

BOARD OF ALDERMEN MINUTES

Accepted and Filed 10/26/04

OCTOBER 26, 2004

COVERSHEET

Item	Pages	Action Taken
<u>REMARKS BY THE MAYOR</u>	1-4	
<u>RESPONSE TO REMARKS OF THE MAYOR</u>	4-5	
<u>RECOGNITION PERIOD</u>	5	
<u>READING MINUTES OF PREVIOUS MEETING</u>	5	
<u>COMMUNICATIONS</u>	5	
<u>PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS ON THE AGENDA</u>	5	
<u>PETITIONS</u>	5	
<u>NOMINATIONS, APPOINTMENTS AND ELECTIONS</u>	5	
<u>REPORTS OF COMMITTEE</u>		
Budget Review Committee	10/21/04	6
Finance Committee	10/18/04	6
Committee on Infrastructure	10/13/04	6
		Accepted/Placed on File Petition to Release and Discharge from all Public Servitude a Dedicated Way On Pope Circle Re-referred To Infrastructure
Personnel/Administrative Affairs Committee	10/14/04	6
Planning & Economic Development Committee	10/05/04	6
		Accepted/Placed on File
<u>CONFIRMATION OF MAYOR'S APPOINTMENTS</u>		
<u>APPOINTMENTS BY THE MAYOR</u>		
<u>Conservation Commission</u>		
Dr. Melvin B. Meyer, Alternate (New Appointment) 40 Prestonfield Road Nashua, NH 03064		6
Term to Expire: December 31, 2006		Duly Appointed

<u>Item</u>	<u>Pages</u>	<u>Action Taken</u>
Richard G. Tomasso (New Appointment) 2 Clocktower Place, #203 Nashua, NH 03060 Term to Expire: December 31, 2006	6	Duly Appointed
<u>Ethic Review Committee</u>		
Dr. Christopher G. Eliades (Re-Appointment) 5 Masefield Road Nashua, NH 03062 Term to Expire: December 31, 2006	7	Duly Appointed
<u>Ethnic Awareness Committee</u>		
Dr. William J. Manseau (New Appointment) (<i>Interfaith Council Representative</i>) 154 Broad Street Nashua, NH 03063 Term to Expire: December 31, 2004	7	Duly Appointed
<u>Fire Prevention Code Appeals Board</u>		
Alvin B. Corzilius (Re-Appointment) 39 Stark Street Nashua, NH 03064 Term to Expire: October 31, 2006	7	Duly Appointed
Daniel Gagnon (Re-Appointment) 13 Courtland Street Nashua, NH 03064 Term to Expire: October 31, 2006	7	Duly Appointed
John Rudolph (Re-Appointment) 6 Fowell Avenue Nashua, NH 03060 Term to Expire: October 31, 2006	7	Duly Appointed
<u>Zoning Board of Adjustment</u>		
Donald Berthiaume (Re-Appointment) (<i>Moving from Alternate Member</i>) 6 Bible Way Nashua, NH 03063 Term to Expire: September 11, 2007	7	Duly Appointed
Thomas Jenkins (Re-Appointment) 2 Crestwood Lane Nashua, NH 03062 Term to Expire: September 11, 2007	7	Duly Appointed

Item	Pages	Action Taken
Richard Rondeau, Alternate (Re-Appointment) 5 Meade Street Nashua, NH 03064 Term to Expire: September 11, 2007	7	Duly Appointed

UNFINISHED BUSINESS – RESOLUTIONS

R-04-119 Endorsers: Alderman-at-Large Paula I. Johnson Alderman-at-Large David W. Deane Alderman Kevin E. Gage Alderman-at-Large David Rootovich Alderman David D. Lozeau	8-20	Amended Tabled by Roll Call
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**PROPOSING AN AMENDMENT TO THE CITY CHARTER
RELATIVE TO THE DATES FOR SUBMISSION AND
ADOPTION OF THE ANNUAL BUDGET**

R-04-121 Endorsers: Alderman-at-Large Paula I. Johnson Alderman Robert A. Dion Alderman-at-Large David Rootovich Alderman-at-Large David W. Deane Alderman David D. Lozeau	20-26	Amended Tabled by Roll Call
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**PROPOSING AN AMENDMENT TO THE CITY CHARTER
RELATIVE TO REQUIRING THE VOTE OF AT LEAST TEN
(10) ALDERMEN FOR THE ANNUAL BUDGET OR ANY
OTHER APPROPRIATION**

R-04-127 Endorsers: Mayor Bernard A. Streeter Alderman Marc W. Plamondon Alderman David Lozeau Alderman-at-Large David W. Deane Alderman-at-Large James R. Tollner	26	Duly Adopted
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**APPROVING THE COST ITEMS OF A SIDEBAR AGREEMENT
TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE CITY OF NASHUA AND THE UNITED AUTO WORKERS
(UAW) LOCAL 2232 CLERICAL AND TECHNICAL UNIT FOR
JULY 1, 2003 THROUGH JUNE 30, 2005**

UNFINISHED BUSINESS – ORDINANCES

O-04-41 Endorsers: Alderman-at-Large Paula I. Johnson Alderman Kevin E. Gage Alderman Kathryn D. Vitale Alderman Robert A. Dion Alderman David D. Lozeau Alderman Rob Shaw	26-28	Amended Duly Adopted as Amended
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**EXTENDING THE TIME BEFORE CONSTRUCTION/
DEMOLITION MAY BEGIN IN RESIDENTIAL AREAS FROM
6:00 A.M. TO 7:00 A.M., SUNDAY THROUGH FRIDAY**

Item	Pages	Action Taken
O-04-42 Endorsers: Mayor Bernard A. Streeter Alderman-at-Large Paula I. Johnson CHANGING THE NAME OF THE "INDUSTRIAL DEVELOPMENT AUTHORITY" TO THE "BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY"	29	Duly Adopted
O-04-43 Endorser: Alderman Marc W. Plamondon AUTHORIZING ALDERMANIC PARKING STICKERS OR PLACARDS TO ALLOW FREE PARKING AT METERS WHILE ON CITY BUSINESS	29-30	Duly Adopted
O-04-46 Endorser: Alderman Marc W. Plamondon AUTHORIZING PARKING METERS IN THE ELM STREET PARKING LOT LOCATED AT THE REAR OF CITY HALL	30	Indefinitely Postponed
O-04-39 Endorser: Alderman Marc W. Plamondon PROHIBITING LEFT TURNS FROM OTTERSON STREET EASTBOUND ONTO MAIN STREET	30-31	Reconsidered Re-Referred to Infrastructure by Roll Call
<u>NEW BUSINESS – RESOLUTIONS</u>		
R-04-135 Endorsers: Board of Aldermen DESIGNATING THE INTERSECTION OF MANCHESTER STREET AND HENRY BURQUE HIGHWAY AS "KELLEY SQUARE"	31-32	Rules Suspended Second Reading Duly Adopted
<u>NEW BUSINESS – ORDINANCES</u>		
O-04-51 Endorser: Alderman-at-Large Paula I. Johnson PROHIBITING LEFT TURNS ONTO WEST HOLLIS STREET FROM THE WESTERLY MOST EXIT OF THE PARKING LOT LOCATED AT 591 WEST HOLLIS STREET	32	Assigned to Infrastructure
O-04-52 Endorser: Alderman David D. Lozeau ESTABLISHING A 25 M.P.H. SPEED LIMIT ON WESTGATE CROSSING	32	Assigned to Infrastructure
O-04-53 Endorser: Alderman David D. Lozeau ESTABLISHING A 25 M.P.H. SPEED LIMIT ON GENDRON STREET	32	Assigned to Infrastructure

<u>Item</u>	<u>Pages</u>	<u>Action Taken</u>
<u>PERIOD FOR PUBLIC COMMENT</u>	32	
<u>REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN</u>	32-35	
Committee Announcements:	35	
<u>ADJOURNMENT</u>	35	

A regular meeting of the Board of Aldermen was held Tuesday, October 26, 2004 at 7:30 p.m. in the Aldermanic Chamber.

President Brian S. McCarthy presided; City Clerk Paul R. Bergeron recorded.

Prayer was offered by City Clerk Paul R. Bergeron; Alderman Cardin leading in the Pledge to the Flag.

President McCarthy

Before we begin I would like to remind member of the Board and of the public to please turn off cell phones and pagers, and if you must use them please leave the room quietly.

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

His Honor Mayor Bernard A. Streeter and Corporation Counsel David R. Connell were also in attendance.

REMARKS BY THE MAYOR

Thank you Mr. President. It is an interesting statistic that employment and/or unemployment statistics for the first half of 2004 point out the city and region has experienced a modest but steady increase in overall unemployment and a corresponding decrease in unemployment rates. Between January and July of 2004, the city experienced a net increase of 680 jobs while the unemployment rate dropped a full point from 5.8% to 4.8%. July's unemployment rate for the region was 4.6%. As has been true for several months, Nashua's unemployment rate remains significantly higher than the state's rate of 3.8% though much lower than the Massachusetts rate of 5.3%. Job growth has occurred primarily in the professional and business sectors, education and health, construction, and government. The greatest losses were in manufacturing and retail trade.

As a part of our continuing effort to provide relevant information and assistance to the business community, the Economic Development Department recently sponsored a seminar on International Commerce at the Nashua Public Library. It was a very successful and well-attended program put on by the New Hampshire International Trade Resource Center, which is focused on assisting businesses interested in expanding or establishing a market presence in Europe.

One of the most important things that I do as Mayor does is cut ribbons. While I have been criticized for doing so, I always jump at the chance of welcoming a new business or non-profit venture to our city. For instance in the last two weeks, three new retail businesses moved into our city, which resulted in employment of over 150 jobs. These jobs are not minimum wage jobs and their employers provide such benefits as health insurance to each full time employee and pro-rated health insurance to part-time employees.

Modell's Sporting Goods store along with Office Depot on D. W. Highway in Webster Square officially opened their doors last week along with Babies R Us at the newly renovated Nashua Mall a couple of weeks ago.

