harris to move this country forward and in a positive direction. Thank you.

#### President Wilshire

Thank you. Alderman Tencza.

#### Alderman Tencza

Thank you, Madam President. So again thank you to Clerk Lovering and her staff, all the poll workers, it really was a full election season. They came through it and served us all very well. If there is a silver lining in this election it's maybe we will have a number of other people who are going to be helpful and want to continue to serve as poll workers going forward.

I will echo Alderman Clemons' comments that I hope we can, as a City, work with folks at the State to make voting easy and accessible going forward because I think what we proved here and across the country is that there's a right way to protect the vote and to make it so that people have more options rather than just showing up on Election Day. And then secondly, Happy Veterans Day to all the Veterans, thank you for the sacrifices that you've made on behalf of the rest of us in our country. I think it's important to remember that there are many families in our community in Nashua who have active duty service members who are away from them right now, two families that I know of, the Levesque Family and the (inaudible) Family who are both in the National Guard serving – luckily they are serving Stateside but still they are away from their families for an extended period of time. We should thank those active duty service members as well. Thank you.

Alderman Dowd

Again I'd like to thank Sue Lovering for the great job, not only was it the largest election ever held in Nashua but it was an election held under the COVID-19 umbrella. And I visited every one of the polls and everything was running smoothly. I wish we saw that kind of a turn out in our regular elections. It certainly could go a long way. Of course I know that Ms. Lovering probably wouldn't want to see that many people at a regular election. But anyway and the other thing I want to thank Dan Hudson our new City Engineer. He and I are working together on a Charlotte Avenue project. We got the paving done because of the weather. We got the paving done the day before the election and we wanted to make sure that Sue didn't have another issue at a polling place to worry about. So that worked out very well; they are finishing up what they can do right now based on the weather, although it's been really nice lately.

They are going to repave the entire street come the spring and at some point here, in the not-too-distant future, there will be solar speed indicators on either side of the school and there are other efforts that we are going to be taking to reduce the speed of cars and safety of children. The other thing is that the Middle School Project is going well, the Planning Board passed, as I said, unanimously on the property. And also they passed unanimously on the site plans for the Pennichuck Middle School. Come the spring they will start the major construction at Pennichuck. Right now, Fairgrounds is moving along exceptionally well. We are getting a lot of things done that we might not have, it's the only benefit I can see of the kids not being in school. But the project is moving along faster. I know that Alderman Klee took a tour of the building; I am sure that she was very impressed by the amount of work being done at Fairgrounds.

The other thing is just really quickly want to discuss the Franklin Street Property at Committee in the full board meeting. But it's not just for elementary school students. There's the alternative school that is in Merrimack at Brentwood that we have an alternate place right now that we need a home for and that is going to occupy one of the floors. It's the lower grades, Kindergartens, that will be in that school to free up room. And we do have schools that don't have any extra room.

The other thing I'd like to again thank all the Veterans who risked their lives to protect the integrity and the safety and the freedom of all the people of this United States. Without it we would certainly far worse off. Thank you.

President Wilshire

Alderman Lu?

Alderwoman Lu

Thank you. First I'd like to send a special shout out to the poll workers at Ward 6. Vicky Henry and all of the staff there that had a special adaptation that they had to make this election. They were working in a different building than they were used to and they did great. I also want to congratulate Clerk Sue Lovering. It was an incredibly different job this year and everyone really stepped up. It was amazing; I can't imagine the task and the work that it involved. Thank you very much. And I just want to congratulate Joe Biden and Kamala Harris for winning the election. Thank you.

President Wilshire

Thank you. Alderman Schmidt.

Alderman Schmidt

Thank you, Madam President. First I'd like to commiserate with the folks who did not come out as they wished that they had. I know it's very hard to lose. I know that even on our Committee that when you are trying very hard to accomplish something and you can't make it, it really is frustrating and I am very sorry. Then I wanted to say Ward 1 I don't know if you came out 1 I forgot to check the numbers.

But when I got there at 6:00 when the sun had finally risen, I was told that people were in line at 5:00 and the line at that point was around the entire parking area which has never been seen before. It was stunning to see so many people care so much about something.

And lastly, I simply want to give a special shout out to those who have served. It is a gift you give us and I really appreciate it. My dad was regular Army and my mom was Women Army Corp, which we always called her a WAC, which, of course, she was. So thank you very much and thank you.

Alderwoman Kelly

Thank you for giving me a second turn. I remembered what I had as a final point. You guys can hear me correct?

President Wilshire

Yes.

Alderwoman Kelly

Ok I just wanted to bring us back to the beginning of the meeting where we were talking about the COVID cases rising and recognize Director Bagley and her team for doing an incredible job with contact tracing etc. and appeal again to the community to do their part in this. Obviously cases are rising, it's really important that we wear masks, wash our hands. If you have any symptom, runny nose you think is no big deal, don't go out in public, really help us to get to better place here in our community. Thank you.

Alderman Klee

Thank you, Madam President and again thank you for letting me have a second bite at this apple. But I did omit something and Alderman Dowd brought it up. I had an incredible tour of the Fairgrounds Middle School and the changes. And I strongly recommend and he'll probably kill me for doing this, any of the Board members that might be interested in seeing it, it's definitely worth the tour. I got to wear a hardhat for the first time in my life and I was really quite excited about it. But it was, it really was an amazing the work that they've done and they were able to answer some questions that I had and so. I strongly recommend it, thank you.

President Wilshire

OK anyone else? I would like to thank the City Clerk for the work she did during this election, her wonderful staff and of course all the poll workers, you know, interacting with the public, it was an interesting day and I think it was well run, everything went very smooth at Ward 4 and I hear in the rest of the City everything went really well too. So I'd like to thank all the poll workers, the City Clerk and her staff. Also, Director Bagley and the work she is doing, I don't know how she keeps up but like our City Clerk, they are just there for us when we need them and I truly appreciate that. I'd like to congratulate the State Reps that got reelected, congratulations to all of you.

I have a family member whose in the military over in Syria, wishing him and every other Veteran a Happy Veterans Day. Committee Announcements?

Committee announcements: None

ADJOURNMENT

**MOTION BY ALDERMAN O'BRIEN THAT THE NOVEMBER 10, 2020, MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED, BY ROLL CALL**

A viva voce roll call was taken to adjourn the Board of Aldermen meeting which resulted as follows:

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

Nay: 0

**MOTION CARRIED**

The meeting was declared adjourned at 9:15 p.m.

Attest: Susan K. Lovering, City Clerk