A ribbon cutting means jobs, it means that the economic vitality of our city is continuing to prosper; it means that people are investing in our city and frankly it means additional tax revenue. It also means that more people will visit our city and hopefully patronize our other fine retail establishments. I also want to thank Alderman McLaughlin and Alderman Gage for joining with me at these ribbon cuttings.

Kathy Hersh, Community Development Division Director reports that she is playing a role in the future of our state's infrastructure. New Hampshire Department of Transportation Commissioner Carol Murray with support of the New Hampshire Charitable Foundation has launched an innovative initiative to identify future transportation issues and needs vital to the citizens of New Hampshire, along with determining the strategies and actions necessary to achieve those goals. What they will come up with will be a Business Plan will serve as a blueprint to assist the New Hampshire Department of Transportation in transitioning from project oriented planning and programming to a customer and performance-based approach. There will be a 23-member community advisory committee of key civic, business and government leaders including Director Hersh. This is an attempt for her and the committee to get more focused in working with cities, towns and citizens to determine our state's long-term transportation needs while preserving the environment and recognizing the link between transportation, land use and decision-making.

The independent Community Advisory Committee has representation from such groups as the New Hampshire Municipal Association, the New Hampshire Motor Transport Association, the Society for the Protection of New Hampshire Forests, C&J Trailways Bus Company, The Housing Finance Authority, Easter Seals and the Conservation Law Foundation. They will work closely with the state's nine Regional Planning Commissions to gather input from citizens at public sessions held across the state. This customer-driven approach is aimed at identifying, understanding and prioritizing customers' needs.

The FY '05 Paving Program and Street Paving List is presently underway by the Engineering and Street staff of our Public Works Division. The division is currently reviewing a number of streets and will come forward next month with a potential list of streets to be paved next year. Other activities of the division, the annual Senior's Outing was held earlier this month at Alpine Grove. Close to 550 seniors attended this event.

The Dedication of the 11th Street Playground was held on recently. Department of Public Works staff installed new playground equipment that was subsidized by Anheuser Busch. Members of Nashua Housing Authority dedicated the playground to their long time member, Tom Monahan.

The Annual Fright Night event sponsored by the division will take place this Friday, evening from 6:00 to 9:00 p.m. at Greeley Park.

The Parks & Recreation Superintendents recently accepted a most prestigious award, the Dorothy Mullins Arts and Humanities Award from the National Parks and Recreation Association. I will pass around the award that indicates our Parks and Recreation Department is doing a splendid job with our SummerFun program. Congratulations June & Nick and a great volunteer committee.

As many of your know the recent Columbus Day Soccer Tournament featured over 280 teams from throughout New England who competed in this year's event that was in our city. This event along with the Memorial Day Soccer Tournament represents a million dollar-plus impact on our local business economy.

Ward 9 residents received a presentation of the Lamb Road Sidewalk Project at a meeting earlier this month at the New Searles Road Elementary School. This informational meeting was held at the behest of Alderman Rob Shaw who noted the plans will be finalized soon and construction will begin next year.

A Public informational meeting to discuss proposed transportation improvements along Broad Street west of Coliseum Avenue was also conducted several weeks ago by Alderman Vitale and Public Works.

Director Russakow from the Division of Public Health and Community Services, reports that under the leadership of Debra McLaughlin, our Chief Public Health Nurse, the first annual Mayor's Campaign Against Breast Cancer was a resounding success. Major activities included a departmentally organized Channel 13 program broadcast in English and Spanish on early detection of Breast Cancer, a proclamation at the annual Making Strides Walk at Greeley Park, which raised over \$181,000.00 for the American Cancer Society. Additionally, there was a health fair and poster display at city hall on Wednesday, and outreach program conducted at Nashua Soup Kitchen.

Director Russakow also reports that Dr. Joseph Sabato, the Division's Medical Director represented the city at Southern New Hampshire Medical Center's Community Medical School. Dr. Sabato presented an overview of disasters, information on how our city is preparing and what participants can do to prepare themselves as well as assist in the event of a disaster. Certainly he was assisted by Deputy Fire Chief Mike Mansfield, Red Cross Local Disaster Coordinator Bob Scheifele, Pelham CERT Coordinator Scott Bowden, and Rhode Island D-MAT and Medical Reserve Corps Coordination Tom Lawrence. They all shared their disaster deployment experiences. Thirteen new inquiries into participation in the Medical Reserve Corps resulted as well.

On the subject of flu shots, Director Russakow reports that the Division of Public Health and Community Services has not yet received any flu vaccine. He indicated to me that when vaccine becomes available, adult flu vaccine will be transferred to community medical providers, health care organizations and other agencies in order to assure that the highest number of individuals in the highest risk groups such as adults aged sixty-five or over and persons aged 2 to 64 with underlying chronic medical conditions are medically screened and receive flu vaccine as early as possible. This policy is consistent with current New Hampshire Department Health & Human Services policy. The Division will be providing pediatric flu vaccine for children 6 months to 23 months of age when that vaccine becomes available.

For further information regarding the flu and the spread of respiratory diseases we encourage you to visit www.gonashua.com. The division has quite a lot of information on this subject.

On another subject Mr. President, I was pleased to participate in the re-dedication of Nashua's Post Office last week. The newly renovated and enlarged post office was dedicated in honor of former Nashua Mayor and New Hampshire Governor, Hugh Gregg. I think we will always remember Governor Gregg as the Grand Marshall of our fantastic Sesquicentennial Parade last year. Congratulations to the Gregg Family and to the U.S. Postal Service for an almost-new Post office with a lot more parking.

As the up-coming presidential election is fast approaching, City Clerk Bergeron reminds Nashua residents that although voter registration is now closed so that the checklist can be printed for next week's election, residents will have same day voter registration at our polls. Nashua residents who are not yet registered to vote but who wish to participate in next Tuesday's election, should bring a photo ID with them to the polls and go straight to the voter registration table. Residents must be U.S. citizens and 18 years of age to vote. If you do not have proof of your Nashua address or citizenship, you will be asked to sign a domicile affidavit or citizenship affidavit. Polls will be open from 6:00 a.m. until 8:00 p.m.

Residents will also find election information online. Again turn to voting and election information at www.gonashua.com. There, residents can find a list of streets and their respective ward numbers, locations of polling places, sample ballots, a link to the state's election information page, and other helpful election information, which was furnished by our City Clerk, Paul Bergeron.

Just a reminder that Trick or Treat Night will be celebrated in our city this Sunday, October 31st, from 6:00 p.m. to 8:00 p.m. Drivers are asked to use special caution that evening and children are encouraged to wear something white or reflective on their costumes.

Also this Thursday evening, from 5:00 to 7:00 p.m., the Great American Downtown organization will sponsor their second annual Downtown Halloween Night. Downtown merchants will provide treats to the expected thousands of area children and their parents or guardians who will visit our downtown that evening. Here at City Hall we will be handing out books and balloons.

Beginning at 2:30 p.m. that Thursday all the way to 8:00 p.m. that evening, parking on Main St. will be eliminated so that the Halloween enthusiasts may traverse our downtown and not crowd the sidewalks.

And as I mentioned before, our Parks and Recreation Dept. will be sponsoring their annual Halloween Fright Night at Greeley Park on Friday evening beginning at 6:00 p.m.

Our Emergency Management Co-directors Roger Hatfield and Ed. Lecius have been working with School Administration officials on emergency plans for each of our city schools. This is not new to our City of Nashua, as we have always taken a pro-active approach to ensure that our children remain safe. Meetings have been held with the Board of Education, School Administration, Principals, and PTO Presidents to keep them informed. Additional meetings will be scheduled in the near future to educate parents and other PTO members and to answer any concerns or questions they may have.

In addition, Nashua Fire Rescue Chief Roger Hatfield wants to make everyone aware that we are heading into the heaviest fire time period of the year, and that is due to the cold weather and heating sources being used in homes. Chief Hatfield also reminds us to make sure that all our heating sources have been properly cleaned and inspected before use, and that any additional heating sources that are being installed have the proper permits. The second item is Candles. One of the biggest items that have caused many fires in this city has been a candle. Chief Hatfield urges our residents to use them with caution.

Thank you very much Mr. President.

RESPONSE TO REMARKS OF THE MAYOR

Alderman Tollner

One of those new businesses that opened up last week was Modell's. I attended that event a little early before the festivities started as I had to get down to a meeting in Massachusetts, but I listened to the CEO who was there, Mitch Modell, and I was fortunate enough to be there when he grabbed the employees and basically what he was telling the employees was to treat every single person in there as if they were an individual customer, and make sure that they stayed with that customer until they answered their questions. They were very excited about it. I know the opening was a very successful one so it is another great business. He had provided me with some gift certificates, which being in my position I will promptly hand over to the Boys & Girls Club for them to hand out to the kids. You should go down there and take a look at it.

They did a nice job with the interior. A really unique thing I have never seen in a store like that if you look at the back of the store in the shoe section they have pictures of Nashua North, Holman Stadium, Stellos' Stadium, the Library, I think it is like 7 or 8 if not 10 Nashua buildings that are pictures that are lit from behind – a very nice community touch. They are known for supporting different community entities like Girls Inc. and a number of other entities like that. I think we will welcome them and I think they will be quite successful. They are a huge supporter of the Pride. I was told at the event that they have already bought billboard space so they may be the first customer for the Pride for next year.

Alderman Cardin

I was unable to attend the dedication of the 11th Street Park that was just renovated a couple of weeks ago, but I would like to publicly express my gratitude to Tom Monahan for his 15 years of service to the Nashua Housing Authority and its residents. It is a great tribute to Tom. He has really done a lot for our low-income residents in this city. Thank you Tom.

Alderman Shaw

I just wanted to mention that it is perhaps irony or ironies I was unaware of the re-dedication of the post office until after the fact, and I only came to learn subsequently that part of the reason was my invitation was addressed to the former Alderman's street address in my name. It was just ironic.

Alderman Lozeau

I would like to expound upon Thursday night Downtown for Great American Downtown – if you have had the opportunity to listen to Tony Pace, he is performing at 6:00 p.m. and 8:00 p.m. the guy is a class act performer. It is worth the trip just to go see him. Thank you.

RECOGNITION PERIOD - None

READING MINUTES OF PREVIOUS MEETING

**MOTION BY ALDERMAN TOLLNER THAT THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN OF OCTOBER 12, 2004, BE ACCEPTED, PLACED ON FILE, AND THE READING SUSPENDED
MOTION CARRIED**

COMMUNICATIONS – None

PERIOD FOR PUBLIC COMMENT RELATIVE TO ITEMS ON THE AGENDA - None

PETITIONS - None

NOMINATIONS, APPOINTMENTS AND ELECTIONS – None

REPORTS OF COMMITTEE

Budget Review Committee 10/21/04

There being no objection, President McCarthy declared the report of the October 21, 2004 Budget Review Committee accepted and placed on file.

Finance Committee..... 10/18/04

There being no objection, President McCarthy declared the report of the October 18, 2004 Finance Committee accepted and placed on file.

Committee on Infrastructure..... 10/13/04

**MOTION BY ALDERMAN DION TO ACCEPT THE COMMITTEE ON INFRASTRUCTURE REPORT DATED OCTOBER 13, 2004, PLACE IT ON FILE, AND RE-REFER THE PETITION TO RELEASE AND DISCHARGE FROM ALL PUBLIC SERVITUDE A DEDICATED WAY ON POPE CIRCLE TO THE COMMITTEE ON INFRASTRUCTURE
MOTION CARRIED**

Personnel/Administrative Affairs Committee 10/14/04

There being no objection, President McCarthy declared the report of the October 14, 2004 Personnel/Administrative Affairs Committee accepted and placed on file.

Planning & Economic Development Committee 10/05/04

There being no objection, President McCarthy declared the report of the October 5, 2004 Planning & Economic Development Committee accepted and placed on file.

CONFIRMATION OF MAYOR'S APPOINTMENTS

Conservation Commission

**MOTION BY ALDERMAN LAROSE TO CONFIRM BY VOICE VOTE THE FOLLOWING INDIVIDUALS TO THE CONSERVATION COMMISSION FOR TERMS TO EXPIRE DECEMBER 31, 2006: DR. MELVIN B. MEYER, ALTERNATE, 40 PRESTONFIELD ROAD, NASHUA, AND RICHARD G. TOMASSO, 2 CLOCKTOWER PLACE, #203, NASHUA
MOTION CARRIED**

President McCarthy declared Dr. Melvin B. Meyer and Richard G. Tomasso duly appointed to the Conservation Commission for terms to expire December 31, 2006.

Oath of Office administered by Corporation Counsel.

Ethics Review Committee

**MOTION BY ALDERMAN BOLTON TO CONFIRM BY VOICE VOTE THE APPOINTMENT OF DR. CHRISTOPHER G. ELIADES, 5 MASEFIELD ROAD, NASHUA, TO THE ETHICS REVIEW COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2006
MOTION CARRIED**

President McCarthy declared Dr. Christopher G. Eliades duly appointed to the Ethics Review Committee for a term to expire December 31, 2006.

Oath of Office administered by Corporation Counsel.

Ethnic Awareness Committee

**MOTION BY ALDERMAN TOLLNER TO CONFIRM BY VOICE VOTE THE APPOINTMENT OF DR. WILLIAM J. MANSEAU, 154 BROAD STREET, NASHUA, TO THE ETHNIC AWARENESS COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2004
MOTION CARRIED**

President McCarthy declared Dr. William J. Manseau duly appointed to the Ethnic Awareness Committee for a term to expire December 31, 2004.

Oath of Office administered by Corporation Counsel.

Fire Prevention Code Appeals Board

**MOTION BY ALDERMAN MACLAUGHLIN TO CONFIRM BY VOICE VOTE THE APPOINTMENTS OF THE FOLLOWING INDIVIDUALS TO THE FIRE PREVENTION CODE APPEALS BOARD FOR TERMS TO EXPIRE OCTOBER 31, 2006: ALVIN B. CORZILIUS, 39 STARK STREET, NASHUA, DANIEL GAGNON, 13 COURTLAND STREET, NASHUA, AND JOHN RUDOLPH, 6 FOWELL AVENUE, NASHUA
MOTION CARRIED**

President McCarthy declared Alvin B. Corzilius, Daniel Gagnon and John Rudolph duly appointed to the Fire Prevention Code Appeals Board for terms to expire October 31, 2006.

Zoning Board of Adjustment

**MOTION BY ALDERMAN VITALE TO CONFIRM BY VOICE VOTE THE APPOINTMENT OF THE FOLLOWING INDIVIDUALS TO THE ZONING BOARD OF ADJUSTMENT FOR TERMS TO EXPIRE SEPTEMBER 11, 2007: DONALD BERTHIAUME, 6 BIBLE WAY, NASHUA, THOMAS JENKINS, 2 CRESTWOOD LANE, NASHUA, AND ALTERNATE MEMBER, RICHARD RONDEAU, 5 MEADE STREET, NASHUA
MOTION CARRIED**

President McCarthy declared Donald Berthiaume, Thomas Jenkins and Richard Rondeau duly appointed to the Zoning Board of Adjustment for terms to expire September 11, 2007.

UNFINISHED BUSINESS – RESOLUTIONS

R-04-119

Endorsers: Alderman-at-Large Paula I. Johnson
Alderman-at-Large David W. Deane
Alderman Kevin E. Gage
Alderman-at-Large David Rootovich
Alderman David D. Lozeau

**PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO THE
DATES FOR SUBMISSION AND ADOPTION OF THE ANNUAL BUDGET**

Given its second reading;

**MOTION BY ALDERMAN JOHNSON TO AMEND R-04-119 IN ITS ENTIRETY BY REPLACING
IT WITH THE BLUE COPY PLACED ON OUR DESKS THIS EVENING
MOTION CARRIED**

President McCarthy

Before I accept further motions on this I would like to ask Corporation Counsel to comment on the three pieces of legislation because I believe he had some developments since this morning that he wanted to make us aware of.

David Connell

I believe there are two Mr. President; this one and R-04-221.

Alderman Tollner

One is still in committee Mr. President.

David Connell

When I was reviewing the golden rod copies this afternoon I realized that they didn't implement fully what the committee had voted to make as amendments so I sat with Sue Lovering and we tried to discern what language would actually accomplish what the committee was after consistent with what is required by RSA:49B so on R-04-119 it appeared that the intent was to delete the reference to a change in the date for adoption of the budget and concentrate rather on the change in the submission of the budget. That was partially accomplished by the committee's motion, but the text itself was not similarly changed only the summary. We also determined that the second change that was made to the amendment to 56B was actually belonged in the second resolution alone and not in this resolution. The way to accomplish that is to simply delete the text from Section 56B, which was in the original resolution, which had to do with making April 1st the date by which the amendment should be adopted and simply stick with the text on Section 56, which has to do with the date of submission of the budget.

The other thing that became evident was that when the committee wanted to change affective date – as originally drafted it was going to be January 1, 2006 – the committee wanted to make it January 1, 2005 – I did a little arithmetic and realized that would be literally impossible because after tonight if this were to go forward there would have to be a public hearing and then a vote to call a special election and then at least 60 days have to elapse between that vote and the special election itself so you are past January 1st. W

took the liberty of saying make the amendment affective on passage and submit that text, which is here and you are free to do with that what you please just bear in mind that this can't be affective January 1.

Then on the second item, which isn't before us right now but will be in a minute I guess, R-04-121, that was the one that had to do with the intent of requiring at least 10 votes for any budget item to pass, and rather than amend 56B in R-04-119 as the committee had done, the proper way is to simply delete that reference 56B and stick with 56B in R-04-121 because that way it is only voted on once. The other item again was the affective date with the same reasoning there. One thing I will take back from that e-mail that we sent out – in parenthesis at the end we had indicated that the two resolutions could be combined if desired, but on reviewing RSA 49B again it does call for separate topics to be addressed in separate amendments. I don't think these are closely enough related to be in the same resolution.

Alderman Bolton

If I understand what was just said we have accomplished all of those recommendations in amending in accordance with the blue copy R-04-119 and we will accomplish those recommendations when we get to R-04-121 if we move to amend in accordance with the blue copy there.

David Connell

That is correct if the object is to implement what the committee was up to.

MOTION BY ALDERMAN JOHNSON THAT R-04-119, AS AMENDED, IS NECESSARY, THAT A PUBLIC HEARING BE SCHEDULED FOR TUESDAY, NOVEMBER 23, 2004, AT 7:00 PM IN THE ALDERMANIC CHAMBER AND THAT THE RESOLUTION BE HELD AT THE FULL BOARD LEVEL PENDING THE PUBLIC HEARING

ON THE QUESTION

Alderman Plamondon

For the sake of order – I wanted to make a further amendment to R-04-119. Would that be appropriate before this vote?

President McCarthy

You probably want to make that motion before the Board votes to schedule a public hearing so that the hearing is scheduled on the amended text.

MOTION BY ALDERMAN PLAMONDON TO AMEND R-04-119 BY REPLACING, IN THE LAST SENTENCE OF PARAGRAPH 56, THE WORDS “ON OR BEFORE FEBRUARY 1ST” WITH “ON OR BEFORE THE FOURTH TUESDAY OF FEBRUARY OR THE ENSUING YEAR”

ON THE QUESTION

Alderman Plamondon

The reason for this is – I support this legislation, but the reason for the 4th Tuesday is it will coincide with the second Board of Aldermen meeting and because of the constraints of various departments I have heard that it will be extremely difficult to get a budget to the Mayor, get it reviewed, get it to the Board of Aldermen.

This basically gives a couple of extra weeks. Carol is in the audience if there are questions. I have had some concerns on this.

Alderman Bolton

I agree with what has been said. I think for clarity however that language 4th Tuesday in February has to also change the reference to February 1st that is in the second full paragraph of the legislation. Essentially wherever it says February 1st should be the 4th Tuesday in February.

AMENDED MOTION BY ALDERMAN PLAMONDON TO AMEND R-04-119 BY REPLACING THE TEXT “FEBRUARY 1ST” WITH “THE FOURTH TUESDAY IN FEBRUARY” IN EACH INSTANCE THAT IT APPEARS

ON THE QUESTION

Alderman Johnson

I am not going to support this because I didn't hear anything from administration, and I am the one who had this legislation written. I am surprised that nobody contacted me that there was anything changing. Nothing was even discussed with me. I kind of feel that this is kind of like a back door way of getting in that nobody even discussed this with me the maker of this legislation. I think it would have been nice if somebody had discussed this with me prior to the meeting. I am going to stay with the way it is right now because the purpose of this was that the budget would get before us and we had enough time before April 15th in case any pink slips had to go out for the School Department, and that the budget hopefully could be passed before then or a little bit after so that if pink slips did get out we had enough time to re-hire the people and we wouldn't have any problems like we did this going into August. This was the whole purpose of this legislation and now we are going into the end of February and now it will get tougher to get the purpose of what I was trying to accomplish here for the budget to be done hopefully by April so we could meet the deadline of the school district.

This is what the budget is all about this year when we made motions to reduce the budget and we were told that we couldn't because we already hired personnel. This is the way to try to get it done without having a calamity of errors and a fiasco like we did this year. I am not going to go along with this. It would be nice from now on that administration whoever has legislation brought forward and there is a problem to discuss it with the maker of the legislation before it comes before the Board to have it changed like this. Thank you.

Alderman Lozeau

Would it be proper to ask Mrs. Anderson to come up for her opinion on this?

President McCarthy

Sure.

Alderman Deane

Point of Order – we had a Personnel Committee meeting where testimony could be taken on this legislation and anybody that came to that meeting was allowed to speak. Now here we are at a full Board meeting bringing up members of the administration to discuss amendments to legislation that is pending. I think that is wrong.

President McCarthy

A member of the Board has requested it. If you would like I would ask Alderman Lozeau to put it in the form of a motion and we can vote on it.

Alderman Deane

I am requesting that please.

MOTION BY ALDERMAN LOZEAU TO ALLOW FOR TESTIMONY FROM THE CHIEF FINANCIAL OFFICER

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

Yea: Alderman Tollner, Alderman Vitale, Alderman Gage, Alderman Cardin, Alderman Plamondon, Alderman Shaw, Alderman Lozeau, Alderman Bolton, Alderman McCarthy

9

Nay: Alderman LaRose, Alderman MacLaughlin, Alderman Deane, Alderman Dion, Alderman Rootovich, Alderman Johnson

6

MOTION CARRIED

Carol Anderson

Thank you Mr. President. One of the concerns that we have is that the timeframe of preparing the budget; having the departments submit the budgets – most of them go before either boards of trustees and they go through commission meetings also and with the Board of Education also. It takes months to go through that process, and then it takes approximately a month at best to go through the process with the administration with the Mayor's office because everybody comes in for that, makes their presentations, and the Board of Aldermen is welcome to attend those also. Then it takes an additional time when we are going through wrap-up too then all to prepare the budget in the Finance Office. You are looking in Financial Services alone between 5-6 weeks in the initial onset of the budget to get it ready for the departments to have and to work with the departments and then to prepare a departmental budget for the Mayor and go through that process. Right now it takes a minimum of 4 months and that is 4 months from the time that the screens become available to the departments. We work with them and with the commissioners and then it is presented to you. Basically the process has been that it starts around December 15th when the screens are open, they are usually open until February 8th or 9th and even at that we are having to extend it because of commission meetings, and then we start the process with the Mayor, it goes about a month, and then we need 3 more weeks and then the Mayor presents to you. It is a very long process.

Alderman Gage

I am going to support the original piece of legislation. I think that the city administrators and department heads are going to have to figure out a process as to when things have to be backed up and started so that they have the appropriate time to get it to us when we have asked for it. This is as the President of the Board has said on numerous occasions this is the policy making Board. If the policy we set is this date then this is the date that everybody has to be in line. Thank you.

Alderman Rootovich

Since this doesn't take affect until 2006 are we saying that we have an entire year to prepare for this and we can't prepare for this with an idea year to make the necessary adjustments?

Alderman Tollner

It is 2005.

President McCarthy

I believe that the intent of the amendments that have been made are that if it passes at a special election held in January it would take affect immediately and affect the 2006 fiscal year budget prepared in early 2005.

Alderman Rootovich

If that is the case. My understanding was if we have a special election it still wouldn't take place until 2006. Is that correct?

David Connell

If the special election occurs in late January and it passes and is affective immediately then February 1 is right around the corner and it would be affective for that. That is the way it reads now.

Alderman Rootovich

I guess is there a problem opening up the screens earlier than December 15th?

Carol Anderson

What we are doing now the screens will be open for November 15th right now because the Mayor's intention was to present it on February 22nd. They will open on November 15th and the departments will only have 1 month to have their work done. They will have it prepared for December 17th, everything will close, and I am sure there will be some commissions that will still be meeting, and then our intent is to have it to the Mayor for his first meeting on January 7th. Then we need that month of January to get it prepared with the wrap up coming at the end of January for the first or second of February.

Alderman LaRose

I am going to support the amendment because I think that we have to give the administration and the administrators time to do this. If this resolution was in front of us in August then that would be something different, but it is in front of us at the time that they are just about ready to gear up to do the budget and I think that we need, we have to allow them to have enough time to present the budget that they need to present. I will support the amendment.

Alderman Vitale

I also am going to support the amendment the on or before the 4th Tuesday of the month. I understand the Board's desire to receive the budget earlier than we have in the past, and I also realize the departments need to properly prepare that budget. For that reason I believe the later date is also to our benefit that we receive a budget that is appropriately prepared and less subject to more numerous changes than might take place at an earlier date. Thank you.

Alderman Bolton

I have the highest regard for the Chief Financial Officer of this city, which was why I voted to allow her to speak tonight and why I will vote in accordance with her recommendations on this piece of legislation, but I would say this is not the process that ought to be used. We refer these things to committee so that there is adequate opportunity for the people in the executive branch of city government to get their opinions before us, to come in and testify at those committee meetings, and so we do not have to go through this at a full Board meeting. We also provide an opportunity at our full Board meetings for the head of the executive branch of city government to address us on matters of importance to this city. If this was a matter of importance I did not hear it in the remarks this evening. It would seem to me that if there are important issues that we are going to be voting on that that is the time when the opinion of the executive branch ought to be made known. I would hope in the future that we don't have to go through this and I would hope in the future that when given the opportunity to state the administration's position on the important legislation we will face of an evening that we get those recommendations from that source.

Alderman Dion

I will not support the amendment. The reason why I won't is exactly what Alderman Johnson said. This is going to delay what the intent is by a month. The intent is to be able to get to that school budget before they hire the people in April. If you are going to get the budget on March 1st if that is the case because we are talking about the 4th week in February, we are just defeating the purpose, we are losing a month. I will not support that motion.

Alderman Johnson

Alderman Bolton made a very good point about the importance of the legislation. If it was so important why didn't the Mayor make comments tonight? It was unfortunate that I could not make the Personnel/Administrative Affairs Committee meeting – I spoke to Alderman Tollner, and was really surprised that it was spoken on – I did watch it from home, unfortunately I had problems with my glasses as everybody saw last week I couldn't read, but I am back in business right now – the issue is here that it sounds funny but when you can't see it is pretty bad – I wish that the Mayor and Mrs. Anderson would have contacted me prior to tonight to discuss this legislation.

My intent again is to get the budget as early as possible for us as the Budget Committee to start working on it so we don't get into the mess like we did last year, so we can work through the school district appropriately and ask the questions and work with everybody. Now again we are going to be delayed longer. Before you cast the vote to amend this think very carefully about what the intent of this legislation was for. The people of this city I am sure would like not to see a fiasco like what happened in August this year when people went away on vacation, which they are totally entitled to do because you plan your vacation 6 months to a year out that we could present a budget and have time to work through this budget without being crammed and saying you know the school department are

hiring people and they have to have pink notices and people need to know. This way it gives us the proper time to work through the budget. Thank you.

Alderman Shaw

I must say I am getting frustrated and disappointed with my colleagues right now. I am hearing a lot of accusation, a lot of concern over process, and a lot of questioning of intent when I think what we really need to do is figure out truly what we are trying to accomplish and how we can do this process the right way. While it might be nice to have February 1 be able to be acted on this year there is already information coming before us that we will be operating I think if we force that on non-quality information. We can force something to happen and we can be presented I am sure with a budget by February 1 if that is what we enact. I don't expect that it will be of sufficient quality and we will only put ourselves I think further behind. I will support the amendment and I would also hope that part of the intent of this effort to bring the budget cycle in earlier is that in the end we are able to resolve things and be ready for July 1 and not be dragged through the summer. I think we have to keep what is in front of us in site and this is theoretically a long-term issue. We are trying to take care of trying to get things enacted as quick as possible to be in place for FY '06. I appreciate that, but we have unfortunately a late start. Alderman LaRose pointed that out that if we were talking about this in August we would have a simpler time of it. Right now it actually seems like this should go back to committee and be dealt with and resolved there, but right now we are not at that point. I will support the amendment.

Alderman Deane

I am struggling to understand this non-quality information. I would recon to say that probably 80% of the budget is payroll so there is 20% of funds that need to be brought forward for supplies and things of that nature. If there are contracts in place other than newly added positions I don't see what the issue is with being able to prepare the budget. I think the benefit would fall to the school department because they have the largest budget to review, and if we had that extra time to sit down with them as Alderman Bolton had done this year a few times I think it would serve everyone well so that they would have a full understanding prior to the budget going right through the Budget Committee when we start doing our reductions or additions to it. I would have to say if we are going to pass this – I am not going to support pushing it out. I would ask everyone to get busy and get it done. I don't think there is that much of an effort to get it done. I think it is being over stated.

Alderman Tollner

I would agree with some of the comments that Alderman Johnson made that if at any time you are an endorser of the legislation city staff trying to make changes or amendments should at least provide a courtesy to the endorsers as far as questions, concerns or issues they might have with the particular piece of legislation. I would agree with her on that point.

I understand the intent of the legislation. I will repeat what I said in committee a week or so ago was that the Mayor at the last Board of Aldermen meeting made a commitment to this Board that he would get his submission of the annual budget to the Board of Aldermen in February. I have concerns that he has already committed to that during the month of February, but we still feel a need to pass this legislation, to have a special election if that is what this Board is going to vote on in a few weeks or a month, when on this particular piece of legislation we have already achieved that. I do think that we need to get the budget earlier than we did last year. I share the frustrations of a number of my colleagues. I just don't understand why we need this legislation when the commitment has already

been made that we will get the submission of the budget while maybe not February 1st but during the month of February. Thank you.

Alderman Plamondon

I think this is good legislation even though the Mayor already gave his commitment that we are going to get a budget earlier. I want to address that these amendments and so on the work needs to be done in committee – I agree. I just heard today and I did speak to the maker of this resolution and another Alderman earlier this evening so it wasn't that I had no conversation. I am making this amendment because I just heard today and here this evening I spoke to the Alderman with my concerns on this on what I had heard. This still pushes our budget up the presentation to the Board – basically it is about a 3-week difference and it gives that extra time for our division heads and the administration to put a comprehensive budget before our laps. I would hope that this amendment would be supported. Thank you.

Alderman Rootovich

I am going to take some quotes from Alderman Bolton. I have the utmost respect for our division directors and our department heads. They are all professional people, they are all well trained people, they are educated people and most of them have been with the City of Nashua for several years. If you tell me they don't know their numbers close enough to know exactly what they have in their budget that itself is a problem. When I worked for Rent a Center I had service and provide budgets for 219 stores. If my boss from Dallas, TX said to me I need your budget submitted 30 days prior to the cut off date my answer to him was not well I don't have enough staff or enough help I had to do it because I was a professional and I knew my numbers. It is the same thing here. If you are telling me the division directors with all their skills and talent and the amount of staff that they have cannot get their numbers together 30 days in advance I think that is a problem in itself.

Alderman Johnson

I just want to build on that and then I want to read something from the minutes of the Personnel meeting. Alderman Rootovich is 100% correct. We have computers now and computers run numbers. Computers can tell you what you need. Alderman Rootovich and I am going to quote him in the minutes – when he talks about the Mayor and the budget he says the Mayor has said a lot of things in the past including when he ran for Mayor that he would be the first time and he stood up on the auditorium upstairs and said "The spending cap is the law and I will support it." I guess my problem is that the Mayor has said many things to us many times. My question is if he chooses not to give us that budget February 1st or the last week in February we have nothing to hold him by – his word? I don't think so. I want to know that it is documented. That is why we have legislation. That is why we have laws. That is why we put it on paper in order to make sure that it is done within the proper amount of time.

I am going to bring this back to last year when we had the State of the City Address. We got it in piecemeal last year and the legislation did not say piecemeal it said the third Tuesday of February, and we got it in piecemeal. A lot of us sat around this room last year and we were upset with it – a little piece here and there. At the Chamber breakfast I think we saw almost all of it, and that was not right. Even on paper we can't get the information. I am sticking by my guns on this one because if the Mayor had a problem or Mrs. Anderson had a problem they should have come to us and discussed it with us rather than here at the 11th hour at a full Board meeting my piece of legislation is being changed. It is the principle of this, and I am sure if there is a big change on the next one I will squawk

about the principle of it too. I am doing this for a reason so we could get the budget moving so we don't get in a mess like we did last year and we can work with the departments. If they can't figure out what is in their computer system then maybe everybody needs to go back to school and start from ground one now because enough is enough. Can we move the question now?

President McCarthy

You can. It has been the practice not to speak before moving the question.

Alderman Johnson

I think we are debating it to the point that we really need to take the vote on this.

Alderman Deane

I would like the motion that we are going to vote on read again please.

President McCarthy

The motion was to amend R-04-119 as previously amended further by changing February 1st to the fourth Tuesday on February both in the first paragraph after shall the municipality approve the charter amendment summarized below and at the end of the new paragraph 56 of the Charter.

Alderman Tollner

I agree with most of Alderman Johnson's comments. I guess I still have, I guess my concern is that we are asking to call a special city election possibly on this and maybe 1 or 2 other questions where if this Board could agree for one year to accept the Mayor at his word for the submission of the budget and then after that pass this legislation and have it go on the ballot as a ballot question during the normal city elections in the fall in my opinion is the sound, appropriate thing to do. By taking the second option you are getting exactly what some of the endorsers have asked for, you will get the budget by February 1st or 22nd ... **tape flipped** ... provide us with the submission of the budget by February 1st not February 22nd under that arrangement the endorsers of the legislation will get what they want and you don't put the voters through a citywide special election and these ballot questions would go on the fall ballot in 2005.

Alderman Vitale

Furthering the point that Alderman Tollner just made can I ask the cost of the special election please?

Paul Bergeron

Using paper ballots printed in house we are looking at about \$13,000 to \$13,500.

Alderman Vitale

Thank you.

Alderman Dion

I will not support the motion to amend and one of the reasons I will not is that we discussed this at the Personnel/Administrative Affairs Committee. Although I am not a member of that committee I was here to discuss the issue. The maker of the motion to amend wasn't here and most of the other Aldermen weren't here either. The administration wasn't here or department heads to discuss it. Now at the 11th hour as Alderman Johnson said they want to change it. I think it is the wrong approach. If they had any problem whatsoever with the legislation they should have appear before the committee and stated their objections. Thank you Mr. Chairman.

Alderman Tollner

I have a question for the City Clerk through the Chair if I might – the \$13,000 would be – there is no difference whether it is one ballot question or three?

Paul Bergeron

No. Most of the expense is for election workers, which is a little over \$12,000 so the remaining would just cover materials, printing costs, and supplies.

Alderman Bolton

Just to avoid getting mixed up, the vote on the amendment is not the vote as to whether there is a special election or not. We are mixing some apples and oranges here. Right now what is before us is the difference between February 1st and the 4th Tuesday in February is that correct? Thank you.

To go on I am actually torn because I agree with much of what Alderman Dion and Alderman Johnson have said about the fact that the night we are supposed to vote on it people are told that there is an administrative problem and that that is not the proper way for the executive branch in city government to communicate to the legislative branch. The head of the executive branch ought to render his opinion based upon the advice of highly paid staff, many staff long before now. Were it simply a matter of voting against a poorly thought out recommendation I might well let that sway me, but the fact is I don't think it is poorly thought out. I think the Chief Executive Officer of this city makes a convincing case. I just wish it had been made by the Chief Executive Officer of this city at the appropriate time. Chief Financial Officer makes a case that given the audit, the time when the final figures closing out the previous fiscal year become known, and the amount of lead-time that the Financial Services Division needs to get everything in order the earliest that they can predict that they can properly get us the best information is February 4th I have to go along with that at this time. I reiterate I don't like the fact that we are discussing it tonight. It is wrong, it is frankly insulting that the executive branch of city government puts us in this position and doesn't take our legislation seriously enough to react to it in a timely fashion, but that is where we are.

If it would make people happy I would be very pleased to have this legislation referred back to committee, but I don't want to be in a position of further delaying action on this. As I have said I fully agree that we are now doing work tonight that should have been done in committee and if the administration had any issues they should have been addressed well before this evening.

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

A Viva Voce Roll Call was requested on the amended motion by Alderman Plamondon to amend R-04-119 by replacing the text "February 1st" with "the fourth Tuesday in February" in each instance that it appears, which resulted as follows:

Yea: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Cardin,
Alderman Plamondon, Alderman Shaw, Alderman Bolton, Alderman McCarthy

8

Nay: Alderman Gage, Alderman MacLaughlin, Alderman Deane, Alderman Lozeau,
Alderman Dion, Alderman Rootovich, Alderman Johnson

7

MOTION CARRIED

President McCarthy

The motion before the Board is that R-04-119 as amended is necessary, that a public hearing be scheduled for Tuesday, November 23, 2004 at 7:00 p.m. in the Aldermanic Chamber and that the resolution be held at the full Board level pending the public hearing. Is there any discussion of that motion?

Alderman Tollner

I will vote in favor of the legislation to allow for a public hearing. However, I would reiterate my concerns of having a special election for this particular question.

MOTION BY ALDERMAN LAROSE TO TABLE R-04-119

ON THE QUESTION

Alderman Tollner

I have a question of Corporation Counsel if I might. There are three pieces of legislation that would call for a special city election – the two questions that are on our agenda tonight and there is one other piece of legislation that is being held in committee right now. What would be your recommendation? My recommendation would be that if there is a special city election and the intent of this Board is to provide an opportunity for the voters to vote on all three of those we should be very careful on how we schedule public hearings because as soon as we schedule that public hearing if I am not mistaken, after having conversations with Corporation Counsel, the clock starts ticking. For instance if two of these piece of legislation were approved tonight and a public hearing was scheduled I am assuming both of them would be scheduled on the same night, November 23rd, and at the next Personnel meeting for instance possibly that piece of legislation comes out of committee, comes back to this full Board, this full Board votes on it, schedules the public hearing, the clock then on that particular piece of legislation will start ticking, and we could literally find ourselves having a possible city election for these two questions and some short time period from that having a separate city election for one question. What advice would you provide the Board of Aldermen? That was my understanding.

David Connell

If the clocks that you refer to are that within 7 days after the public hearing the Board has not then vote whether to hold the special election and to schedule it and then it has to be held at least 60 days after

that vote so if you are attempting to put it on a tight schedule it might prove difficult to have the public hearings at different times and have a special election for all three.

Alderman Rootovich

Although I respect my colleague's right to make a motion to table I for one clearly would like to hear what the public has to say.

Alderman LaRose

Since we are going to discuss a table motion, the reason I made the motion was because of exactly what Corporation Counsel has said and what Alderman Tollner's question was about. Let us go through the process, let us have one election. That is why I made the motion to table.

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

Yea: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Cardin,
Alderman Plamondon, Alderman Shaw, Alderman Bolton, Alderman McCarthy

8

Nay: Alderman Gage, Alderman MacLaughlin, Alderman Deane, Alderman Lozeau,
Alderman Dion, Alderman Rootovich, Alderman Johnson

7

MOTION CARRIED

President McCarthy declared R-04-119 tabled at the full Board.

Mayor Streeter

There has been a lot of discussion tonight, however, I have already started the wheels in motion, and have already committed my staff and myself to provide you with the Mayor's submission on February 22nd. That is a commitment that I have made. My staff is committed. You will have as thorough a document as we can provide to you on that second Aldermanic meeting in February of 2005. That is a commitment. It is a promise. Alderman Tollner it is a goal that we discussed at length within the last two weeks. We have already scheduled our budget hearings. The screens will be open earlier. What this means is that you will have the budget two months prior to any other year in the recent past. I think that is a commitment on the administration's part to help in the process of giving you ample time to discuss the budget in the year 2005. Thank you Mr. President.

Alderman Johnson

If it is a goal and not a promise what guarantees do we have? It is a goal. I make goals everyday and I go back and change my goals everyday because I didn't meet them at the end of the week. It is like making a list. I want a guarantee. I think this Board, we just sat here for how long maybe about a hour an hour or 45 minutes debating that piece of legislation, and you know it will be a tough season this year, it will be a very tough season this year with the budget. I would like to get this now my other piece of legislation basically is going to have to be held because if we are going to try to do everything together maybe I should just make a motion to hold it because we are trying to get everything together on the ballot. We just discussed everything that should have been again done in committee and not at the 11th hour and here we go with the 11th hour again. After a while it starts draining on you because

you work so hard to try to make things right and in government – government doesn't work on things right. Thank you.

R-04-121

Endorsers: Alderman-at-Large Paula I. Johnson
Alderman Robert A. Dion
Alderman-at-Large David Rootovich
Alderman-at-Large David W. Deane
Alderman David D. Lozeau

PROPOSING AN AMENDMENT TO THE CITY CHARTER RELATIVE TO REQUIRING THE VOTE OF AT LEAST TEN (10) ALDERMEN FOR THE ANNUAL BUDGET OR ANY OTHER APPROPRIATION

Given its second reading;

**MOTION BY ALDERMAN JOHNSON TO AMEND R-04-121 IN ITS ENTIRETY BY REPLACING IT WITH THE BLUE COPY PLACED ON OUR DESKS THIS EVENING
MOTION CARRIED**

MOTION BY ALDERMAN JOHNSON THAT R-04-121, AS AMENDED, IS NECESSARY, THAT A PUBLIC HEARING BE SCHEDULED FOR TUESDAY, NOVEMBER 23, 2004, AT 7:00 PM IN THE ALDERMANIC CHAMBER AND THAT THE RESOLUTION BE HELD AT THE FULL BOARD LEVEL PENDING THE PUBLIC HEARING

MOTION BY ALDERMAN LAROSE TO TABLE R-04-121

ON THE QUESTION

Alderman Tollner

I support the legislation as it is amended here tonight, and I would also support the motion to hold at the full Board level so that again if there is a special city election these all take place on the same date.

Alderman Johnson

I know there is a piece of legislation that is being held in Personnel. The Personnel meeting is going to be at the beginning of November?

Alderman Tollner

If I am not mistaken I think that the Personnel meeting for November is scheduled for either the 23rd or the 29th.

Alderman Johnson

So if it is at the end of November now we are talking about everything coming back to the full Board the beginning of December. Now everything is – for the plan to be accomplished it is all the way pushed so we will be lucky – if it comes here in December then we have a public hearing we will be lucky in the middle of February for this to get on the ballot in the middle of a snow storm it will be our luck. It is just ridiculous. It is just ridiculous what happened here tonight.

Alderman Dion

I will not support the motion to table. This is too important an issue. There is no reason in the world why we can't pass this tonight. It seems to be there is a deadlock here or opposition that keeps on going all the time. I am getting sick of it really Mr. President. There are 8 votes here that keep on voting yes all the time

President McCarthy

That would be the majority rule of the Board.

Alderman Dion

That is right, and it seems the majority is running the show too.

Alderman Tollner

For the endorsers of the legislation that is in committee just to provide people with an update I have met with Alderman Lozeau, had discussions on some amendments, I will check with Sue and see if we can schedule an earlier date for the Personnel meeting to see if we can move the date up. Again I think the concern is if we voted on one piece of legislation tonight to move forward for a public hearing and at the next Board of Aldermen meeting took another piece of legislation and did the same thing and then the third Board of Aldermen meeting we took Alderman Lozeau's piece of legislation and did the same thing we would have probably three separate city elections. I would just ask you to be a little patient. It makes sense if we are going to have if we are going to have a special city election it only makes sense to have all of these three questions on the ballot at that city election at one time.

That is what I believe the purpose of Alderman Larose's motion is.

MOTION BY ALDERMAN GAGE TO MOVE THE QUESTION

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

Yea: Alderman Vitale, Alderman LaRose, Alderman Gage, Alderman MacLaughlin, Alderman Plamondon
Alderman Lozeau

6

Nay: Alderman Tollner, Alderman Cardin, Alderman Deane, Alderman Shaw, Alderman Dion,
Alderman Rootovich, Alderman Johnson, Alderman Bolton, Alderman McCarthy

9

MOTION FAILED

Alderman Rootovich

I just want to address Alderman Tollner's comments with respect to having three separate elections. A question to Corporation Counsel through you Mr. President – the special election cannot be held –0 the earliest within 60 days, but any time from 60 days after we can have a special election correct?

David Connell

Correct.

Alderman Rootovich

So those three questions could be placed on the ballot all at once?

David Connell

Correct. My only remark earlier was that if you are trying to stay to the minimum time schedule...

Alderman Rootovich

I understand. Just to address Alderman Tollner's concern about three separate elections – we could have them all in one because the earliest is 60 days. Thank you.

President McCarthy stepped down and Vice-President Tollner presided.

Alderman McCarthy

Unfortunately I had to be at the Water District meeting on Thursday, and could not make the Personnel meeting. I would like to just comment on the situation we find ourselves in, and perhaps we need to step back and look at what we are about to do and whether we need to do it. This evening we amended R-04-119 to change the date at which the budget needs to be presented to us to be February 22nd next year, which is when the Mayor has promised to deliver us the budget anyway. Let's look at the three pieces of legislation. We now have one before us that proposes to set the date of the budget to be the date that we will get the budget anyway in this upcoming year. We have another one, which changes what it takes to pass the budget, which frankly we are months away from when that decision is even going to have to be made. We have one that basically if it were passed would take affect on some indefinite event in the future.

What we are arguing about is whether we ought to bundle all three of them into a special election, which will cost the taxpayers \$13,000. We are going to spend \$13,000 to affect nothing that wouldn't have happened anyway. When the resolutions came up – I am and I will state that I am opposed to two of them – I believe the change in the budget cycle was a good one, but I am questioning that now given the amendments that were made in committee. We originally proposed moving up both the dates that the budget was submitted to the Board and when it had to be approved so that we could have an approved budget that would allow the School Board to take the actions on April 15th, which it needed to take. What we did was to move back the submission deadline to the Board, but not move back the Board's responsibility to take action on that budget.

If you combine that with the other resolutions that says you now need 10 votes for passage of any budget what that says is that when April 15th rolls around 6 members of this Board can put the School Board in a position where they have to send pink slips out to every employed member of the district that they can do that to because there is not going to be a budget or at least they don't know that there will be a budget. I am now with mixed emotions on a piece of legislation that I originally supported because I believe its intent has been destroyed. I also believe that we sat here tonight and argued about when we need it submitted to us, but didn't put the provision in that puts the onus on this Board to pass it in a timely fashion. However, once we had done that we now have three pieces of legislation; one of which affects an event that sometime next year we will have to take account of, but if the entire Board is here when votes are taken on the budget has no affect because it requires 10 votes to pass any budget we are likely to see. We have a piece of legislation that would affect the resignation of an official at some point in the future that we don't foresee happening and we have a piece of legislation that will make the same thing happen with regard to the budget submission that would have happened anyway. We are proposing to schedule a special election in

January to cause the small number of our voters who will turn out to answer on that question to get to the polls in the dead of winter at a cost of \$13,000 to the taxpayers to accomplish what would have happened in the first place.

My druthers with respect to these are that we think about them. The Mayor has told me and the day that resolution came out in fact probably before I had discussed with the Mayor moving the timeline up for us receiving the budget so that we could tell whether that would make a difference or not. I would like to sit on this one until next year and see what happens when we get a budget in February. I think I know what will happen, but I want to see whether this works or not. If it works we can then go forward with confidence putting it on the ballot next November and saying to the citizens of Nashua this is a good idea you should do this. We can do the same with any of the others that we feel are appropriate. At the moment, I am not inclined to have a special election for any of these.

Alderman Rootovich

In committee I made the motion and it passed to accomplish exactly what you want to happen that the budget be passed on April 1st. That was the intention that came out of committee. It was my intention to see that this evening, but it was changed along the way by Corporation Counsel's office.

David Connell

Absolutely not.

Alderman Rootovich

I have it right here. The golden rod copy was for April 1st.

David Connell

The motion was to delete that in the committee minutes.

Alderman Deane

That changed in committee.

Alderman Rootovich

The intent of the motion was to change it to April 1st to accomplish exactly what Alderman McCarthy was talking about so if the pink slips had to be administered the School Department clearly would understand whether the budget had passed or not.

Alderman McCarthy

My understanding from reading the minutes of the Personnel meeting today was that language was deleted in the committee.

Vice-President Tollner

It may have been a discussion that Alderman LaRose had when we were trying to combine the two possibly

Alderman Rootovich

There was a lot of cross talking. That was not my intent.

David Connell

It is in black and white Alderman I am sorry.

Alderman Dion

I am talking about R-04-121 right now. I think it is necessary to get this on a special election ballot so that we don't go through the same heartache and problems that we had with the budget this past year okay. There is another budget coming up before the next city election. Alderman McCarthy is aware of that. That is why I say a special election should be held – this is the intent – so that we don't go through the same terrifying situation that we went through on this past budget.

Alderman Johnson

I guess we sit here and talk about \$13,000 how much is the city budget that we spend money on and how much do I try to remove from the budget because I think it is wasteful spending. If you look at 56B right now in the Charter it says "2/3 of the members of the Board of Aldermen." Well I would think that 2/3 would be a full board, but what usually comes down is 2/3 of whoever is here that night. The numbers keep decreasing in order to pass the budget – 2/3 of whoever is here that night. My intent was to change this that we would have to have 10 members be here to vote on the budget. I think that is the only right way to go. Ten members need to be here to vote on the budget. People elect us to vote on the budget.

Vice-President Tollner

Ten members to vote one-way or the other on the budget.

Alderman Johnson

Absolutely. If we only have half ...

Vice-President Tollner

If you have ten members of the Board of Aldermen to vote on the budget.

Alderman LaRose

Ten affirmative votes.

Vice-President Tollner

Right.

Alderman Johnson

When we only have half a Board here because of the summer is that really the right representation here for the citizens? That is one of the reasons why I am trying to move the budget up because summer comes

and people have the right to go away on vacation so we don't have that. That became a big nightmare. The Mayor guarantees everything, but it is a goal not promised. I guess you try to do what you feel is right and what needs to be done in the city – when something is broken you try to fix it. If it is not broken you don't try to fix it. This has definitely been a broken system to try to get the budgets passed. The timeframe that we are doing it – now the whole thing is stalled here and we don't want a special election, but yet we can spend \$181 million, can tax the people to death on everything here, but to get the people out to vote on something that is important and the will of the people and the people should have the right to vote on this because we can't move.

I guess I'm just baffled here about this whole thing. This is for the people to decide and when we don't allow the people to decide then maybe we don't have the right to sit here in our elected positions.

Alderman Bolton

Point of Order ...

Alderman Johnson

I have the right to say what I want. It's my opinion.

Alderman Bolton

The pending motion is to table or not table not to have elections or nor have elections. I think the discussion has ranged into the substance and were that question before me I would have remarks on that, but I don't think it is, but I do not think it is discordance and in keeping with respect to one's colleagues to say that we are not allowing the people to vote it is a question of when they may get an opportunity to vote or it may be a different question entirely, but that is certainly not the question before us right now.

There is no need for us to insult one another. There is just no need.

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

Alderman Dion

Would you repeat the motion Mr. Chairman?

Vice-President Tollner

The motion on the floor right now is to table R-04-121.

Vice-President Tollner stepped down and President McCarthy presided.

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

Yea: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Cardin,
Alderman Plamondon, Alderman Shaw, Alderman Bolton, Alderman McCarthy
8

Nay: Alderman Gage, Alderman MacLaughlin, Alderman Deane, Alderman Lozeau,
Alderman Dion, Alderman Rootovich, Alderman Johnson
7

MOTION CARRIED

Resolution R-04-121 declared tabled.

R-04-127

Endorsers: Mayor Bernard A. Streeter
Alderman Marc W. Plamondon
Alderman David Lozeau
Alderman-at-Large David W. Deane
Alderman-at-Large James R. Tollner

**APPROVING THE COST ITEMS OF A SIDEBAR AGREEMENT TO THE COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE CITY OF NASHUA AND THE UNITED
AUTO WORKERS (UAW) LOCAL 2232 CLERICAL AND TECHNICAL UNIT FOR
JULY 1, 2003 THROUGH JUNE 30, 2005**

Given its second reading;

**MOTION BY ALDERMAN PLAMONDON FOR FINAL PASSAGE OF R-04-127
MOTION CARRIED**

Resolution R-04-127 declared duly adopted.

UNFINISHED BUSINESS – ORDINANCES

O-04-41

Endorsers: Alderman-at-Large Paula I. Johnson
Alderman Kevin E. Gage
Alderman Kathryn D. Vitale
Alderman Robert A. Dion
Alderman David D. Lozeau
Alderman Rob Shaw

**EXTENDING THE TIME BEFORE CONSTRUCTION/DEMOLITION MAY BEGIN IN
RESIDENTIAL AREAS FROM 6:00 A.M. TO 7:00 A.M., SUNDAY THROUGH FRIDAY**

Given its second reading;

**MOTION BY ALDERMAN JOHNSON TO AMEND O-04-41 IN ITS ENTIRETY BY REPLACING
IT WITH THE GOLDEN ROD COPY PROVIDED WITH THE AGENDA
MOTION CARRIED**

MOTION BY ALDERMAN JOHNSON FOR FINAL PASSAGE OF O-04-41 AS AMENDED

ON THE QUESTION

Alderman Deane

I would like to ask Corporation Counsel for a definition of the word construction. What does that mean? What is the intent?

David Connell

In this particular ordinance I will guess that it has to do with development, building of structures and other improvements.

Alderman Deane

So to build something?

David Connell

Generally.

Alderman Deane

If the Park Department is out in my neighborhood at 3:00 a.m. flooding ice they are constructing an ice surface so they can no longer do that?

David Connell

If they are building the rink they are constructing.

Alderman Deane

It says they can't start until after 7:00 a.m. What about the night paving where they are constructing roadways.

President McCarthy

Attorney Connell do you have any further response?

David Connell

I don't have the text with me so I don't even know if this is in zoning or gone somewhere else or if it exempts the city activities.

Alderman Deane

Only if it is deemed an emergency. When they go out and grind roadways at night and do night paving that is demolition and when they put the paving back down that is construction.

President McCarthy

My reading Alderman Deane of the text is that work that is deemed an emergency by the Director of the Code Department or work that is authorized by the Director of Public Works, which would exclude night paving.

David Connell

I don't think emergency work modifies work authorized by the Director of Public Works. That is two different exceptions.

Alderman Gage

We had discussion of this in the committee meeting where we wanted to make sure it is clear that the emergency work by the Director of the Code Department and also any work authorized by the Director of Public Works. That was certainly made clear at the committee meeting to anybody that I think was attending that meeting. Thank you.

Alderman Johnson

Again I wasn't able to attend it, but I did watch it on TV. The only change that was happening was just a change of the hours because they got complaints. I don't think it is fair that at 6:00 a.m. that you tear down or construct a building in a residential neighborhood where there are people that work third or second shift that they are entitled to sleep a little bit longer. That was the full intent of this whole legislation not to put ice down and not to rip up the roads – it was only changing the time. Then I heard that we were talking about well what about construction of the roads. Nothing else was supposed to have changed. It was just because the people in the immediate area just changing the time from 6:00 a.m. to 7:00 a.m. and then this whole other conversation started entering into it.

I don't have a problem with the way it is right now. This is for people who called and complained to me that they are starting to 6:00 a.m. and don't they have the right to sleep if they are working third shift. Yes they do have that right. It was just a simple change, and again simple changes become mass changes here. All it was to do was just to make the time change. That is it. I am sorry that now we added more into this legislation that is getting out of control.

Alderman Tollner

I think it was a very simple piece of legislation. There were one or two of our colleagues that had some questions on the definition of construction and we were trying to find out a formal response to them. I think it was a legitimate question that was brought up in committee. That is how we went down the road that we did.

Alderman Dion

I am going to support the motion and I wish everybody else would too. We are not talking about a special election here are we? Let's pass this and go watch the ballgame.

MOTION CARRIED

Ordinance O-04-41 declared duly adopted as amended.

O-04-42

Endorsers: Mayor Bernard A. Streeter
Alderman-at-Large Paula I. Johnson

**CHANGING THE NAME OF THE "INDUSTRIAL DEVELOPMENT AUTHORITY"
TO THE "BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY"**

Given its second reading;

MOTION BY ALDERMAN JOHNSON FOR FINAL PASSAGE OF O-04-42

ON THE QUESTION

Alderman Johnson

I know this came up for discussion why were we changing it – it is just a housekeeping issue that I happened to pick it up on minutes of the meeting that it was the Industrial – it is supposed to be Industrial Development Authority and then the Mayor had the minutes "Business and" so it is a housekeeping measure. That is all it is. I hope this isn't long drawn out, no special election, let's just vote on it to clean it up so it coincides with the State RSA – that is all.

Alderman Deane

Are we going to have to re-appoint all of the members now that the name of the authority has changed?

David Connell

No.

MOTION CARRIED

Ordinance O-04-42 declared duly adopted.

O-04-43

Endorser: Alderman Marc W. Plamondon

**AUTHORIZING ALDERMANIC PARKING STICKERS OR PLACARDS TO ALLOW
FREE PARKING AT METERS WHILE ON CITY BUSINESS**

Given its second reading;

MOTION BY ALDERMAN PLAMONDON FOR FINAL PASSAGE OF O-04-43

ON THE QUESTION

Alderman Johnson

Can I get the cost of this?

Alderman Plamondon

Basically zero. This is house cleaning. We already – when we get on the Board of Aldermen you were given a sticker and that sticker is for this purpose and we were told it was for this purpose, however, it wasn't in the NROs. This just puts it in the NROs.

Alderman Johnson

Just housekeeping no re-printing of any stickers?

Alderman Plamondon

No special election either.

MOTION CARRIED

Ordinance O-04-43 declared duly adopted.

O-04-46

Endorser: Alderman Marc W. Plamondon

AUTHORIZING PARKING METERS IN THE ELM STREET PARKING LOT LOCATED AT THE REAR OF CITY HALL

Given its second reading;

**MOTION BY ALDERMAN PLAMONDON FOR INDEFINITE POSTPONEMENT OF O-04-46
MOTION CARRIED**

Ordinance O-04-46 declared indefinitely postponed.

**MOTION BY ALDERMAN PLAMONDON TO RECONSIDER ORDINANCE O-04-39, PROHIBITING LEFT TURNS FROM OTTERSON STREET EASTBOUND ONTO MAIN STREET
MOTION CARRIED**

O-04-39

Endorser: Alderman Marc W. Plamondon

PROHIBITING LEFT TURNS FROM OTTERSON STREET EASTBOUND ONTO MAIN STREET

MOTION BY ALDERMAN PLAMONDON TO RE-REFER O-04-39 TO THE COMMITTEE ON INFRASTRUCTURE

ON THE QUESTION

Alderman Plamondon

I think this is good legislation. I think it is just legislation. Since passage I have even come up with more arguments. However, since the passage of this legislation some members of the business community have come forward and want to speak on it. I think it is good legislation and want it to go through and have due diligence. That is why I am moving to re-refer so members of the business community or anyone else wants to come forward and talk about it – that is the only reason because I think it is good legislation.

Alderman Gage

If I am right the only reason that this is being brought back is so that some folks can come in and talk about it even though it is already done.

Alderman Rootovich

First of all I commend Alderman Plamondon for standing up and having it go back to committee. That is not the only reason. None of the business community down there was notified of this. Having a business down there myself they had come to me and said nobody told us about it. I had asked Alderman Plamondon to be so kind as to reconsider it to hear from them. Not only that, but there may be an additional alternative down there that I just found out about in the past few days that might go into that intersection and a traffic control device may be needed at that time, so I think that also needs further discussion as well. I appreciate Alderman Plamondon your taking your time to reconsider it. Thank you

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

Yea: Alderman Tollner, Alderman Vitale, Alderman LaRose, Alderman Gage, Alderman Cardin,
Alderman MacLaughlin, Alderman Deane, Alderman Plamondon, Alderman Shaw,
Alderman Rootovich, Alderman Bolton, Alderman McCarthy

12

Nay: Alderman Dion, Alderman Johnson

2

MOTION CARRIED

Ordinance O-04-49 re-referred to the Committee on Infrastructure.

NEW BUSINESS – RESOLUTIONS

R-04-135

Endorsers: Board of Aldermen

**DESIGNATING THE INTERSECTION OF MANCHESTER STREET AND HENRY
BURQUE HIGHWAY AS “KELLEY SQUARE”**

Given its first reading;

**MOTION BY ALDERMAN BOLTON THAT THE RULES BE SO FAR SUSPENDED AS TO ALLOW
FOR A SECOND READING OF R-04-135 AND THAT READING BE OF THE RESOLUTION IN ITS
ENTIRETY**

ON THE QUESTION

Alderman Bolton

May I raise a Point of Order Mr. President – there may be others who would like to be on as sponsors, which would be better to do before the second reading.

President McCarthy

I will ask if there is anyone who does not wish to be added as a sponsor. The entire Board will be added as sponsors. The motion is for suspension for second reading.

MOTION CARRIED

Given its second reading;

**MOTION BY ALDERMAN BOLTON FOR FINAL PASSAGE OF R-04-135
MOTION CARRIED**

Resolution R-04-135 declared duly adopted.

NEW BUSINESS – ORDINANCES

O-04-51

Endorser: Alderman-at-Large Paula I. Johnson

**PROHIBITING LEFT TURNS ONTO WEST HOLLIS STREET FROM THE WESTERLY
MOST EXIT OF THE PARKING LOT LOCATED AT 591 WEST HOLLIS STREET**

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

O-04-52

Endorser: Alderman David D. Lozeau

ESTABLISHING A 25 M.P.H. SPEED LIMIT ON WESTGATE CROSSING

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

O-04-53

Endorser: Alderman David D. Lozeau

ESTABLISHING A 25 M.P.H. SPEED LIMIT ON GENDRON STREET

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

PERIOD FOR PUBLIC COMMENT - None

REMARKS BY THE MEMBERS OF THE BOARD OF ALDERMEN

Alderman Johnson

I would just like to say that I received a very lengthy memo from Mr. Corbin, the Principal of the School District, and I understand his views, but I was taken back a little bit by some of his comments in the memo. I know he has a right to speak, but things happen on the contracts. We felt the contracts, some of us felt that the amounts were too high on the increases and also I felt that it wasn't fair that the annuity went in at the end of it. I appreciate his comments, but some of them I don't think were very appropriate. Thank you.

Alderman Rootovich

We all know this is a crazy time of year with the elections coming up. It seems like this year is crazier than ever. There have been many complaints logged throughout the city with respect to illegal signs, traffic tie-ups. It is my understanding that the police department was called to the top of Library Hill for some scuffles. I want to mention an incident where I believe a line was crossed. Last Saturday I have a business at 291 Main Street, and approximately 9:00 a.m. or 9:30 a.m. particular headquarters are located about two doors from the – had about excess of 100 individuals holding signs outside my business. They blocked the door to my business. Customers could not come in. I was called by the store manager. I went down there, asked those individuals to be so kind as to move and I was told no this is public property. I had no other choice but to call the police. The police came down and moved them to the opposite side of the street. Keep in mind this is over 100 people. As soon as the police officer left they came back over and once again blocked the door. Not only did they block the door, but there was in excess of 100 cars in the parking lot behind me, doubled parked on Otterson Street, Elm

Street – there were no places for my customers to park or the other businesses in that lot nor could I get my trucks in or out. I asked several times during that day to move – the cooperation I got was no it is public property. I had to call the police once again. I guess what I am upset about is I couldn't believe that people who live in Nashua would act that way. I found I was right because 95%-98% of the cars in that parking lot were from Massachusetts, New York, and Pennsylvania. It was a disgusting act, it was unprofessional, and I don't appreciate it.

I hope in the future that any political rallies that are held whether it is the Republican Party, Democratic Party, Green Party, Independent Party – that people act a little more professional than to disturb the businesses on Main Street. I can tell you this I am not the only one that is complaining. Thank you.

Alderman Dion

Our 16th Alderman isn't here this evening. I don't want you to think that she is sick she is not. She is attending a function for the re-election of Governor Benson. I just thought I would rest your minds she is not sick she is busy working.

Alderman MacLaughlin

I would like to extend congratulations to several students at Bicentennial Elementary School who won \$50 savings bonds from the Telegraph through their participation in Open the Gates to Reading Summer Program. Those were Tyler Minard, Amelia Wagner, Jessica Reiners, Miriam Lewis, and Robyn Parsons, and further to extend congratulations to the volunteer coordinators at Bicentennial School, which among all city schools has earned a Blue Ribbon Award for volunteerism. Those individuals are Paula Farrar, Chris Smith, and Marie Taylor. I would like to commend them for their involvement and time that they put in.

Lastly I would like to urge all residents who are registered to vote in the upcoming election to turn out next Tuesday at Bicentennial and cast their vote because every vote counts. Thank you.

Alderman Cardin

I would like to apologize to all my colleagues for not being there for the photo shoot. I had a personal matter that was unavoidable at that time.

Alderman Gage

I would like to say that I attended a week ago this past Sunday the Breast Cancer Walk that everybody gathered at Greeley Park. It was a tremendous outpouring of support and funds. I know that Anne Lordon who is the Chairman of the committee that organized it she went out on a limb and when the committee first got together and said we will be able to raise – last year she expected them to do \$125,000 they actually raised \$145,000. This year she went out on a limb and said I think we can get \$175,000. As the Mayor said earlier it was at the time Sunday \$181,000 that they had raised plus there were still funds that were going to have to come in. I think that is tremendous accomplishment for people in the city and in the surrounding area that came and were involved in that. It was really a nice experience to be a small part of that.

Also earlier that morning I attended the Fire Fighters' Memorial at the corner of Manchester and Concord Street at the Fire Fighters' Memorial site. That again is extremely moving when they read off the names of the individuals that have given their lives protecting people that live in this city with the bell that goes

off. It is just a really very incredible experience. Those of you that have not come I urge you to try to attend that next year. Thank you.

... tape flipped ...

Alderman Vitale

... why I was a little late for the picture. I really did think it was 7:00 p.m. I would have been on time had I read my memo correctly. Also I want to say I enjoyed attending the opening of Nashua South on Sunday. I would like to say congratulations to the students for a job well done. They did a great job decorating. The music, the refreshments, the tours that were given – I believe we should be proud of them and proud of the city for supporting the two high schools.

I would also like to say that I also received the memo from Patrick Corbin. I thought it was very well written and it gives us a few things to think about that are maybe a new perspective. Thank you.

Alderman Tollner

I also would like to congratulate Nashua South on the opening of the high school and the ceremony that they had. I was out of town.

I would also like to thank Joint Special School Building Committee for all of the work that they have done over the years for not only that high school but also the other high school as well as the Board of Education, the Board of Aldermen, and citizens and taxpayers.

We had two pieces of legislation tonight that the Board was pretty passionate on and caused some anxiety. I guess if I was watching at home tonight I guess I would be somewhat surprised and maybe in my own opinion somewhat dismayed. We are all entitled to our own opinions on particular pieces of legislation. I think tonight that we got off I think as Alderman Bolton mentioned when he asked for a Point of Order – I think we got off on some tangents. I think the purpose of the legislation is good. I just want to underscore when we keep coming back and talking about this time and time again – each one of us have our own opinion on a particular piece of legislation and we are entitled to that. At the same time I think it is very important for us to be respectful of our colleagues and try to maintain a certain decorum in this Chamber; allow people to provide their comments. If they are on target and they are pointed to the question that is on the table allow them to finish their comments and at the end respect their opinion. At the end regardless of what the outcome of the vote is whether we are pleased or disappointed respect that.

Tonight Alderman Bolton presented some legislation honoring Tom Kelley and again he and I at different times had different views of legislation, but I remember the one thing that he told us is after that vote is taken – be respectful of your colleagues and their opinions, and after that vote is taken move on. Tonight we made a motion to hold two very important pieces of legislation at the full Board and hopefully we will be able to act on them in the future. We do need to concentrate as a Board to be more respectful of everyone's comments and be patient with the process. Thank you.

President McCarthy

I would also like to express my thanks to the students and staff at Nashua High South for the ceremony that they put together for us for Sunday. I also want to say it has been my distinct pleasure to serve as the Chair of the committee that built both of those schools. I will thank and continue to thank the

members of the committee and the Joint Special School Building Committee. I would also like to thank Ed Henry at the high school for his work with advancing the science curriculum. The school held what I hope will be the first of many astronomy days on Saturday, which was attended by about 150 people attending workshops on astronomy in space, sciences, and seeing the planetarium at the south high school in action. I think that was a great event. I thank Mr. Henry for his interest in improving the science curriculum of our school. Go Red Sox! We have no Birthdays this month.

Committee announcements:

Alderman Dion

There will be a meeting of the Committee on Infrastructure tomorrow evening at 7:00 p.m.

ADJOURNMENT

**MOTION BY ALDERMAN DEANE THAT THE OCTOBER 26, 2004 MEETING OF THE BOARD OF ALDERMEN BE ADJOURNED
MOTION CARRIED**

The meeting was declared adjourned at 9:40 p.m.

Attest:

Paul R. Bergeron, City Clerk